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**THE HIDDEN PRINCE: GOVERNORS, EXECUTIVE POWER  
AND THE RISE OF THE MODERN PRESIDENCY**

by

SALADIN MALIK AMBAR

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Written under the direction of

Dr. Daniel J. Tichenor

and approved by

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Dr. Daniel J. Tichenor

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Dr. Peter Dennis Bathory

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Dr. Jane Y. Junn

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Dr. Sidney M. Milkis, University of Virginia

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## ABSTRACT OF THE DISSERTATION

The Hidden Prince: Governors, Executive Power and the Rise of the Modern Presidency

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SALADIN M. AMBAR

Dissertation Director:

Daniel J. Tichenor

Before 1876, no American president had been elected directly from a statehouse. By 1932 five had, and a would-be sixth, Theodore Roosevelt, came to the office through a line of succession made possible by his successful tenure as Albany's executive. While the modern presidency is increasingly recognized as owing its origins to the administrations of Roosevelt and Woodrow Wilson, an essential common denominator of the two has largely been ignored. The examples of Roosevelt and Wilson –and their progeny –as state executives, have been disconnected from the larger story of how moderns reconceived the office of President. Moreover, the American governorship's contributions as an institution that helped redefine newly emerging Progressive Era notions of executive power, has been understudied, and in the main, undervalued. When considering the presidency's shift toward legislative and party leadership, and the changed communicative avenues traversed by modern presidents, it is of great value to first see these phenomena altered by executives at the state level. From Grover

Cleveland to Franklin Roosevelt, a progressive line of governors and governor-presidents helped construct an executive-centered governing philosophy that has uniquely stamped what we have come to know as the modern presidency. This dissertation explores how that construction took place, and what the nature of its implications are for both the field of presidential studies and American democracy. In drawing comparisons across time through case studies of the era's governorships (1876-1932), this dissertation examines how four crucial variables of the modern presidency –legislative and party leadership, press and media initiative, and executive philosophy – were shepherded into executive practice largely through Progressive Era governors and governor-presidents whose constitutional vision and practices defied traditional conceptions of the office.

## Dedication

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FOR MY MOTHER, JOYCE CATHERINE THACKER

*who with love, read to me, and believed great things possible,  
and for my wife, Carmen – whose enduring love and support  
only grows; and for Gabrielle, Luke, and Daniel – born to our  
great joy in the midst of this project, who I am amazed by daily*

## Acknowledgements

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This dissertation is the product of many people and countless conversations that have shaped my thinking and scholarship over the years. In some ways, it grew out of a conversation twenty years ago, when as a fairly typical New Yorker, I was bemused and unimpressed on a visit to my girlfriend's (and now, wife's) home in Little Rock, Arkansas, to hear tall tales about the gifts of their barely known governor. The following year I spent a summer in Princeton, New Jersey, at the University's summer public policy program for students of color. There, I met Michael Hanchard, who first sparked my interest in one day pursuing a doctorate. I've been in pursuit of the idea of executive power and the prospects of making a contribution in academia ever since.

Those good folks in Arkansas – Manuel and Gwendolyn Twillie – are now my in-laws, and have been indispensable in providing me time, lodging (!), and overall support and encouragement over the years. Their duties have included staying with our children, directing me to the Clinton Gubernatorial Papers Project and Bob Razer in Little Rock, and availing me of wonderful breakfasts and conversation. All graduate students should be so blessed.

Along the way, I've been introduced to marvelous researchers and thinkers in the field of American Politics and Political Thought, not the least of which was the late Wilson Carey McWilliams, whose insights need no recounting here. Suffice it to say, I was enriched to be among his last students at Rutgers University. The members of the department of Political Science at Rutgers have been extraordinarily helpful – none more so than Daniel J. Tichenor, my dissertation adviser, mentor, and friend. His guidance and

suggestions have been indispensable to the completion of this project and overwhelmingly responsible for whatever good qualities lie herein.

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Of course, my colleagues in the Graduate School at New Brunswick have been invaluable in their support and consideration of my work. I wish to signal out Benjamin Peters for his particular encouragement, and powerful friendship. Likewise, Brian Stipleman, Jay Milikan, Chris West, and James Mastrangelo have been considerably

helpful readers of various portions of the dissertation throughout. I am most appreciative of their time and kindness.

I would be remiss if I didn't thank my colleagues in the Social Studies department at Princeton High School – an exceptional group of professionals who have taught me much, and encouraged me in every way. I must also most importantly, give thanks to my students over these past ten years. They have been remarkable reminders to me about the higher purpose underlying education – namely that in the exchange of ideas a stronger citizen body is merited. They have been absolutely wonderful, even as they awaited papers that were not always exactly returned the next day.

Finally, I'd like to acknowledge four special people who at various times stood in as surrogate elder-statesmen in my life. Michael Lamb, who introduced me to Robert Caro, a world of history books, and so much more; David Lamb, who like an elder brother, pushed me to seek wisdom; David Twillie, whose example grew my faith; and John Raymond Thacker – who loved me like a father from the very beginning. Coupled with my mother's undying belief in me, I never felt less than whole when perhaps I had reason to. And somewhere, I know Ida Thacker is smiling.

I am most grateful to my wife Carmen, who for twenty years now, has simply been my very best friend.



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## 1

## **The Hidden Prince: Unveiling the Executive Narrative In the Birth of the Modern Presidency**

“What answer shall we give to those who would persuade us that things so unlike resemble each other? —Alexander Hamilton, *Federalist* 69, 1788<sup>1</sup>

“Each time that we find ourselves faced with a mechanism of government endowed with great authority we must seek the reason not in the particular situation of those governing, but in the nature of the societies that they govern.”

—Emile Durkheim, *The Division of Labor in Society*, 1893<sup>2</sup>

### **Introduction**

The modern presidency was built by executives. To grasp this is to see the executive as a category linked to both presidential background as well as a philosophical predisposition of governance. Governors – long superficially regarded entities throughout much of the nineteenth century – were disproportionately responsible for conceptualizing and in numerous instances administering, the basic components of modern presidential leadership. One of the glaring omissions in presidential studies and in research of the presidency’s relationship to American political development has thus been the absence of institutional analysis linked to presidential background. Because state executives were most directly involved in theorizing a shift towards an executive-centered republic, the limited view of the governorship as an agent for institutional change severely curtails the breadth of discourse tied to modern presidential leadership. Despite how well the period of rising executive power (1876-1932) correlates with nearly every account among those who subscribe to the idea of the modern presidency as a verifiable turn in American political history, it is curious that there have been few analyses of the shared

trajectories of the governorship and presidency over this time. The presidency is the ultimate executive office, yet not all presidents have had prior executive experience. This elementary feature of American political history has profound implications when evaluating the origins, evolution, and democratic character of the modern presidency.

The modern president leads the legislative branch while leading and at times defying, his own party. Critically, modern presidents are likewise distinguished from their predecessors by their exertion of command over press and media relations. And finally, the modern president harbors a deep and abiding belief in an executive-centered government. Taken together, these variables of legislative, party, media, and executive governing philosophy, comprise vital features of what all modern presidents are presumed to have command over. While not an exhaustive list, these components of the modern presidency represent key bases by which moderns are judged – roles adopted late in the republic that separate their practices from earlier chief executives.<sup>3</sup> Yet, tellingly, before these categories of authority came to be identified with the modern presidency, they were first employed – experimentally and often peremptorily – by America’s governors. This dissertation is a study in precisely how these governors over the course of some fifty years shaped the birth of the modern presidency.

It is a common presumption that prior institutional background must have some effect on both the occupant and institution of any attained elective office. Yet, this supposition has not been presented or critiqued in political science with regard to either the governorship, or prior executive experience on the whole, when considering the American presidency. As such, this dissertation will be directed towards

addressing several questions, primarily of an institutional nature.<sup>4</sup> What has been the relationship between the governorship and the presidency in American political development? How have governors as either state executives or those ascendant to the White House affected the nature of executive practice among presidents? And what are the implications for American democracy and its relationship with executive authority, given the evolving connections between the governorship and the presidency? Related to each of these questions is the necessary contextualization of the contributions of the governorship to the modern presidency, via an analysis of the Progressive Era and its roots in political history. The proliferation of governor-presidents during this period is an essential aspect of the evolving importance of the American governorship as an institution in its own right, but also the modern presidency as a manifestation of newly conceived notions of executive behavior. The patterns of this argument requires broad, albeit brief, historical perspective.

### **The Cluster Phenomenon: The Case for Governors**

During the Constitutional Convention of 1787, Massachusetts Governor Elbridge Gerry made an interesting albeit unsuccessful appeal for electing the President. Gerry reasoned that executives – namely governors – should be the ones electing the nation’s chief executive. It was counterintuitive, he argued, for legislators, who knew little of the requirements of executive governance, to make such a critical choice outside the purview of their natural political disposition. Meanwhile, James Madison recorded in his notes on the Constitutional Convention that part of the opposition to Gerry’s plan was the argument that governors would

never reduce themselves to “paltry shrubs” by supporting such a great national “Oak.”<sup>5</sup> Nevertheless, Alexander Hamilton would pay Gerry’s argument an indirect compliment when as Publius in Federalist 69 he drew a natural connection between the presidency and the governorship. “Hence it appears,” Hamilton surmised late in his argument, “that except to the concurrent authority of the President in the article of treaties, it would be difficult to determine whether that Magistrate would in the aggregate, possess more or less power than the Governor of New York.”<sup>6</sup> Hamilton took care to cover his support for the new executive institution on two fronts. To alleviate fears of a revived monarchy, Hamilton downplayed the significance of presidential power by comparing it to the then quite mild office of governor. And yet, Hamilton wisely used the strongest governorship of the period to make his case – his own New York —thus providing a seedling for the manifestation of what would become an overly robust executive authority in the future.<sup>7</sup> As suggested in Hamilton’s quote at the beginning of this chapter, the office of president was to be fundamentally different from that of the British king. The comparison Hamilton wanted drawn was between governor and president. However, in knowing the latent strength of New York’s governor, Hamilton was effectively veiling an American Prince, cloaking Machiavellian intent in the modesty of federalism.<sup>8</sup> It would take time, but late nineteenth century American governors would indeed come to resemble the nation’s chief executives at the dawn of the modern presidency.

Hamilton’s deftness would thus go unrewarded for much of the nineteenth century. Despite episodic rather than characteristic flourishes of prerogative power, the presidency was largely far removed from the need for the type of rhetorical

*apologia* Hamilton provided. The early unimportance of the governorship as a pathway to the presidency likewise underscored how relatively inconsequential the office of governor would be during a century dominated by legislatures. When considering prior executive experience, it is telling that not a single president would be elected directly from a statehouse until 1876. Yet, between 1876 and 1932, five presidents would be elected directly from governorships, and eight would have had prior experience as state executives. Such a significant turn in the fortunes of state executives cries out for greater analysis.

The presidency is a *prima facie* executive office. In most respects it is the defining executive office in the United States. As such, executive background ought to be an essential feature in any broad institutional analysis of either the presidency or individual presidents. Indeed, the clustering of governor-presidents – we are currently in the latest cycle dating from President Jimmy Carter to George W. Bush – raises questions beyond the office’s immediate impact on the president. America has had what may be categorized as two compact *regimes of executive presidents*, a fact that raises questions about voter choices and preferences, and the ebb and flow of executive authority’s acceptance and elevation in our politics.<sup>9</sup> As we shall see, the simple dichotomy of executive and non-executive presidents (i.e. those lacking gubernatorial experience) is highly instructive about presidential conduct, changing values concerning executive behavior, and new perspectives on governing philosophy.<sup>10</sup> Put simply, executive background and the clustering of governor-presidents is either incidental to the founding of the modern presidency, or a central part of its narrative. The case studies presented in this dissertation and the

concomitant analysis of broad aspects of presidential behavior over time, suggest the latter.

### **Rutherford B. Hayes to FDR: A New Narrative for the Modern Presidency**

In his lengthy study of the governorship and presidency, the political scientist Joseph E. Kallenbach took for granted that “prior public service, especially in an elective post, is practically an indispensable requirement for the presidency.”<sup>11</sup> Yet over forty percent of all presidents have not held elective executive office of any kind. Kallenbach’s singular attention to elective office is vital in that elections are the most revelatory democratic phenomena. They are instructive about voter aspirations, larger political trends, and perceived candidate qualifications for leadership, at a minimum. Thus, the frequently worn path to the White House after the founding by Vice Presidents and Secretaries of State, offers insights into the nature of nascent American political values and early popular conceptions of leadership. That from Washington to Grant there wasn’t a single president elected directly from a statehouse to the White House, is telling.

It is a frequent criticism of presidential studies that given the limited number of presidents in American history, the presidency must of necessity devolve into biography. This criticism, while not without some merit, oversimplifies the breadth of research in the field of political science. Scholars such as Richard E. Neustadt, Sidney M. Milkis, and Stephen Skowronek, for example, have not engaged in mere biographical analysis.<sup>12</sup> In addition, excellent large-N studies have been introduced by scholars such as Andrew Rudalevige, William Howell, and Kenneth Mayer.<sup>13</sup>

Some have nevertheless argued that the so-called problem of  $n$  presents too high a statistical bar for drawing meaningful conclusions about the presidency, given the limited number of individuals involved. This criticism is seriously mitigated in this study when considering the larger numbers involved in assessing presidential background, when years of service can be aggregated among presidents. With this in mind, during the period between Washington and Grant's presidencies – some 88 years – presidents served a combined 339 years in public office prior to their presidencies. But only 34 of these years – roughly ten percent, were spent in prior elective executive office.<sup>14</sup>

The transformation is therefore stunning when we consider that from Hayes to Franklin D. Roosevelt, presidents were twice as likely to have had prior elective executive experience as nineteenth century presidents.<sup>15</sup> In addition, these early and high tide Progressive Era presidents represented the first cadre of governor-presidents – four in total – and a virtual fifth, when considering the short tenure of Theodore Roosevelt as Vice President. Perhaps one explanation for this clustering is that the modern presidency was somehow responsible for enlivening the importance and overall dynamism of state executives. On the contrary, I shall argue that the causal arrow works in the other direction. Empowered, yet stealthy state executives built a set of practices and theories that ultimately shaped presidential behavior and indeed, made acceptable a broad executive-centered approach to governance in America. Modern executive power was being created in the states first – from the ground up.

Hence, modern presidents didn't so much transform executive behavior as executives transformed the modern presidency. The paramount executives of this era



– Grover Cleveland, Theodore Roosevelt, Woodrow Wilson, and FDR – were pivotal in their drive towards executive leadership and presidential power. Given the specific allowances and advantages of their Hudson progressive pedigree, they were the preeminent proto-modern executives of the age. But they were not alone. Other governors were critical to the invigoration of executive practices and frequently pushed the bounds of acceptable executive behavior. Wisconsin governor Robert M. La Follette, and California’s Hiram Johnson are just two of the larger personalities whose behavior extended well beyond their states to affect the most basic attitudes held by early twentieth century presidents.

While this early Progressive period represented the first meaningful break with earlier trends with respect to pre-presidential background, the presidential election of 1876 likewise introduced a new scenario in American politics. It was the first time two governors vied for the presidency directly from the perch of their sitting office. Republican Rutherford B. Hayes of Ohio and Democrat Samuel J. Tilden of New York opened the door to a different kind of presidential campaigning and presentation to voters. As sitting governors they were the first to truly conjure the now rote images of the “Washington Outsider” or “anti-establishment” candidate. As will be discussed in the next chapter, Hayes and Tilden’s viability was built on the premise that both scandal and economic crisis were best addressed by those without vested interests in the nation’s capital – men whose hands were clean from a legislative branch increasingly excoriated in the popular press for a host of anti-democratic excesses. The early and psychically disconcerting industrialization taking place in America, was paving the way for popular countervailing executive power.

As presented broadly by Emile Durkheim and others, the preconditions for new authority could be found in the social forces being altered by new and disturbing economic realities.<sup>16</sup> In the American political context, the result was to erect state, and later national executives powerful enough to stand up to the twin machines of industrial wayward capitalism and political bossism.

These cases are presented in part because they represent the first cluster of governors elected to the presidency directly from their statehouses. The governorships reflecting the anti-machine predilection in this cohort include Hayes', Cleveland's, Roosevelt's, Wilson's, and FDR's. As will be highlighted in ensuing chapters, the central cases of Hayes, Cleveland, TR, Wilson and FDR, on balance, best highlight the essential features of statehouse to White House executive distillation. One reason for the salience of this particular set of case studies is that the Hudson corridor (New York and New Jersey) provided executives with a disproportionately powerful megaphone in the form of press coverage. While Ohio was a state that produced a significant number of presidents during the period, they were less reflective of the overriding trend towards executive-centered governance. Nevertheless, Hayes' governorship was more in line with the greater emergent executive narrative than some of his Ohio brethren, and is thus included to add further breadth of understanding to national executive trends. Finally, other cases are included that comprise those governors who made a valuable contribution to modern presidential practices and concepts but never attained the presidency in their own right. These include the often overlooked Tilden who looms large as a figure in New York political history, throughout the early and late Progressive Era. His loss in 1876

was instructive on a number of levels, not the least of which being that his governorship exemplified the way Hudson figures would present themselves to the national electorate for decades to come. Beyond Tilden resides a field that includes the largest Progressive Era figures and champions of executive authority in this period. Bob La Follette of Wisconsin and Hiram Johnson of California produced governorships whose respective contributions provide regional and ideological cohesion to the landscape of late nineteenth and early twentieth century attitudes towards executive power and presidential authority. La Follette and Johnson's governorships were models for arguments keen on expanding executive latitude at the national level. Indeed, La Follette's governorship was cribbed widely by TR, Wilson, and FDR. La Follette is perhaps the most inspirational figure of what can only be described as an evolving movement led by governors, to present a new vision for executive behavior in the United States.

Each of these case studies revolve around the four aforementioned variables that make up critical components of the modern presidency. These begin with leadership of the legislative branch – namely the setting of legislative goals, and the executive's direction of the legislative agenda. Second, modern presidents have come to be identified as leaders of their party. This represents a break from early or First Republic notions of president as party representative, or figurehead. As we shall see, it was governors who helped break this subordinate identification with party, as party leadership and at times defiance, frequently came to be seen among voters as a powerful and appealing quality in their executives. The third element in underscoring the sub-origins of the modern presidency is the great emphasis placed on press and

media relations by these governors and governor-presidents. An important aspect of this dissertation is the exploration of press coverage of governors and how both the press and media were frequent instruments of political gamesmanship by state executives in ways that foreshadowed modern presidential practices. Finally, I examine the personal executive philosophy of the governors presented. It is perhaps an unintended but nevertheless prevalent oversight in studying the presidency, that the ideological and intellectual contributions of governors to conceptions of the modern presidency are overlooked. Before considering some of the more important arguments about the modern presidency, it is essential to consider how political scientists have addressed the issue of presidential background and prior public office. In doing so, it is one of the objectives of this dissertation to cast some light back on the institutional nature of American political development, and to make the case for the significance, if not centrality, of the American governorship to the birth of the modern presidency.

### **Bringing the Executive In: Presidential Background in Political Science**

The governorship is a political institution. It is not merely an office or locus of discourse within federalism. As a political institution, the governorship has meaning that crosses state and institutional boundaries, while also serving as a gateway for understanding the presidency. With the growth of both institutional power for state executives and greater attention paid to governors as political personalities, came the concomitant rise of arguments for greater executive power. In the last quarter of the nineteenth century, governors emerged as a sort of *deus ex*

*machina* – heroic figures cast into a narrative gone awry – as increasingly powerful private interests consolidated undue authority in the political arena. Executive power was seen over time as a tool of progressivism – best able to confront the antidemocratic forces seemingly growing beyond all scale. While presidents were just beginning to reconsider the relationship between formal and personal power, governors were initiating and in some instances inventing, modern executive power. And it was their appeals to the public that helped overturn preconceived notions of what an executive could or could not do.

In almost every way, governors began to cross the line in the early progressive period. They did so literally – as when Governor La Follette delivered his annual address in person to the Wisconsin legislature. They did so figuratively, as when Woodrow Wilson threatened to govern “unconstitutionally” in New Jersey. And they would do so when frequently at odds with their own party – as Teddy Roosevelt felt compelled to do in New York as governor. Unfortunately, these and other cases have not typically been seen as part of the broader story of executive power’s growth in America. And where excellent institutional analysis of the American governorship can be found, it is seldom connected meaningfully to the larger question of executive behavior or the institutional development of the presidency.<sup>17</sup> In short, presidential background – a subset of a subset of political science – has been addressed as part of a very limited approach to understanding the evolution of the presidency. And, when addressed, it has been all too often through an ahistorical lens. Such approaches have tended towards character studies, biography, psychology, and personality studies. There is a very limited institutionally based literature on presidential background,

save for efforts at assessing pre-presidential offices held as pathways to the White House. All too often, exceptions notwithstanding, the presumption has been that prior executive office among presidents is largely a personal or biographical affair, rather than a historic or institutional one. The executive as category, in short, is missing.

### *Revisiting the Modern Presidency*

The modern presidency has come to mean the institutionalization of the Office of President. The growth of its bureaucracy, aura of personal and prerogative power, and overall importance as an agency for perpetual emergency management, mark today's presidency as decidedly different than what went before it. Richard E. Neustadt's analysis of the presidency at mid [twentieth] century has come to best exemplify this understanding of the distinction between moderns and others:

The weakening of party ties, the emphasis on personality, the close approach of world events, the changeability of public moods, and above all the ticket splitting, none of this was usual before the Second World War...Nothing really comparable has been seen in this country since the 1880s. And the eighties were not troubled by emergencies in policy.<sup>18</sup>

It would be hard to refute the increasingly institutionalized nature of the presidency. But what has been missing from most discussions of the modern presidency is the reality that not only has the office been institutionalized, but so have all of its occupants. That is to say that all presidents are in some shape or form products of the pre-presidential offices they have held. As such, they are the products of an evolved behavior and governing philosophy linked to their prior experiences wielding political

power; and nothing is more telling than the executive and non-executive dichotomy that defines their presidential background.

When Neustadt harkens back to the 1880s to highlight the last era comparable to that of the conditions present in that of the modern presidency, he is indirectly linking today's presidency to the nascent forms of executive power that would serve as the wellsprings of the modern presidency. This was the era of Cleveland, Teddy Roosevelt, Woodrow Wilson, and a host of dominant state executives fueling new and radical interpretations about the nature of the American president (and more broadly the American executive) in constitutional government. This was the beginning of America's first regime of executives – that is those presidents disproportionately shaped by prior executive experience and the theories and practices of the nation's governors. Like most who subscribe to the idea of the modern presidency as a distinct political phenomenon in American political development, Neustadt of necessity draws from the critical experiences before FDR – he must extol both Woodrow Wilson and Teddy Roosevelt as precursors to this invigorated institution.

Yet the TR and Wilson presidential narratives do not go far enough. They suggest that somehow Roosevelt and Wilson either invented or sublimely fell into a new language of American executive power with no discernable or meaningful antecedents. To extend the linguistics metaphor, American governors are the Linear B of the modern presidency. They developed the institutional roots of discourse, practices, and theories that ultimately grew into modern executive parlance in the United States. All classical periods have their founders – the modern presidency's

was most closely tied to late nineteenth century executives and to governors in particular. There may have been a share of clerks –to use Neustadt’s term – in the White House before the iconic FDR, but not all executives were worthy of this appellation. Progressive Era governors were certainly not – they were the proto-executives of the modern presidency, as the institutional reconstruction was just under way.

In fairness, not all presidential scholarship has been cut from the “moderns and pre-moderns” cloth. Other scholars do go well beyond the Wilson-TR narrative. Jeffrey Tulis, Fred Greenstein, Sidney Milkis, and Stephen Skowronek, for example, all suggest that a historical institutional approach to the presidency compels analysis beyond the neat dichotomy of those that came before and after TR and Wilson. Yet, this work, despite its illuminations on the presidency as a discrete and critical institution, has not systematically linked the study of state executives to the discourse on the modern presidency. In this vein, some of this research raises the question just what is the modern presidency a function of? What are the origins of its growth and the crucial signifiers of its presence? For Jeffrey Tulis, little has been more critically compatible with the modern presidency than the dramatic rise in rhetoric among twentieth century presidents. Tulis sees the willful use of popular rhetoric as a reflection of new forms of democratic politics and changing values within the polity. He explains:

The relation between fundamental doctrines of governance and presidential rhetoric is more complex than simple cause and effect because rhetoric is not only the result of various ideas, but also the medium of their expression. Rhetorical practice is not merely a variable, it is also an amplification or vulgarization of the ideas that produce it...Perhaps [one] might reply, this larger frame is really a symptom of a more fundamental phenomenon.<sup>19</sup>



Indeed. By Tulis' own model, there is ample evidence to presume that prior elective executive office is really at the root of not only the altered rhetorical dispositions of American presidents, but a fundamental variable in the erection of the modern presidency – itself a reflection of a geometric shift in republican values.

Prior executive office as a variable is nowhere to be found in Tulis' analysis. This poses an intrinsic challenge as the case studies and overall argument presume so much in the way of underlying values since the founding. Yet, the genetic coding of American presidents has changed considerably over time, with the executive DNA of chief executives being far more present during the second half of the United States' political development than in the first. For Tulis, the "Old Way" of popular rhetoric was far more muted and covert. Since the twentieth century, a "New Way" has been more broadly defined by popular appeals from American presidents. Such appeals are tracked by Tulis based on the number of presidential tours, speeches on presidential tour, total annual speeches, and average speeches per year, given by American presidents.<sup>20</sup> Tulis chronicles these numbers from the presidency of George Washington to William S. McKinley. This nineteenth century model is highlighted by exceptional rhetoricians –those whose number of speeches exceeded the norms of acceptable presidential modesty. The great statistical outlier here for Tulis is Andrew Johnson, who is said to have "violated virtually all of the nineteenth-century norms encompassed by the doctrine."<sup>21</sup>

But what if Johnson's case and the bulk of late nineteenth and early twentieth century transformation in rhetoric can be traced to a simple preference for executive-centered governance, rooted in prior elective experience? Interestingly, Johnson was

the first former governor to occupy the White House in over twenty years, since the administration of James K. Polk. It was governors after all, who were the earliest executives to perfect the art of public appeals; they were more than any other institutional constituency in America, predisposed to prerogative power and the denigration of legislative authority as we shall see. A simple examination of Tulis' table of presidential tours illustrates the disproportionate use of rhetoric by governor-presidents. When dividing his examples into those presidents with gubernatorial experience and those without (excluding colonial and territorial governorships), those presidents with prior elective executive experience average close to twice as many speeches per year as their non-executive counterparts.<sup>22</sup> It would seem the rhetorical presidency is presaged by the popular rhetorical governorship.<sup>23</sup>

Despite the myriad theoretical constructions for the term executive, its occupational definition has tended to escape discussions of the presidency as the ultimate executive office.<sup>24</sup> Looking at the tables provided below, we can see that rhetorical ascendancy in the presidency parallels the rise of prior experience in executive administration and elective office over time. Tables 1.1 and 1.2 list the following American presidents based on the percentage of their years spent in prior elective executive office. The capital "X" denotes a sitting governor or one elected directly to the White House; the lower case x reflects a conventional governorship. "Y" represents a colonial governorship, and "T" a territorial governorship:

**Table 1.1**

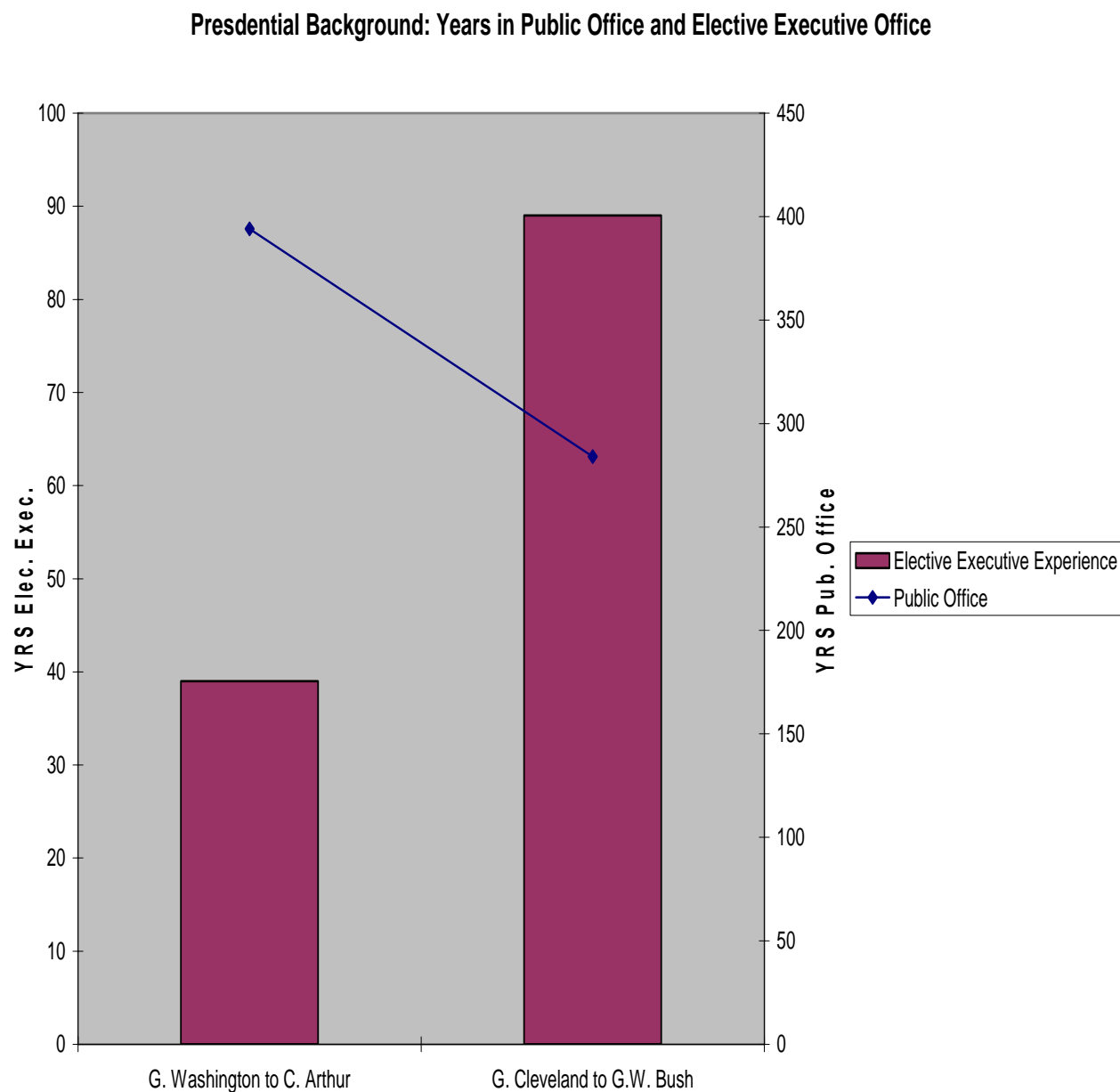
<b>President</b>	<b>Public Office</b>	<b>Executive Administration</b>	<b>Elective Executive</b>	<b>Gov.</b>
G. W. Bush	6	6	6	X
Bill Clinton	12	12	12	X
G.H.W. Bush	16	12	8	
Ronald Reagan	8	8	8	X
Jimmy Carter	8	4	4	X
Gerald Ford	25	1	0	
Richard Nixon	14	8	8	
Lyndon Johnson	27	5	3	
John F. Kennedy	14	0	0	
D. Eisenhower	0	0	0	
Harry S. Truman	20	10	10	
F. D. Roosevelt	13	11	4	X
Herbert Hoover	13	9	0	
Calvin Coolidge	20	7	7	x
Warren Harding	12	2	2	
Woodrow Wilson	2	2	2	X
William H. Taft	25	14	0	
Theo. Roosevelt	14	12	3	x

**Table 1.2**

<b>President</b>	<b>Public Office</b>	<b>Executive Administration</b>	<b>Elective Executive</b>	<b>Gov.</b>
William McKinley	18	6	6	X
Ben. Harrison	11	0	0	
Grover Cleveland	6	6	6	X
Chester Arthur	8	7	0	
James Garfield	20	0	0	
Rutherford Hayes	9	5	5	X
U.S. Grant	0	0	0	
Andrew Johnson	26	9	7	x
Abraham Lincoln	10	0	0	
James Buchanan	35	5	0	
Franklin Pierce	13	0	0	
Millard Fillmore	18	2	2	
Zachary Taylor	0	0	0	
James K. Polk	18	2	2	x
John Tyler	23	2	2	x
William Harrison	24	13	0	T
Martin Van Buren	22	6	4	x
Andrew Jackson	12	1	0	T
John Q. Adams	24	18	0	
James Monroe	26	14	3	x
James Madison	23	8	0	
Thomas Jefferson	23	9	6	Y
John Adams	26	8	8	
George Washington	16	0	0	

To further illustrate the dimension to which executive background was fundamentally linked to the rise of the modern presidency, the following chart (1.1) is provided:

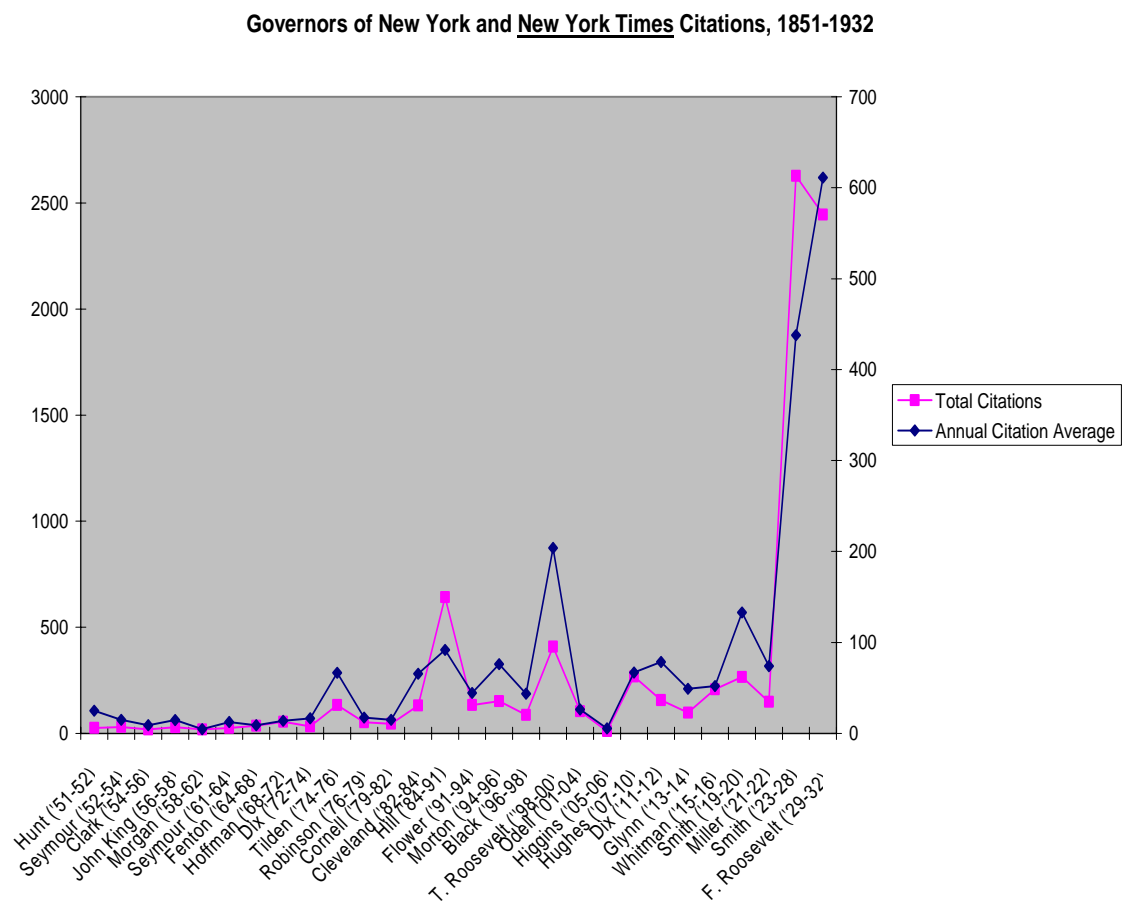
**Chart 1.1**



In short, the growth of elective executive office as a hallmark of presidential background is unmistakable when weighing the two halves of American political history. During the tenures of the last twenty-one presidents from Grover Cleveland to George W. Bush, presidents have been over three times as likely to have had prior experience as elected executives than their twenty-one counterparts from George Washington to Chester Arthur. Further, the period from FDR to George W. Bush represents a near quadrupling of years related to executive background, compared to those in the first half of the nation's history.

As much as anything, the modern presidency has been built upon an overall intensification and emphasis on executive background, and the related proliferation of governor-presidents clustered around late state development in the United States. New York's governors were particularly crucial figures in this narrative, and as such, they became increasingly prominent figures in the national press. Their status as iconoclasts went as far back as Tilden and the ensuing increase in coverage from the last quarter of the nineteenth century through FDR, demonstrates just how Hudson Progressives were redefining the stature of state executives in the eyes of the nation. As can be seen in the following chart, the significant contributions of Tilden, Cleveland, TR, and ultimately FDR, are revealed in the increased press attention they garnered – a fact which was hardly accidental, as will be discussed in upcoming chapters. The New York Times' increased coverage of New York's governors since the paper's inception through the governorship of FDR reveals the elevated status of this crucial cadre of state executives in the last quarter of the nineteenth century and beyond:

Chart 1.2



Given the rising importance of the governorship as part of the overall elevation in executive power in the United States, it is no longer sufficient to presume modern executive authority to be solely a function of presidential practices. Yet, Tulis' crucial models and overall narrative, by way of example, are based upon presidents who had already practiced the rhetorical arts in question as governor. Wilson's threat to govern unconstitutionally and his appeals to the public were both innovations in politics developed during his governorship (and patterned after other governors like La Follette). The same can be said for TR's acumen as leader of his party, and on occasion its challenger. The chief builders of modern presidential power were once governors whose theories of governance and policies were largely replicated later on the presidential stage. Moreover, as I will lay out, the bases of modern presidential leadership and practices were informed by other state executives as well. The tectonic plates of changing executive authority converged around the nation's governors and its early modern presidents at the turn of the last century. To miss this is to overlook one of the important stories of American political development and the rise of new American executive power.

Thus far I've avoided making any normative arguments about the nature of this transformation in executive background as it applies to the modern presidency. I will take up this argument more directly at the conclusion of the dissertation. Suffice it to say, that the relationship between prior executive office and the birth of the modern presidency begs new approaches to understanding the broad set of political, sociological, and economic factors driving the popular appeal of both state and national executives. The *anomie* of modern industrial society had its own

consequences for both individuals and the nature of the state. One of the consequences was the elevation of executive power as a counterweight to the large, faceless institutions that were increasingly prevalent in society. In the American context, this elevation of the executive grew primarily among Progressive Era governors who gained a host of new executive powers and tools at their disposal to stoke popular sentiment in their favor. This was a mutually induced process as voters sought anti-machine and often anti-party leaders with often extralegal (and at times anti-constitutional) perspectives on executive governance. While the rise of modern industrial capitalism in America brought its own staggering implications for the reshaping of republican values, so too did the emergence of the outsized executive. This is one of the great ironies of progressivism in America; it extolled the virtue of popular ends, but in its untethering of executive power, simultaneously extolled the virtue of personalist leadership. It would seem that aspirations to place greater restraints upon private market forces which threatened democratic processes were somewhat more successful than efforts to rein in executive power, one that has known little retraction of authority since the dawn of the modern presidency.

### *Dissertation Outline*

Following this introductory chapter, chapter two reviews the emergence of governors as political figures of national importance. Beginning with the election of 1876, the governorships of candidates Hayes and Tilden are discussed as early harbingers for the type of outsider politics that governors would come to define as presidential candidates. Key governorships of the pre-progressive period are



examined as well, including those of Bob La Follette, Grover Cleveland, and Hiram Johnson. More importantly, the chapter looks at these governors as proto-modern executives whose pedigree as anti-machine politicians and avowed tilt towards executive-centered government, helped redefine the bounds of acceptable executive practices. The social and economic conditions that generated this political breakthrough for governors are analyzed as well.

Chapter three explores the governorship of Theodore Roosevelt. TR's Albany tenure is upheld as instrumental for understanding both his presidency and the emergence of new innovations in executive practice in the United States. The theoretical as well as practical approaches Roosevelt employed are discussed as part of the broader trajectory of executive power emanating from statehouses in America at the time. The defining variables of modern executive leadership are reflected on in considering Roosevelt's governorship. These include his status as party leader, legislative leader, prime mover in press relations, and as a theoretician (along with Herbert Croly) of the executive turn in American political development.

Chapter four reviews and analyzes the governorship and executive philosophy of Woodrow Wilson. Wilson's political writings and theories are explored and linked to his only pre-presidential political experience as governor of New Jersey. Wilson's deconstruction and reinterpretation of the founding is presented along with his modern contributions to party relations, his bold moves in the legislative arena, and finally, his innovative turn in press relations. Wilson is the pivotal bridge between the executive exemplar of the age –Grover Cleveland—and the emerging personification of the modern presidency – Franklin Roosevelt.

Chapter five likewise explores the four variables of modern presidential leadership discussed as applied to the governorship of FDR in New York. As a powerful but by no means unchallenged governor, Roosevelt's strategic political mind is analyzed and his seemingly aphoristic bent uncovered and scrutinized. Here in the person of FDR as Albany leader, we can discern the outlines of the fireside chats, later efforts at establishing party unity under the executive, and the contours of the New Deal. The theoretical constructions behind Roosevelt's newly conceived views of both the executive's role in government and the state's place in the life of its citizens is explored. Importantly, Roosevelt's modern executive acumen – the one that comes to most define the emergence of the modern presidency – can be seen drawing from the wellsprings of his predecessors in New York State, including Al Smith, Grover Cleveland, and as far back as Samuel Tilden.

The conclusion to the dissertation finally weighs the implications of executive power's centrality to American politics at the turn of the last century. By largely missing the governorship's role in the process of erecting the modern presidency, there has been an unintended secondary omission. That is seeing the nature of American executive power's growth as part of the narrative of the Progressive Era and the role state executives played in experimenting with new tactics directed towards garnering popular support and progressive policy outcomes. The effort was not without its cost to democratic processes nor popularly held beliefs about the parameters of executive leadership. The benevolent purposes of the Hamiltonian Prince, once unveiled, were nonetheless unable to account for the powerful disconnect between intentions and patently undemocratic elements of executive

command. The progressive executive at the turn of the century—an Edenic snake – small and alluring, had grown by century’s end, to a poorly restrained dragon at the age of Revelation. The Prince was more loosened than tamed.

This study implores a rethinking of the modern presidency as in part, a function of the contributions governors made to its most basic characteristics. The modern presidency was forged by executives – a seeming redundancy – yet not all presidents have been executives, and that is the rub. The most basic and hoped for contribution of this work is to fold the institution of governor into any analysis of the modern presidency, and to revise the tendency in the discourse of presidential background to ignore the role of prior elective office. It is time to bring the executive, writ large, into presidential studies.

## 2

**Building a Progressive Line of Governors:  
Emerging Second Republic Executives, 1876-1916**

“I would go back as far as Hiram Johnson when he destroyed boss rule.”  
—Gubernatorial candidate Ronald Reagan, describing his party philosophy, 1966<sup>25</sup>

“In the end of course, there will be a revolution, but it will not come in my time.”  
—Hiram Johnson, 1920<sup>26</sup>

### **Introduction**

The period following the presidential election of 1876 represents one of the true watershed moments in American political history. It effectively ended Reconstruction and marked the rise of the United States as a modern, centralized state.<sup>27</sup> The political fallout from the cynical resolution of the contest resulted in embittered and highly contested presidential contests for decades to come, equaled only by those of more recent vintage.<sup>28</sup> Yet, one of the more telling aspects of the electoral struggle between governors Rutherford B. Hayes of Ohio and Samuel J. Tilden of New York has been buried amidst the intrigue and calamity of events surrounding what C. Vann Woodward called the “Unknown Compromise” of 1877.<sup>29</sup> Overlooked among the many stories of the election of 1876 is its legacy as the beginning of a cycle of proto-modern executives. These were state executives and governors-turned-president that would play leading roles in redefining American executive leadership, shaping the presidency into the preeminent institution within the Constitutional constellation.

Before the election of Hayes, no American governor had won the presidency directly from a statehouse. President James K. Polk was the closest, having served as

governor before losing two Tennessee reelection bids prior to winning the presidency in 1844.<sup>30</sup> Pre-presidential executive experience, so much a part of the modern electoral landscape, was scarcely relevant to First Republic politics. Indeed, Hayes and Tilden were the first governors to head a presidential ticket for two major political parties in the same year.<sup>31</sup> Beginning with Hayes, an arc of governor-presidents would be at the fore of reclaiming presidential authority and erecting what some would later unreservedly refer to as, a “presidential republic.”<sup>32</sup> Over the 68 years of presidential terms spanning Hayes to Franklin Roosevelt, presidents with gubernatorial experience held office for 50 of them. Five of the eight presidents from this period were elected directly from statehouses, having run for president as state executives.<sup>33</sup> This constituted a remarkable break from previous pre-presidential political experience, as gubernatorial backgrounds among presidents increased from accounting for less than one in four years to just over three in four years during this period.

To appreciate the nature of this rupture, it is worth reconsidering America’s “First Republic.”<sup>34</sup> This early period in American political development was typified by a Virginia-dynastic philosophical approach to the presidency buoyed by more limited conceptions of executive authority.<sup>35</sup> As the political scientist Rowland Egger noted, “The executive apparatus which emerged from the [1776 Virginia Constitutional Convention] was weak in constitutional stature, confused in lines of authority, and wholly and irresponsibly subservient to the legislative will.”<sup>36</sup> In truth, James Madison’s view of governors as “little more than ciphers” was the broader projection of an executive model steeped in stringent modesty.<sup>37</sup> Andrew Jackson

and Abraham Lincoln's outsized use of executive authority serve as notable exceptions to the *Virginian* conceptualization of the office, and reminders of the significance of the late nineteenth century executive turn. Much of what strikes political scientists as "modern" about the presidency emerges not only at the turn of the century, but with the crucial executive profiles and innovations of governors-turned-president, Cleveland, Teddy Roosevelt, Wilson, and FDR. These transformative executives were not only grafting their own past gubernatorial models onto the presidency; they were also reflecting a diverse array of emerging executive practices brought up from a host of states where progressive experimentation was the order of the day. It was these "kings of state progressivism," as described by the historian Robert H. Wiebe that "expanded the discretionary power of the executive."<sup>38</sup>

Ronald Reagan's seemingly quixotic conjuring of the great Progressive Era governor, Hiram Johnson cannot be explained otherwise. What Johnson did in California fifty years before Reagan took office in Sacramento, was part of a wider movement toward executive leadership and experimentation at the time. In short, essentially progressive governors were reinvisioning the role of executive in the name of protecting "the interests of the people" (or "the *individual*" as Reagan put it to his "Meet the Press" host, Sander Vanocour).<sup>39</sup> It is this idea –that the President is uniquely responsible for guarding the public and its interests –that lies at the heart of what Reagan exuded, and a hallmark of the modern presidency. The seedbed of this approach to governance however, was established during a period of comparatively weak presidential authority. It was state executives who began to take the legislative

initiative, often in contradistinction to their national counterparts. When Woodrow Wilson described the presidency as a “big governorship,” in *Congressional Government*, it was in many respects a nod of sorts to wishful thinking.<sup>40</sup>

Wilson’s admiration for Teddy Roosevelt’s executive leadership style is well known; but his equally important regard for Grover Cleveland is unfortunately scarcely remembered. It was Cleveland that first helped shape Wilson’s questioning of the nineteenth century model of executive subservience to the legislature. And it was his perception of Cleveland’s status as someone whom we would today describe as “outside the Beltway,” that foreshadowed the role all governor-presidents would come to play – that of Washington outsider. Wilson wrote in 1897 of a phenomenon that was soon to become a significant part of the executive story of his age: the emergence of state executives as national leaders and reformers.

It has not often happened that candidates for the presidency have been chosen from outside the ranks of those who have seen service in national politics. Congress is apt to be peculiarly sensitive to the exercise of executive authority by men who have not in some time been members of the one House or the other, and so learned to sympathize with members’ views as to the relations that ought to exist between the President and the federal legislature. No doubt a good deal of the dislike which the Houses early conceived for Mr. Cleveland was due to the feeling that he was an “outsider,” a man without congressional sympathies and points of view.<sup>41</sup>

Like Wilson, Reagan, wore this outsider status as a badge of honor. As we shall see, it was the outsiders who broke up the trusts (or at least laid claim to), disrupted the “rings,” and in the heroic language so often employed by Reagan, “destroyed boss rule.” It is no mere coincidence that the rise of the modern American presidency coincided with this period of state executive leadership –one already in the “progressive” business of laying claim to outright leadership, if not assault, on

parties. The paucity of state leaders emerging on the national scene as described by Wilson, would become reversed in short order by a progressive line of governors who helped build a new executive model in America's Second Republic. "The whole country ...is clamoring for leadership," Governor Wilson said at the time, "and a new role, which too many persons seems little less than unconstitutional is thrust upon our executives."<sup>42</sup>

### **Hayes and Tilden Beyond the Election of 1876: Forging New Pathways**

The election of 1876 ushered in a new era in presidential politics. In some respects, it was arguably the first national election. Democrats nominated Samuel J. Tilden of New York that June in St. Louis, the first convention ever held west of the Mississippi.<sup>43</sup> The use of telegraph technology, which in 1844 produced the first news transferred via wire, (Henry Clay's Whig Party nomination) had become commonplace by 1876. Tilden had in fact installed a telegraph line into the Executive Chamber in his governor's office in New York to monitor the news out of St. Louis.<sup>44</sup> One of the chief reasons why governors could indeed become national figures was that rail and wire technology had brought the hinterlands of America out of the periphery and into the core of the nation's political consciousness. Tilden's reputation as the man responsible for bringing down New York's Boss Tweed spurred national calls for his nomination, including that of distant California.<sup>45</sup> Subsequently, it was Hayes who would become the first president to visit the Pacific states, and it was his administration that saw the installation of the first telephone in the executive



mansion.<sup>46</sup> In the period following its centennial year, the United States had truly become a *national* republic.

Nonetheless, it was Samuel Tilden's losing campaign that actually contributed genuinely significant innovations to modern electoral politics. Countering Hayes' efforts to wave "the bloody shirt" of the Civil War ("are you for the rebellion, or are you for the *Union*?"<sup>47</sup>), Tilden's campaign sought to extend its message in unconventional ways. The Tilden machine that had fought Boss Tweed's was now churning out its own propaganda:

As proof of Tilden's organizational skills, Republicans needed to look no further than New York City, where the "perfect system" that Tilden had built for his drive to the Democratic nomination remained in place. Tilden's nephew, Colonel William T. Pelton, took charge of the Literary Bureau at 59 Liberty Street, installing a printing press in the basement and beginning to pump out millions of pieces of campaign literature—five mailings apiece for every eligible voter by the end of the campaign. Along with the Literary Bureau, which mainly printed leaflets touting Tilden's political career and speeches made by leading Democrats, a Speakers Bureau was set up to coordinate the appearances of Tilden's spokesmen in the hinterland, and a Bureau of Correspondence was created to handle requests for campaign material and information. A.M. Gibson, the Washington correspondent for the *New York Sun*, helped prepare the 750-page *Campaign Text Book*, which exhaustively catalogued Republican corruption great and small. *The Text Book* was distributed free of charge to party workers across the country, and friendly newspapers were encouraged to reprint choice selections of Democratic rhetoric on their own editorial pages.<sup>48</sup>

As his biographer Alexander Flick noted, "A Newspaper Popularity Bureau, with a full staff of editors, writers, artists and 'advertising concoctors,' was organized to promote Tilden's candidacy." Tilden was thus one of the first party leaders to employ newspapers, pamphlets, and circular letters as effective publicity based on the psychology of advertising.<sup>49</sup> In many respects Tilden's were the first exhortations from the modern "war room." The New York based campaign ultimately devised a

crude but innovative form of national polling as well. Using newspaper clippings and individually crafted reports delivered across the country by his aides, Tilden was able to assess regional strengths and weaknesses.

Tilden's central strength was his reputation as a reformer. Referring to Washington, the *New York World* editorialized about Tilden: "Would to God that some Hercules might arise and cleanse *that* Augean stable as the city and state of new York are cleansing."<sup>50</sup> The effort to portray both Hayes and Tilden as "clean government" men was essential to the campaign of 1876, and all subsequent gubernatorial bids to the White House. From *Credit Mobilier* to Watergate, the cycle of governor-presidents has followed periods of grave popular doubt about federal corruption centered on the presidency.

The myriad of scandals attached to the Grant administration, the economic panic of 1873, and widespread disaffection with Reconstruction helped state executives immensely, if for no other reason than that they escaped excoriation from a press and citizenry obsessed with cabinet and senate-based scandals. There was little resemblance to the magnanimity of the Senate of Webster, Clay and Calhoun compared to that which reigned during the Gilded Age. The caricature of U.S. senators popularized in *Puck* were summed up in words by Henry Adams, when he described the United States in his 1880 novel *Democracy* as "a government of the people, by the people, for the benefit of Senators."<sup>51</sup> Such popular disaffection with Washington "insiders" would not be seen until the post-Watergate era, which launched the second historic wave of governor-presidents beginning with Jimmy Carter.<sup>52</sup>

*Hayes, Tilden and The Political Geography of 1876*

In the highly contested final quarter of nineteenth century presidential elections, the critical but frequently doubtful states of Ohio and New York (“swing states” in today’s political parlance) proved instrumental in breeding national candidates for the office. In the first 25 elections held after the Civil War, New Yorkers or Ohioans won the White House 17 times.<sup>53</sup> Nine of these victories belonged to governor-presidents who articulated an anti-machine and executive leaning politics on the way to the White House. As the most populous state in the union, New York and its 35 electoral votes was a formidable player and frequent king maker in presidential politics. After Pennsylvania, Ohio’s 22 electoral votes followed, and its growing immigrant population and sizeable Irish community would make it a battleground state for years to come. New York’s Horatio Seymour all but told Tilden to sell Hayes as anti-Irish, eschewing more genteel self-promotion, such as “Tilden and Reform.” “The word ‘reform’ is not popular with the workingmen,” he insisted.<sup>54</sup> Tilden nearly pulled out Ohio, losing by just 6636 votes while not quite abandoning his reform moniker.<sup>55</sup>

Hayes would have his own difficulties. Even as governor, representing the incumbent party and its association with Washington’s scandals proved daunting for Hayes in 1876. To make matters worse, Hayes had only marginal support from New York’s highly influential Republican party-boss Roscoe Conkling, who was denied the nomination at the Republican convention in Cincinnati.<sup>56</sup> Conkling’s power came from Republican control over New York’s most coveted patronage bonanza—the Customs House. As early as 1828, the Customs House’s duties were paying all

federal expenses apart from interests on the debt.<sup>57</sup> By 1876, it was the largest federal office in the United States and was responsible for 70 percent of all customs revenue.<sup>58</sup> As President, Hayes would ultimately direct some token reform efforts at the Customs House, naming Theodore Roosevelt, Sr. Collector of Customs to the Port of New York, over Conkling's objections. Agitated by the missive, Conkling used his senate committee power to delay the appointment, catching Roosevelt in the crosshairs of a titanic political battle, one that may have debilitated, if not killed him outright. The seeds of young "Teddy's" reformist bent were sown in his father's physical demise, attributed to his Custom House row with Conkling.<sup>59</sup> The possibility that Hayes would lay down the law to Conkling once president proved too great a risk, and he effectively sat on his hands during the national campaign, greatly hurting Hayes' chances.

After Hayes' electoral victory, his administration went after Conkling, in many respects exercising an executive and federal authority of an entirely different stripe. As the historian H.J. Eckenrode put it

Probably never in American history has a politician been more wholly overcome with indignation—righteous or otherwise—than was Roscoe Conkling at Hayes's attack on the New York custom house. Each small boss in every small center of corruption felt the same disturbance. New York was not the only cesspool; in a dozen other cities similar conditions existed; but New York was much the most important and, in striking at New York, Hayes attacked the system of corruption that was eating at the heart of American civil administration.<sup>60</sup>

Interestingly, Tilden had turned down the position of Collector offered to him by President Polk over thirty years prior to his presidential bid.<sup>61</sup> Virtually any politician of ambition was considered for, coveted, or railed against, this aspect of the New York political machine. Tilden was among the short list of "railers."

Despite his well-earned reputation as a conservative friend of the railroad interests, and a “hard-money” man, Tilden also earned the reputation as a reformer of the first order.<sup>62</sup> His Jeffersonian aversion to centralization made him an opponent of what would become a deeply activist executive approach established by TR, Wilson and ultimately FDR. Nonetheless, this “conservative” aspect of Tilden’s philosophy made him equally opposed to centralization of municipal interests that violated those of the public. The scourge of urban scandal was taking on increasingly national prominence as an issue. The historian David McCullough captured the sense of distancing from the founding ethos of the Jeffersonian School:

For most Americans the evils of the Tweed Ring were the natural outgrowth of the essential evil of big cities...The golden age of representative government had lasted less than a hundred years learned men were saying gloomily. Jefferson had been right about what cities would do to American life. The future now belonged to the alien rabble and the likes of Tweed. “Perhaps the title ‘Boss of New York’ will grow into permanence and figure in history like that of the doge of Venice,” wrote George Templeton Strong in his diary. Even Walt Whitman of Brooklyn, who celebrated the “power, fullness, and motion” of New York in his *Democratic Vistas*, published in [1871], wrote savagely of the “deep disease” of America, which he diagnosed as “hollowness at heart.”<sup>63</sup>

Tilden read into his governorship the responsibility to serve as an intermediary between the public and those corrupt elements within the New York political machine. Like so many anti-machine governors that would follow during the Progressive Era, Tilden launched an attack on municipal corruption, namely that of Boss William M. Tweed. His inaugural address targeted the “Canal Ring” of private interests that had abused governmental outlays to the state’s canals; and he likewise targeted the corruptibility of the Customs House.

These shots across the bow were intended not only for New Yorkers, but also “our sister States” who stood to benefit from “an improved polity, wise legislation, and good administration.”<sup>64</sup> Despite losing his presidential bid, Tilden’s administration would stand as an early symbol of reform, one not forgotten by later progressives. The immodest, but always revealing Teddy Roosevelt knew where his early executive legacy lay. “I think I have been the best Governor of my time,” he claimed, “better either than Cleveland or Tilden.”<sup>65</sup> Roosevelt would eschew the Jeffersonian plot line of early reformers, favoring a national politics and more overt forms of executive power. But it was Tilden who brought down Tweed, first with a bold, if not unglamorous affidavit and then with legislation while governor. Tweed fled to California, then Spain, and ultimately returned to New York in handcuffs, dying in prison in 1878. “I guess Tilden and [Democratic party regular Charles S.] Fairchild have killed me at last. I hope they will be satisfied now,” he would say.<sup>66</sup>

Tilden had far more authority at his disposal to accomplish his legislative program than did Hayes as governor of Ohio. While both men came to their governorships at a time when both New York and Ohio lacked the rudiments of an executive mansion, Tilden at least had before him the nation’s most powerful constitutional state executive.<sup>67</sup> Here, early American executive institutional development, like much of what can be explained about American political life, reveals a startling geographic disposition.

In seven states, all lying from Pennsylvania southward, tenure in [executive] office was further limited by various restrictions upon re-eligibility. It should be noted that these were all states in which the principle of legislative election prevailed...In the New England states as well as in New York and New Jersey there were no re-eligibility limitations. Continuance of the same person in office for long periods through successive elections was the usual practice in

these states both during and after the Revolutionary War. For example, George Clinton was governor of New York for six successive terms from 1775 to 1795; William Livingston, the first governor of New Jersey, served 14 one-year terms from 1776 to 1790...In assigning general executive authority to the governor the language of the early state constitutions tended to emphasize his subordination to the legislature. Clauses that could be interpreted to extend his authority to cover a wide range of independent executive powers appeared in a few instances however. The New York constitution vested the “supreme executive power and authority” of the state in him, while New Jersey’s declared that the “supreme executive power” should reside in him.<sup>68</sup>

This in part explains the nature of Hudson executive possibilities exploited by future governor-presidents Cleveland, Roosevelt, Wilson and FDR. As well detailed by the political historian Charles Thach, New York’s constitutional oddity was in granting the executive disproportionate authority. The impetus could not have been less scripted. When seeking to restore order to New York City after a number of riots sparked by medical students’ irreverent quest for fresh cadavers (the so-called “Doctor’s Riots”), New York undertook an ambitious project in executive fortification. “The result was that in New York alone, prior to 1787, there was built up a body of constitutional interpretation, in which, indeed may be found some of the most important of American constitutional principles,” wrote Thach.<sup>69</sup> More than any other state, New York’s constitution played a profound role in shaping the framer’s arguments for a strong “energetic” presidency.<sup>70</sup>

While TR and Wilson’s prefiguring of the modern presidency is taken up in the next chapters, it is worth noting here that constitutional limitations on state executive authority did not preclude experimentation and tests of those limits where the executive tradition was less robust. While Tilden had a freer hand as governor, Hayes was far from docile in his efforts to exert executive influence in Ohio, and later

as President. Unlike New York's governor, Ohio's chief executive was far closer to one of Madison's ciphers. First, he lacked veto power. The governor also lacked authority over the state budget and held very limited appointive powers. While Hayes preferred executive authority to legislative duties (he had served in Congress prior to his governorship), he was a decided minority in Ohio. Most leading Ohioans interested in a career in politics found the role of state executive patently unappealing.<sup>71</sup> Part of Tilden's national appeal was the eyebrow-raising notion that any governor could act so decisively as to bring down Boss Tweed. Yet, what appointments Hayes had at his discretion, he used in unprecedented ways. In addition, Hayes sought to use his stature as governor to project an image of himself above party.

[B]y and large [Hayes] consciously sought to administer his office so that Democrats would recognize that he was governor of Ohio, not a Republican governor. Thus, in his first term, in making appointments to various state boards, he insisted that some of the men appointed should be Democrats. This was a new departure for governors. "I was assailed as untrue to my party," he later recalled, "but the advantages of minority representation were soon apparent, and the experiment became successful." By itself this was an innovation that made him outstanding among governors from the beginning.<sup>72</sup>

This was perhaps carried a step too far when Hayes pledged in his acceptance letter to seek only one term if elected President in 1876. "Believing that the restoration of the civil service to the system established by Washington...can be best accomplished by an Executive who is under no temptation to use the patronage of his office to promote his own reelection," Hayes demurred, peremptorily making himself a lame-duck.<sup>73</sup> Nevertheless, the reform issue was effectively muted by Hayes' nomination—a foreshadowing of when New Jersey's "clean" Democratic Governor Woodrow Wilson, effectively divided the progressive vote in the 1912 presidential election. As



Roy Morris, Jr. writes, “Hayes’s many years of honest service as governor of Ohio, far from the quicksands of Washington,” made him a formidable counter, if not equal, to Tilden’s reputation as the outsider standard bearer of reform.<sup>74</sup>

While Tilden’s leadership over New York’s Democratic legislature made his veto power largely unnecessary (he used it only 16 out of 436 possible times), Hayes would use his limited executive authority in Ohio and later as President in more confrontational ways.<sup>75</sup> As commander-in-chief as governor, he used his power on the behalf of conservative interests during the 1876 Ohio coal strike, ordering the Ohio militia “to protect the coal operators’ property and the strikebreakers’ ‘right to work.’”<sup>76</sup> Hayes would take similar action as President, putting down the Great Strike of 1877. Hayes responded to governors’ calls for aid as some one hundred thousand railroad workers engaged in a mass work stoppage—the largest in the nation’s history.

Up to then federal troops had never been used in America in connection with labor disturbances involving privately owned industry, although in 1834 President Jackson had used troops to break a strike by canal workers near Williamsport, Maryland. Up to then there had never been a national labor crisis. But the railroad strikes of 1877 seemed national, with the various governors apparently unable or unwilling to cope with the occurrences in their jurisdiction...It was then, if ever, that the nation—and Hayes—faced a basic break with past doctrines. He decided the problem on the basis of what he had come to believe had happened to America since the war. America had become a nation in fact.<sup>77</sup>

“The strikes have been put down by *force*,” Hayes would say, “but now for the real remedy. Can’t something be done by education of the strikers, by judicious control of the capitalists, by wise general policy to end or diminish the evil?”<sup>78</sup>

In addition to intervening in the Great Strike, Hayes also forged bolder pathways of presidential action elsewhere. He vetoed a widely popular bill excluding Chinese immigrants. He struck a blow against senatorial courtesy by calling for Chester A. Arthur's resignation from the Post of New York Custom House, initiating his battle with Conkling and appointing John Jay's grandson to investigate New York's corruption (along with commissioners for Philadelphia's, New Orleans', and San Francisco's customhouses).<sup>79</sup> His so-called "popular baths" were public addresses delivered outside of Washington to support his legislative agenda, earning him the moniker "Rutherford the Rover."<sup>80</sup> As Jeffrey Tulis has recorded, Hayes delivered more speeches on tour while president than his six previous predecessors combined.<sup>81</sup> Ari Hoogenboom has summarized Hayes's contributions to the executive turn away from First Republic principles of executive leadership well:

Despite his small staff, Hayes strengthened the office of the presidency. His concept of his office differed from that of his immediate predecessors, who had either embraced or enhanced the Whig approach to the presidency...Although he had been a Whig and was hoping to revive and realign southern Whigs, he moved away from the Whig ideal of a weak president who was subservient to Congress and deferential to his cabinet. In the struggles Hayes had with Congress over his patronage policies and in his desire to use national power to foster education, John Quincy Adams was his model. But Hayes was a better politician than Adams, and by hard work and tough fighting, he would succeed in reversing the ascendancy of Congress, the independence of cabinet members, and the decline of the presidency.<sup>82</sup>

Despite having the executive authority to truly lead as governor, Hayes exercised his authority as president in routine, if not radical fashion. Yet, his Ohio tenure included innovations that would become more common among the progressive progeny of state executives to come. He established Ohio's modern university (what would become Ohio State University); he pushed the legislature to ratify the fifteenth

amendment and reforms aimed at protecting the mentally ill and the incarcerated—areas where he did have a degree of executive authority as governor. Likewise, he was an early advocate of civil service reform and railroad regulation in Ohio.<sup>83</sup> He was, as the historian Hans L. Trefousse described him, “an early progressive.”<sup>84</sup> In many respects, this aspect of Hayes’s legacy is lost in the fallout of what the election of 1876 has come to represent in the popular imagination. This is understandable, but it should not obscure the layered, but no less resolute lesson from the election of 1876. Tilden and Hayes helped spawn a new thinking in executive leadership, and raised the American governorship to the fore as a popular and characteristically “honest” executive institution for democratic reform. While the full executive turn to a modern presidential republic was still at least a quarter century away, its contours could be seen in the shadows of Reconstruction’s demise.

### **The Cleveland Connection: Beyond Bourbon Leadership**

Grover Cleveland is said to have come out of the conservative business wing of late nineteenth century Democratic politics. His tariff and hard money policies spoke to a so-called Bourbon interest in preventing “control of the government by farmers, wage earners and inefficient, irresponsible officeholders.”<sup>85</sup> Henry F. Graff has explained the *Bourbon* movement well:

Bourbon Democracy was a name inspired not by the Kentucky whiskey but by the backward-looking restored monarchy in France, of which Talleyrand, the irrepressible French diplomat, had quipped that its people had learned nothing and forgotten nothing. It was a form of Jeffersonianism dedicated to small, mostly inert government, aimed more at protecting business than promoting the substantial needs of a larger population.<sup>86</sup>

Taken on face value there is much to commend in this view of Cleveland's presidency. But this would be but a partial view, one that obscures an equally important perspective. Cleveland's governorship in New York and his presidency, particularly his first term, demonstrate a more Hamiltonian affinity for executive leadership and power. It was Cleveland as governor-president who contributed mightily to the governing philosophy of Teddy Roosevelt and Woodrow Wilson –and it was Cleveland's Democratic interregnum that presaged the preemptive politics of late twentieth century presidencies such as Bill Clinton's.<sup>87</sup> Most importantly, it was Cleveland's use of executive authority that helped strengthen the presidency and reinforce the idea of the president as both national and legislative leader.

It was during Cleveland's first term that he invoked "executive privilege," claiming for the president power that had not been formerly (or formally) recognized. Alyn Brodsky has called it "Cleveland's greatest achievement: retrieving for the executive branch many of the prerogatives that had fallen to the legislative branch through a succession of presidential mediocrities."<sup>88</sup> The impetus for Cleveland's claim was the Tenure of Office Act. Congress had passed this piece of legislation in its effort to derail the Democratic presidency of Andrew Johnson; the Act effectively turned over all removal authority to the United States Senate, detaching it from the president's appointive powers.

In February, 1886, the Senate began asking the administration for information regarding executive branch suspensions. Citing the advice-and-consent clause, Cleveland sent only information on appointments, while retaining confidential letters and documents. The president himself would be the judge of whether such things could be released to the Senate. The Senate replied saying it would block all future appointments, and the stage was set for a showdown. Cleveland then sent a public message to the Senate, arguing that the Senate had no constitutional authority over dismissals and suspensions,

and that sending confidential documents about appointments would embarrass and injure the president and his advisors, who would be unable to offer frank advice.<sup>89</sup>

Cleveland delivered a response to the Senate essentially declaring the Tenure of Office Act unconstitutional, arguing he was “not responsible to the Senate,” concerning dismissals.<sup>90</sup> Cleveland ultimately prevailed, signing the repeal of the Tenure of Office Act in March of 1887 and restoring balance to executive-legislative relations.<sup>91</sup> In true Progressive fashion, Cleveland would later claim he helped free “the presidency from the Senate’s claim of tutelage,” making the office “again *the independent agent of the people*.”<sup>92</sup> While Cleveland’s act was restorative, it was also in a sense, precedent setting. He was the first of the early modern presidents to invoke the doctrine of executive privilege, an inherently radical doctrine, and one whose implications continue to be debated.<sup>93</sup> As Richard E. Welch, Jr. rightly reasoned, “The modern presidency does not begin with Grover Cleveland, but Cleveland made a necessary contribution to its development when he contested the claims of the Republican Senate and thereby helped to right the balance between the legislative and the executive branches of the federal government.”<sup>94</sup>

Similarly, Cleveland’s *bourbonism* must be qualified when examining another aspect of his executive performance. Cleveland was anything but conservative in his use of the presidential veto, exercising it more than any other president but FDR, who governed nearly twice as long.<sup>95</sup> Prior to the presidency, Cleveland was known first as the “Veto Mayor” of Buffalo, and then as New York’s “Veto Governor.” His predisposition to favor a strong executive countered his self-proclaimed Whiggish sentiments.<sup>96</sup> His 301 first term vetoes were a record, and his combined total of 584

dwarfed the combined bills vetoed prior to his terms in office (132). Cleveland's most controversial veto while governor was employed to defend legalistic and high-minded purposes.

Of all the criticism Governor Cleveland caused by his vetoes, none was as clamorous or had such far-reaching significance as that of the five-cent fare bill. This measure to cut in half the dime fare on New York City's Manhattan Elevated Railroad typified what politicians refer to as "vote-getting legislation."...Among the bill's most impassioned supporters were Tammany boss John Kelly and [Assemblyman] Theodore Roosevelt: the former a political boss of the old school, the latter a twenty-five year old rising star of the Republican party and a leader of its reform wing.<sup>97</sup>

Cleveland's deep and studious analysis of the bill convinced him that while a boon to a public desperate for affordable public services, the bill was unconstitutional; if passed, it would negate a contract between the State and the wealthy Jay Gould who owned the elevated line and stood to benefit greatly by keeping the fare ten cents. "The State must not only be strictly just, but scrupulously fair," Cleveland said in his speech to the Assembly.<sup>98</sup> His principled stand earned him great respect and admiration for his political courage, not the least of which came from Teddy Roosevelt. Both Cleveland and Roosevelt benefited from their early reform alliance, with the two future presidents depicted by one cartoonist as presiding over the demise of the Tammany Hall "tiger."<sup>99</sup> While Cleveland's "Bourbon" democracy may be critiqued for its characteristically establishment tilt, it was Cleveland's liberal use of the veto that became a hallmark of modern executive leadership, the modern presidency, and a singular contribution of later governor-presidents.<sup>100</sup> As the presidential scholar David A. Crockett has recorded, of the top-quartile of vetoes given between 1829 and 2000, governor-presidents account for 70% of them.<sup>101</sup> And though governor-presidents comprise a minority of all presidencies (40%), they

account for an astonishing 63% of all presidential vetoes. Cleveland's triple-executive background is a tale of how new executives like the large mayor from Buffalo rose to power.

They [Buffalo's City Council] crowned Grover Cleveland with a halo of political courage and enshrined his street-cleaning veto as the beginning of the most astonishing and rapid ascent from political obscurity to the pinnacle of governmental power in the annals of the United States. American historians and Cleveland biographers agree that if the Buffalo Common council had overridden the veto of the street-cleaning contract, Grover Cleveland could not that very year [1882], have become governor of New York, and only two years after that, have been elected the twenty-second President of the United States.<sup>102</sup>

Behind Cleveland's use of the veto was the belief that it was the executive's responsibility to provide honest and efficient government to the people. He saw an inherently popular element in the executive function and this sentiment guided his attacks on Tammany Hall and the New York Democratic political boss of the time, John Kelley. Following in the footsteps of Tilden, Cleveland sought to separate the executive from the party, at least insofar as the executive was defined by the bosses. As was the case for Tilden, such defiance was good for Cleveland's national stature. "Ironically," Alyn Brodsky noted, "while Tammany's hostility weakened Cleveland's strength in New York State it added to his strength in the rest of the country; this was particularly true in the West and South, where Kelly and his faction were held in the same regard that a cobra is held by a mongoose."<sup>103</sup>

Cleveland's early progressive support for smaller government, in the interests of efficiency, did not translate into a smaller executive; if anything, only the executive was powerful enough to stand up to the "interests." And there was no greater equipped executive short of the President, than New York's governor, to draw

attention to the need for reform in all of its varieties. Tilden's failed campaign demonstrated that Democrats nevertheless, could win, and that reform executives could parlay their independence into electoral success.

No real Democrat had sat in the White House since James Buchanan left in 1861, and the public had begun to assume that the presidency was "naturally" republican. But when Tilden won the popular vote in 1876, and the formal end of Reconstruction came the following year, many voters began to feel differently. The governorship of New York was regarded as second in importance only to the presidency itself, because of the state's central location, its growing population, and its economic primacy...Cleveland, moreover had the advantage in the freshening atmosphere of politics of not having held a position in the legislature that produced political debts and other obligations.<sup>104</sup>

As Stephen Skowronek observed regarding Cleveland's meteoric rise, "Success in a new kind of [reform] politics seemed to herald a new kind of government." And a new kind of executive was essential to this new politics.<sup>105</sup>

Cleveland carried his sense of executive primacy into his presidential tenure, employing force and legislative leadership in far from customary ways during peacetime. If the use of the veto marked Cleveland's first presidential term, his second term was marked by the use of force in domestic disputes. The economic depression of 1893 enhanced the hand of executives nationally and Cleveland's use of presidential prerogative was part of what Robert H. Wiebe described as a "Search for Order." "Inevitably this new value system, consciously in conflict with that of nineteenth-century America, led the new middle class to see 'the need for a government of continuous involvement' and to emphasize executive administration," wrote Wiebe in his classic work on the period.<sup>106</sup> Economic disorder became the breeding ground for assertive executive leadership.



In 1894 Cleveland would put down both the march on Washington of unemployed laborers known as “Coxey’s Army” and the Pullman Strike in Chicago, by both the threat and use of force.

The national executive...responded to the mounting pressures by pushing into strange territory. Ordering soldiers to quell a disturbance was not itself an innovation. But where Hayes in 1877 had sent troops reluctantly at the behest of local officials, Cleveland overrode [Illinois] Governor Altgeld in 1894 and managed the Chicago boycott as peculiarly the national executive’s problem.<sup>107</sup>

As Clinton Rossiter noted, Cleveland’s intervention was atypical; it involved executive interference in state disputes and disturbances deemed of a national character, and no less, unsolicited by state authorities.<sup>108</sup> Cleveland later used his “emergency powers” to try to grab hold of the economic situation responsible for the uprisings, lobbying to repeal the Silver Act of 1890, “an unprecedented invasion of Congressional prerogative,” channeling Cleveland’s “compulsion to save civilization” into powerful claims on the presidency.<sup>109</sup> Cleveland was clearly breaking new ground in federal-state relations:

The dispatch of troops likewise surprised and angered many people, but again they were without effective means to combat the action. The most conspicuous protester was popular John P. Altgeld, Democratic governor of Illinois. He wrote vehemently to Cleveland that under the law the President had no right to order soldiers to the scene, and he presented detailed information to show that local and state authorities were in complete mastery of the situation...Cleveland was unimpressed by the argument of his fellow Democrat.<sup>110</sup>

If the modern presidency is measured by administrative expansion, centralization, White House staffing, and the dissemination of “daily mail,” there is little to see in Cleveland’s presidential terms that speak to a fundamentally altered national executive.<sup>111</sup> Yet, if we look to executive prerogative, the assertion of

executive authority in legislative matters, and the distinction of executive privilege, Cleveland offers as open a window as any into the beginnings of modern presidential leadership. Unfortunately, Cleveland's contributions to the modern presidency are buried in an obscurity only penetrated by the oddity of his non-successive terms, his physical size, and his purported support for "rum, Romanism, and rebellion."<sup>112</sup> Cleveland's personal scandal involving fathering a child out of wedlock has likewise proven difficult to shake from what little in the public conscience remains of him.<sup>113</sup> Finally, FDR's mammoth historic presidencies have hurt the once highly regarded Cleveland, who once wished away any presidential ambitions for FDR when first meeting the five-year old youngster.<sup>114</sup>

In truth, none of the early progressive state executives demonstrated *in toto*, the features of modern executive leadership best exemplified by FDR. But taken together, they exemplify the composite elements that Teddy Roosevelt, Woodrow Wilson and FDR would employ in turn, that did demarcate new ground in the presidency. Equally telling is their state executive connection to later presidential practice. To paraphrase Justice Louis Brandeis, legislatures may well have been the "laboratories of democracy," but it was late nineteenth and early twentieth century statehouses that became the laboratories of modern executive leadership.<sup>115</sup> As we shall see, none were more prolific in this regard than the executive administrations of Hiram Johnson of California, and Robert M. La Follette of Wisconsin.

### **Progressive Fury: The Executive Leadership of La Follette and Johnson**

Woodrow Wilson is rightly credited with breaking ranks with pre-modern presidential practice, becoming “the first chief executive since John Adams to appear before Congress rather than sending messages in written form.”<sup>116</sup> Jeffrey Tulis sees this departure from what Jefferson perceived as “English custom” as one of the rhetorical vestments that mark the modern presidency.<sup>117</sup> Yet, before Woodrow Wilson shattered the aura surrounding the sanctity of separation of powers in personally delivering the President’s Annual Message, Robert M. La Follette had already done something very similar. While Wilson revived this executive practice on the national stage, La Follette resurrected it from the earliest Empire State governors:

Wilson did not use the personally delivered message while governor of New Jersey, although he attended party legislative caucuses...[One] possible source of inspiration was the example of Governor Robert La Follette of Wisconsin. at the beginning of his first term in 1901 La Follette had read his message to the legislature in order to “invest the whole matter [of his proposed legislative program] with a new seriousness and dignity that would not only affect the legislators themselves, but react upon the public mind.” Until revision of the New York constitution in 1821 the governors of that state delivered their messages to the legislature in person ...Later, having in mind his erstwhile rival who had himself raised the legislative leadership role of the President to new levels, he [Wilson] remarked gleefully to a friend that he had “put one over on Teddy.”<sup>118</sup>

La Follette’s action set a precedent in Wisconsin politics; more importantly, it was part of a wave of executive leadership of legislatures across the country. Progressive Era notions demanded an active executive and both La Follette and Johnson were pacesetters in this regard. It is no mere coincidence that La Follette, like Wilson, earned the reputation for an “increasingly messianic conception of political leadership.”<sup>119</sup>

*Bob La Follette and the Wisconsin Executive Idea*

While La Follette and Johnson reflected different ends of progressivism's democratic theory –La Follette was less sanguine about direct democracy –both shared a Hamiltonian support for executive-directed governance.<sup>120</sup> It was La Follette's veto of the Hagemeister bill while governor that earned him the reputation for throwing down a fiery executive gauntlet in Wisconsin. The bill was a direct-primary proposal full of loopholes favored by local politicians, but did not go far enough in principle for La Follette. La Follette's opposition was manifold, but largely a product of his desire to retain control over local jurisdictions within the state.<sup>121</sup>

[T]he Hagemeister veto message is remarkable for its revelation of La Follette's conception of the executive in a democratic government and his attitude towards compromises, as well as for the passions which the bill aroused...He felt it was the duty of the executive to call attention to the legislature to any negligence on their part to fulfilling their obligations. He believed that the conditions arising out of the Hagemeister bill and the primary-election controversy warranted this action on his part.<sup>122</sup>

In the eyes of the national press, the veto was “manly” and La Follette, “nervy.”<sup>123</sup> Nonetheless, Wisconsin's legislature censured him for the veto, “[charging] that the Governor had transcended all bounds of legislative propriety and constitutional rights in attacking the motives of the legislature.”<sup>124</sup> La Follette was an “unconstitutional governor,” at least a decade before Wilson; the difference was Wilson proudly gave that appellation to himself. For his part, La Follette argued “no bread is often better than half a loaf.”<sup>125</sup>

La Follette's branch of progressive philosophy grew out of Wisconsin's peculiar ethnic and agricultural backdrop. It was a distinctly mid-Western brand of

reform that would actually make its way out to California. But for La Follette, it began with the Grangers. “As a boy on the farm,” he recalled, “I heard and felt this movement of the Grangers swirling about me; and I felt the indignation which it expressed in such a way that I suppose I never fully lost the effect of that early impression.”<sup>126</sup> Some of La Follette’s indignation was fueled by the combined national travails surrounding the Panic of 1873 and the Grant administration’s unseemly railroad scandal known as Credit Mobilier.<sup>127</sup> As was the case with Hiram Johnson, La Follette’s early progressivism aspired to stem the flood of industrialization’s grosser excesses that favored railroad monopoly over the interests of ordinary citizens:

In 1873, Wisconsin Grangers, members of the state branch of the national organization of farmers, demanded railroad regulation and an end to corruption in government. An organization known as the Reform Party – comprised of Grangers, Liberal Republicans, and Democrats – nominated its own slate of candidates, including Grange organizer William R. Taylor for governor. Railroad companies, cited by both parties as a major villain, were more fearful of [then] Governor C.C. Washburn’s reform agenda than Taylor’s. Washburn denounced the unwritten “supreme law of railway managers” and advocated a nationalized telegraph, raising the fear of interference throughout the business community. Business and liquor interests joined in supporting the Reformers, who won not only the governor’s chair but their entire state ticket. Young Bob La Follette applauded this “first powerful revolt in Wisconsin” and would later trace the genesis of the Progressive movement back to the Grangers.<sup>128</sup>

Many years later, the echoes of the Granger movement could be heard in La Follette’s disappointment with the Hepburn Act and President Roosevelt’s perceived compromise with big business.<sup>129</sup> The bill lacked the power to fix rates unilaterally, a *sine qua non* for La Follette.<sup>130</sup> In predictably Rooseveltian fashion, the President was unmoved in his sentiment. “I do not represent public opinion: I represent the

*public*,” he would declare. “I must not represent the excited opinion of the West, but the real interests of the whole people.”<sup>131</sup>

The early Granger anti-railroad struggle was for cheaper rates to eastern markets and federal regulation of the industry.<sup>132</sup> Two-thirds of Wisconsin’s population lived in rural areas and was dominated by farmers. Yet manufacturing was becoming a dominant source of wealth in the state and spoke to an increasingly national phenomenon of industrial wealth and urbanization overcoming a formerly rural and less affluent class of citizens.<sup>133</sup> In addition, two-thirds of Wisconsin’s residents were foreign born by the late nineteenth century, and the ethnic cleavages within the state (namely German and Scandinavian) had to be navigated carefully. Above all, farm interests, especially dairy’s took political precedence. As these interests ran counter to those of the corporate rail lines, La Follette’s passion on the issue was well placed. Railroad regulation was “the most important work in the government of this republic for this generation of men,” he would say.<sup>134</sup> In Wisconsin, as in California’s struggles against Southern Pacific, executive leadership was in popular demand in fighting the railroad industry:

The railroad network was dominated by two giant corporations, the Chicago and North Western and the Chicago, Milwaukee and St. Paul, which between them controlled half the trackage in [Wisconsin] and did more than half the railroad business. In political affairs these two companies joined with the powerful lumber barons to insure state administrations friendly to their interests. Beginning with the short-lived Potter Law of 1874 the legislature of Wisconsin had periodically sought, without conspicuous success, to bring these giants under the control of the state. Like a majority of states, Wisconsin had a railroad commissioner, but he was without power and was frequently controlled by the interests he was supposed to supervise...For more than a quarter century after the Civil War most of the prominent men in public life in Wisconsin were identified with either the railroads or the lumber interests, and the presidents of the two great systems were important figures

that must be consulted before any major decision concerning state policy was made.<sup>135</sup>

It was Wisconsin's version of the Customs House of New York, only on wheels.

Like so many progressives of his day, La Follette's governing philosophy was built around unimpeded executive appeal and electoral support from the *demos*, along with executive leadership, if not dominance, of the legislature. The remedy for the former malady was the direct primary. La Follette championed the idea as a candidate for governor in 1896, after failing to earn the Republican party nomination.<sup>136</sup> His first major speech on the subject, "The Menace of the Political Machine," delivered at the University of Chicago in 1897, called for an end to all caucus and convention systems in favor of the direct primary and the administration of the Australian ballot.<sup>137</sup> It was a call whose messianism typified the emergence of Second Republic executives:

You will place the nominations directly in the hands of the people. You will restore to every state in the union the government given to this people by the God of nations. To every generation some important work is committed. If this generation will destroy the political machine, will emancipate the majority from its enslavement, will again place the destinies of this nation in the hands of its citizens, then 'Under God, this government of the people, by the people and for the people shall not perish from the earth.'<sup>138</sup>

It would take until the election of 1904 and La Follette's second term as governor, before the direct primary became a reality in Wisconsin politics. Countering the charge that the direct primary was unconstitutional, La Follette argued that "many of the accepted institutions of the United States are not part of that document."<sup>139</sup> La Follette's indirect claim of divine mandate reflects what Nancy Unger has called La Follette's claims of "omniscience" at the heart of his veto of the

Hagemeister bill; it was this and more—a hallmark of a transformed national executive whose connection to the people carried overtly spiritual portents. For all of La Follette’s conjuring of Lincoln at Gettysburg, his rhetoric and indeed, the executive rhetoric of the age, abandoned the Lincolnesque quality of righteous humility. If Lincoln took no solace in knowing “the Almighty’s own purposes,” then La Follette and his executive contemporaries were more than ready to lay claim to them. Woodrow Wilson’s later view of his executive authority went one better, by far. “I owe you nothing,” Wilson told the Democratic national party chairman the day after being elected. “*Remember that God ordained that I should be the next President of the United States.*”<sup>140</sup> Yet, as David Thelen noted, “insurgent voters accepted this messianic and plebiscitarian concept of leadership because they believed, based on local experiences, that their leader would have to be a superman to defeat the corporations.”<sup>141</sup>

La Follette’s leadership of the legislature reflected his belief in executive primacy. La Follette biographer Fred Greenbaum has called his tactics in this regard “strange and frightening” to his opponents, unaccustomed to such pushiness from the governor.<sup>142</sup> “It was very well known that I was the only man in the capital who could crowd that legislature to do its duty,” he boasted.<sup>143</sup> Employing a tactic and legislative strategy that foreshadowed FDR’s efforts to defeat members of his own party in favor of New Deal supporters, La Follette spared little in the way of party etiquette in his reelection campaign of 1904:

In 1900 La Follette had disregarded the election of the legislature. In 1902 he had endorsed certain candidates. But in 1904 he campaigned in the districts



of his political opponents. In addition for the first time La Follette openly endorsed Democrats who were running against [Republican] Stalwart candidates. La Follette urged voters to support men who stood for reform, and he pleaded for citizens to disregard party affiliation. La Follette needed a powerful rhetorical weapon in 1904 to influence the election of the legislature. In April and May of 1904 he had experimented with a new tactic, which he called “reading the roll” to the people of Wisconsin. After considering a specific issue, such as the railroad commission bill, he then would read the official vote of the legislature, usually including only the “wrong” votes of Stalwarts. By the fall of 1904 “reading the roll” had become a central feature of La Follette’s campaign speeches.<sup>144</sup>

From delivering his annual message to legislators in person to “reading the roll” irrespective of party, La Follette was establishing unprecedented executive challenges in Wisconsin.

“The Wisconsin Idea” as La Follette’s progressive reform programs came to be known by, gained national attention and influence. When Wisconsin adopted the direct primary in 1904 it became the first state to do so, radically altering electoral politics for decades to come. Yet there was more to the Wisconsin Idea than the direct primary law. La Follette also pioneered state-university relations, fostering far greater interaction between higher education and government than was thought either possible or desirable at the time.

In [La Follette’s] commonwealth conception of society –which emphasized cooperation between government, the university and the private sector – public interest transcended all lesser concerns. Vast faith was placed in the experts at La Follette’s beloved University of Wisconsin. While La Follette was governor, this meant particular reliance upon the university’s president Charles R. Van Hise and two faculty members, economist Richard T. Ely and historian Frederick Jackson Turner, to advise, set standards, and administer Wisconsin’s reform laws. The concept of better government through education was hardly new, but La Follette established an unprecedented relationship between the university and the state that would last far beyond his three terms. Progressive leader Frederick C. Howe later characterized the university as the fourth branch of government in Wisconsin, “the nerve center

of the Commonwealth”...[I]t was conceded upon La Follette’s death in 1925 [the Wisconsin Idea] “probably stimulated more genuine reform in state and national politics than any other influence in the last forty years.”<sup>145</sup>

This neo-executive management system was no less an innovation for La Follette than it was for later executive administrations remembered in part for their incorporation of a modern intelligentsia in government. There is also a direct line from the progressivism of La Follette and the Wisconsin Idea, to La Follette’s own presidential platform in 1924 and New Deal politics. The ranks of former La Follette supporters that would soon litter the administration of FDR, speak to his influence.<sup>146</sup>

When Louis Hartz wrote “La Follette was about all that remained of the high enthusiasm of the Progressive movement,” in 1924, he was stating a partial truth.<sup>147</sup> Much of La Follette and progressivism’s executive acumen remained long past when he and other early Second Republic executives left the stage. La Follette’s reforms did indeed “serve as models that were copied, in whole or in part, by many other states and by the national government.”<sup>148</sup> And as we shall see, La Follette’s emphasis on executive intervention in the public interest was not lost on a later generation of neo-progressives who would do much more than La Follette, but also in many ways great and small, they did so *because* of La Follette.

### *Hiram Johnson and the California Exception*

The University of Wisconsin’s Frederick Jackson Turner famously stamped the frontier as the central theme in American political development in 1893. “The meeting point between civilization and savagery” as he described it, had been officially declared “closed” by the 1890 U.S. Census Bureau. Yet, for the prolific

writer and long-time editor of *The Nation*, Carey McWilliams, California was the exception to the exception of America. California had never in fact, belonged to the frontier, and this reality had a profound influence on future political and economic developments of the state.<sup>149</sup> As Spencer C. Olin, Jr. explains

California differs from other states because it skipped the frontier phase of land development. Because of early Spanish and Mexican grants, California began with land monopoly. After 1860 the federal government and the state began to sell California land to private individuals, and by 1880 most of the valuable parcels had been taken. In addition, the federal government also granted nearly 11,500,000 acres to California railroads. Millions of additional acres were sold for cash, warrants, or scrip. Altogether these grants and transfers of land amounted to nearly 36,000,000 acres, well over one-third of the total area of the state.<sup>150</sup>

For McWilliams, the result was one of heightened social and economic stratification, with a severe labor problem piled on top of real social instability.<sup>151</sup> Practically speaking, the railroads became the dominant political force in the state. As George Mowry put it, “California, like so many of her sister commonwealths at the turn of the century, had only the shadow of representative government.” “To a degree perhaps unparalleled in the nation,” he continued, “the Southern Pacific [Railroad] and a web of associated economic interests ruled the state.”<sup>152</sup>

Southern Pacific’s dominance was part of the prize won by Southern Democrats when they exchanged restoration of white home rule for a Hayes presidency back in 1877. While the compromise was an economic failure in the main for the South, it did create a political megalith in California.<sup>153</sup> Southern Pacific was a veritable Standard Oil and Tammany Hall rolled into one.<sup>154</sup> As can be imagined, the railroad loomed large over Johnson’s early life and political career:

The dominant power in the city of Hiram Johnson’s childhood [Sacramento], the Southern Pacific was the dominant power at the state Capitol as well. As

the largest single employer and landholder in the state, it had the most to win, the most to lose, and by all odds the most to preserve through its manipulation of the political process.<sup>155</sup>

Before Hiram Johnson's governorship there had been mostly token and unsuccessful efforts at thwarting Southern Pacific's political lock on the state. Johnson's father had been much to his son's shame, part of this conservative line of leaders and businessmen. Despite initially opposing bossism in Sacramento, he ultimately succumbed to it.<sup>156</sup> But the rise of progressivism in the state along with Johnson's own doggedness and political acumen, was crucial to turning the tide against the railroad. More to the point, Johnson's rise marked the rise of a wildly democratic, popular insurgency in California, one with executive implications for later state and national leaders.

The independent executive turn in California was built upon a wave of progressivism fueled by newcomers to the state. The politics of change were rooted in a new set of demographics at the turn of the century:

The average immigrant into California after 1900 while still young, was at least six years older than the one who had come in the 'eighties. He brought more wealth with him into the state. Probably more important, this average wayfarer had changed both his place of origin and his final destination. Whereas before he had come from New York, Illinois, Pennsylvania, or Ohio, now in the twentieth century he made his farewells in the central Middle West...By 1890, it has been estimated, 45 percent of California's population originated in the Middle West. By 1900 and 1910 that figure had increased to 50 and 60 percent respectively. Since most of southern California's population was made up in 1910 of recent immigrant stock, the Middle Western influence there was proportionately stronger than in the state as a whole. And in the wake of these Middle Westerners followed the traditions of populism, Protestant morality, and progressivism.<sup>157</sup>

Hiram Johnson's ascension to state politics was fueled in part, by the creation of a neo-Republican organization, the Lincoln-Roosevelt League. The league sought

nomenclature that would capture both its progressivism and detachment from the more staid national image of the Republican Party. Moreover, the political fortunes let loose by Wisconsin winds had found their way into California politics. The Southern Pacific lock on Republican candidates had begun to wither, first with the establishment of the League in 1907, and a new primary law.

Until 1909 reform elements had been unsuccessful in challenging the Southern Pacific's Political Bureau...With the new Primary Law of 1909, however, the chances for success against the railroads increased considerably. The new law virtually eliminated nominating conventions and allowed any candidate to run for office ,providing he could get enough signatures to be on the ballot. Taking advantage of the new law, the Lincoln-Roosevelt League supported Hiram Johnson for governor, Albert Wallace for lieutenant governor, and forty-nine other candidates for various offices.<sup>158</sup>

Johnson's victory in 1910 was a profound and precedent-setting break in California politics. Its tone was reminiscent of Tilden's triumph over Tweed, Cleveland's rebuke of Tammany Hall, and La Follette's direct primary challenge to the rail and lumber interests of Wisconsin. Moreover, Johnson rode a wave of Roosevelt-inspired progressivism, one that was heavily executive in its political philosophy. Large pictures of Roosevelt were never far from Johnson throughout the gubernatorial campaign and Johnson's victory earned him instant comparisons with the "Rough Rider."<sup>159</sup> Robert Cleland described the connection well. "The people saw in him only the fearless champion of the Lincoln-Roosevelt League, the two-fisted champion of the common man." And they also saw, "the California Roosevelt, the nemesis of the political machine."<sup>160</sup>

As Herbert Croly noted, a host of progressive statesmen invariably wrapped themselves around an executive aura of popular will. Hiram Johnson was no different, supporting not only the direct primary in California, but once elected, the

referendum, initiative, and recall as well. This was in line with Johnson's executive philosophy of popular governance. Such musings failed to impress less radical voices, including Johnson's father:

The proposal to enact the initiative, referendum, and recall brought forth the first long bitter clash of opinion in the [legislative] body and throughout the state. The objections of the more conservative members to these "socialistic measures" were adequately summed up by Grove Johnson [Hiram's father], who had resigned from the legislature after his son's victory. In this attempt to substitute an "Athenian democracy for a representative form of government," he foresaw all stability and moderation removed from government. "The voice of the people is not the voice of God," the tough old standpatter cried, "for the voice of the people sent Jesus to the cross." But if the initiative and referendum were bitter medicine to conservatives, the recall including the judiciary was clearly iniquitous revolution.<sup>161</sup>

In Wilsonian fashion, Johnson rejected "the whole theory of checks and balances as a denial of popular government." "No man is better able to govern than all others; no man is better in government than any other man," he would say.<sup>162</sup> While Croly belonged to a class of progressives more disposed to elite representation, the executive tilt of his political writings should not be read as necessarily antithetical to those of progressives like Johnson. Whether an "Athenian" school of popular government was posited or no, Progressive Era governors exercised an almost universally adhered to belief in the supra-authority of the executive. And at the presidential level, later governor-presidents, especially TR, Wilson and FDR, thought so almost as an article of faith.<sup>163</sup>

In legislative matters, Governor Johnson took the lead. He backed the initiative, referendum, and recall with each bill passing, including the surprisingly wide margin allowing for judicial recall. He also pushed for and won the establishment of a Railroad Commission that greatly reduced Southern Pacific's

political influence in the state. And, Johnson led the call for civil service reform, bringing the merit system to California, professionalizing its workforce in the state for decades to come. While the bureaucracy grew considerably, it was efficiently modern and sufficiently expert by the time Ronald Reagan took office some fifty years later.<sup>164</sup> As Reagan biographer Lou Cannon points out, the executive connection to popular democracy in California was built upon the premise that the legislature was part of the defect of checks and balances, one that had to be overcome in the interests of the people:

Coming from another direction, the Progressives in the early twentieth century also distrusted the Legislature. Instead of fearing that the Legislature would be too responsive to the passions of the majority, the Progressives were concerned that it would not be responsive at all. The Progressive remedy was “direct democracy,” including the initiative and the referendum. When the Legislature failed to act, the people could.<sup>165</sup>

While Governor Reagan lost his initiative effort in question, his willingness to wield it as a political weapon reveals an important thread of Second Republic executive philosophy: democracy is best forwarded when it is the executive whose representation of the people is at the fore. Such is the political legacy to be confronted whether one valorizes or laments the rise of the “presidential republic.”

Johnson’s success as governor was built upon this premise. A relative neophyte as doctrinaire progressive, he cut his teeth in long meetings in the east with Bob La Follette and Teddy Roosevelt.<sup>166</sup> More important, Johnson guided the legislature through a loyal and well-oiled political machine of his own, one that invariably drew comparisons with Southern Pacific.<sup>167</sup> At the end of his first year as governor, his administration passed a remarkable twenty-three amendments to the state constitution.<sup>168</sup> Johnson was a boot-strap progressive if nothing else, and he

understood his executive role not with a Wilsonian kinetic scrutiny, but with a visceral sense of authority and duty. As Richard Lower notes, “In 1911 Johnson and the California legislature captured the attention of progressives throughout the nation—in no other state had so bold a set of reforms been put into place in so short a span of time.”<sup>169</sup>

When Johnson joined Roosevelt on the 1912 Progressive Party ticket, the two ex-Republicans and Woodrow Wilson represented a triumvirate of Progressive Era executive leadership, that while not monolithic, was demonstrably modern in both ideas and governance. It was not the high-water mark of modern American executive political development, but it was a crucial doorway to what was to come. “FDR consciously patterned his leadership after that of Woodrow Wilson and Theodore Roosevelt,” notes Sidney M. Milkis, “seeking to reconcile the strengths of these leaders.”<sup>170</sup> It was reconciliation closer to that of kindred spirits than that of adversaries—at least with respect to the role of executive authority. And Johnson is no less part of this story as is Robert M. La Follette, whom together helped demonstrate as erstwhile juniors, what would become possible to their executive counterparts, acting some time later, on the national stage.

### **Conclusion: The Progressive Turn**

At the turn of the last century, American executives began a ninety-degree turn away from Virginian notions of a limited and hemmed in presidency. This movement was fueled by a progressive line of governors—proto-moderns if you like, who exercised executive authority and held governing philosophies so largely



detached from what came before, that we can't help but look upon them as edifiers of some new regime. What did come before them –namely a First Republic steeped in Madisonian notions of executive authority –had become for a variety of reasons (mostly to do with nascent progressivism), a non-portable executive philosophy of an earlier world. What the election of 1876 effectively began, was a march towards executive power (if not begun always by overly powerful executives) that would shape the office and expectations of the modern presidency for well over a hundred years. From Grover Cleveland's invocation of executive privilege to Bob La Follette's first personally delivered address to the legislature, modern executives were establishing precedents and brokering new relationships between themselves and the public that had been previously episodic or nonexistent. The forty-year reign of progressive governors discussed here constituted a sharp turn in American political development, one with marked implications for the presidency. We know that governor-presidents have vetoed more. We know they have governed longer than their legislative counterparts in the nation's Second Republic. We know that few moderns can be said to have had greater influence on the presidency than Theodore Roosevelt, Woodrow Wilson, or FDR. And try as we might, Grover Cleveland –the only person to win the popular vote three times other than Franklin Roosevelt, continues to escape obscurity and continues to inspire debate, if not, well, –*inspire*.

The legacy of late nineteenth and early twentieth century executives of a necessity requires understanding their connections to the modern presidency as a whole. Many of these state executives either became, or greatly influenced modern presidents in ways that we may be now only beginning to appreciate. When Hiram

Johnson in the twilight of his life and senate career spoke of a “revolution” to come beyond his years, he was speaking of a turn in conceptualizations surrounding liberal democratic government, and the purposes behind executive leadership. That revolution did in fact take place –and Johnson and his cadre of progressive executives helped pioneer it, if not steer it. The implications of this path are not lost on questions surrounding the imperatives of democratic society. In laying claim to guardianship status, Second Republic executives were advocating a democracy emanating from the popular will, but manifestly singular in voice and execution. Prerogative power and party decline awaited at the door. Whether this revolution in theory and praxis is most befitting of republican virtues, will be taken up later. It is to those executives who were at the fore of that revolution, and indeed who came to embody it, that we now turn.

## 3

**Rise of the Hudson Progressives: Theodore Roosevelt  
and the New American Executive, 1881-1911**

“Wherever public opinion has been vigorously demanding the adoption of a progressive state policy, the agent to which it has turned for the carrying out of that policy has been a candidate for governor...These executives have usually been accused of usurpation of power, but the accusation has not had any practical effect.” –Herbert Croly, *Progressive Democracy*, 1914<sup>171</sup>

“My view was that every executive officer, and above all every executive officer in high position, was a steward of the people bound actively and affirmatively to do all he could for the people, and not to content himself with the negative merit of keeping his talents undamaged in a napkin.” –Theodore Roosevelt, *Autobiography*, 1913<sup>172</sup>

## Introduction

It is no accident that one of progressivism’s grand theoreticians Herbert Croly, drew great inspiration for his model of executive practice from America’s early twentieth century governors. In many respects the governorship had come to represent the chief institution of executive vitality in America. Writing shortly after Theodore Roosevelt’s presidency, Croly could not fully discern whether the Rooseveltian model of executive power would be sustained. Chief among Croly’s concerns was the thought that the “hollowness” of Republican party conversion to progressivism under Roosevelt would become evident, and with it, the loss of progressive reforms.<sup>173</sup> As Roosevelt had been inspired by Croly’s *The Promise of American Life*, so had Croly been moved by TR’s presidency, seemingly latent with even greater progressive possibilities to come. The challenge for Croly and other progressives was to normalize executive authority in such a way that legislative obfuscation and party loyalties could not dam the tide of popular reform. For answers, Croly looked to the states. He was particularly drawn to the executive

successes found in Governor Robert La Follette's Wisconsin, and in an Oregon plan rife with executive authority. Here, Croly argued "the electorate would be intrusting power not to a party, not to a system, but to a man."<sup>174</sup>

One of the Progressive Era's great ironies was that in seeking democratic or more pointedly, popular ends, progressives often eschewed democratic means and structures. "Governors who reject [extra-legal measures] and who remain scrupulously loyal to the old theory of the separation of powers are considered weak and poor-spirited," Croly noted.<sup>175</sup> Croly clearly had the presidency in mind in his analyses of state practices and gubernatorial projects like the Oregon plan. His somewhat perfunctory effort to tamp down concerns of executive abuse is notable, even as he weighed them:

Nevertheless, [the governor's] legal powers, when reinforced by public confidence, would give him an enormous advantage over any other specific branch of government. Might not that advantage be so overwhelming as to degrade the legislature into an insignificant and unnecessary part of the governmental mechanism? Could not such a powerful administration easily arrange the convenience of a subservient legislative majority? Would not the result be to bestow upon the once omnipotent American legislature about as much power and dignity as had the legislative assembly during the early years of the second Napoleonic empire?<sup>176</sup>

Croly's answer is pithy: voters have the recall option available to them in Oregon, and ultimately, "the legislature represents those minor phases of public opinion which have sufficient energy and conscience to demand some vehicle of expression."<sup>177</sup>

Finally, Croly argued for the personalist leader par excellence:

A vague popular aspiration or a crude and groping popular interest often requires incarnation in a single man...His exhortation and explanations and his proposals to convert such aspirations and interests into action bring them to a head and start them on a career of adjustment to the general interest. Even the most sophisticated societies are rarely able to feel much enthusiasm about a principle or a program until it becomes incarnated in a vivid

personality and is enhanced as a result of the incarnation. In the case of less sophisticated people, such as compose the majority of modern democracy, no program is likely to be politically effective unless it is temporarily associated with an effective personality.<sup>178</sup>

Teddy Roosevelt was the embodiment of such a personality for Croly, to be sure; yet, Croly also saw the portent of a new-styled executive leadership in Grover Cleveland, and in governors more generally.<sup>179</sup> “The best reform legislation now enacted usually originates in executive mansions,” Croly wrote in *The Promise of American Life*.<sup>180</sup> The heroic executives of pre and high tide progressivism had indeed emerged from statehouses, including Cleveland, Roosevelt, Woodrow Wilson, and ultimately FDR. Croly’s writings spoke to a broad set of progressive theories, not the least of which was progressivism’s ties to the unrestrained executive, and the related breakthrough moment for governors in presidential politics. “The subordination of the executive to the legislature would conform to the early American political tradition,” Croly warned at the time.<sup>181</sup>

Indeed, James Madison once wryly dubbed governors “little more than ciphers,”<sup>182</sup> and they stood at the margins of presidential politics over the nation’s first century. No governor had been elected to the presidency directly from a statehouse until Rutherford B. Hayes’ election in 1876. Notwithstanding this, by the end of Reconstruction, there had been a sea change in both the viability of governors in presidential elections, and in their relative dynamism at the state level. By the time Theodore Roosevelt became president, executives at the national and state levels had already crossed significant constitutional thresholds. Governor Rutherford B. Hayes had put down a coal strike in Ohio, and as president, used federal troops in a labor dispute for the first time since Jackson, halting the nation’s largest labor disturbance

in its history. For his part, Grover Cleveland would invoke executive privilege –a significant provocation at the time for an American president.<sup>183</sup> Cleveland would also employ the veto with astounding regularity –as he had in his former executive capacities as Mayor of Buffalo, and Governor of New York. The veto –a signature feature of the modern presidency –would prove to be wielded disproportionately by former governors.<sup>184</sup> Finally, for good measure, progressive governor Bob La Follette had delivered an executive address in person to the Wisconsin legislature, a nearly heretical act in executive-legislative relations at the time. Croly’s robust Hamiltonian executive was rousing if not rampant.

In short, from TR’s initial tutelage in executive politics as Assemblyman during Cleveland’s governorship in Albany, to Woodrow Wilson’s last year in Trenton (1881-1911), governors were at the fore of a period of unprecedented executive fluorescence and experimentation. State executives and governor-presidents led the turn away from Croly’s passé legislative state to a more robust presidential republic.<sup>185</sup> To meet the demands imposed by local bossism, growing corporatism, and the unaccountability of undemocratic institutions –from New York’s Customs House to The Southern Pacific Railroad –reformers placed greater emphasis upon executives to match the bureaucratic monster, blow for blow. As James P. Young noted: “The result was a number of measures that set in motion the long-term decline of the party system—the rise of the direct primary and the resort to devices such as the initiative, referendum, and recall that had their roots in populism.”<sup>186</sup>

The first presidential campaign of “outsiders” was launched when governors Samuel J. Tilden of New York opposed Ohio’s Hayes in 1876. Their pedigree as

state executive reformers helped popularize more formidable conceptions of executive power and outsider's integrity. Later, progressives like La Follette and California's Hiram Johnson, pushed the transformation of state politics to accommodate this new executive, untethered from party, and directly accountable to the electorate. These were the forerunners of a system of reform that greatly enhanced executive power. "The governorship never really strong since colonial days," noted Larry Sabato, "became more prestigious as a result of the battles many of its occupants fought with industry and party bosses. The reform impulse meant added influence for governors, if only temporarily."<sup>187</sup>

The progressive turn in late nineteenth century politics is thus a story tightly connected to the reinvigoration of the American executive. But before this movement's national arrival, state executives led the charge – and they reflected on numerous levels, the only viable examples progressives could point to. Rediscovering, rather than inventing strong executive leadership, former governors such as Hayes, Grover Cleveland, and Teddy Roosevelt, helped reconceive the office of president. As Niels Thorsen noted, Woodrow Wilson's transformation in thought concerning the presidency trailed Cleveland's example, as *Congressional Government* "came out just as Grover Cleveland began to lay the groundwork for a reconstruction of presidential prestige."<sup>188</sup> Theodore Roosevelt and Wilson would push and strengthen this line, which would extend all the way to FDR. This last of the Hudson line of governorships was the high water mark of a generation-old ascendancy of executive-centered, pre-progressive philosophy and practice. While Roosevelt and Wilson's White House tenures typically mark the birth of the modern

presidency, it is important to note the “creation” was far from a static event. The crucial hallmarks of the modern presidency – party and legislative leadership, executive centered-governing philosophy, plebiscitary leadership and media command –all represented largely progressive rearticulations of the fundamental role of the executive in national life. And, it was an arc of governors and governor-presidents that advanced this discourse. There was no more pivotal figure in this narrative than Teddy Roosevelt, who bridged Cleveland and Wilson as the new executive archetype. It was Roosevelt’s governorship that best anticipated modern presidential practices in part, because New York’s constitutional legacy and executive custom allowed it, and because the State’s newspapers – national in scope and importance –came to extol the virtues of the grand executive. As such, if the pathway to the modern presidency indeed runs its course through Roosevelt and Wilson, than it must of necessity be understood first in Albany.

### **Order from Disorder and the Hudson Executive**

It was the historian Robert Wiebe who described the period after Reconstruction as the birth of “a society without a core.” Wiebe was part of a growing number of historians and intellectuals who associated the intersection of material wealth and industry with the loss of individuality and local autonomy. The Panic of 1873, coming amidst the corruptions of the Grant administration and soon followed by the divisive resolution of the election of 1876, was the beginning of an era of great social unrest and unease in America. Unfailingly, at the heart of the new urban industrial order was a yearning for greater meaning:

What had served to explain a community-centered society proved increasingly inadequate to comprehend America late in the nineteenth century. As more



people clustered into smaller spaces, it became harder to isolate the individual. As more of a previously distant world intruded upon community life, it grew more difficult to untangle what an individual did and what was done to him, even to distinguish the community itself from the society around it...For those who had customarily thought of wealth as a token grace, rearguing the case brought only frustration.<sup>189</sup>

This “distended society,” as Wiebe described it, failed to extend economic growth into the lives of vast swaths of the citizenry as a whole. Walt Whitman’s lament here captures the sense of disorder:

I saw to-day a sight I had never seen before and it amazed, and made me serious; three quite good-looking American men, of respectable personal presence, two of them young, carrying chiffonier-bags on their shoulders, and the usual long iron hooks in their hands, plodding along, their eyes cast down, spying for scraps, rags, bones, etc...If the United States, like the countries of the Old World, are also to grow vast crops of poor, desperate, dissatisfied, nomadic, miserably-waged populations, such as we see looming upon us of late years—steadily, even if slowly, eating into them like a cancer of lungs and stomach—then our republican experiment, notwithstanding all its surface-successes, is at heart an unhealthy failure.<sup>190</sup>

The era’s economic imperative outlined by Whitman became foundational to later American conceptions of justice and fairness, and served as the backdrop to a new theory of American rights. The sense of alienation –both economic and psychic –was instrumental in creating the conditions that foreshadowed Franklin D. Roosevelt’s “reappraisal of values.”<sup>191</sup> As Woodrow Wilson would famously remark, “government does not stop with the protection of life, liberty, and property; it goes on to serve every convenience in society.”<sup>192</sup> As president, he and later FDR, would articulate an agenda rooted in this basic premise, while orchestrating presidencies built on plebiscitary leadership and executive primacy. But they would each do so first, and with great effect, as governor.

Personalities aside, Roosevelt and Wilson’s executive management benefited from such disillusionment and social disconnect, as progressives clamored for

executive action. The vigor found in these executive tenures was also partly the product of political history. New York and New Jersey's shared Hudson River border mirrors a similar executive political heritage. Indeed, the two states actually shared one governor until 1738.<sup>193</sup> New York's port and the Hudson itself, gave the two states an outsized geo-political significance. By mid-eighteenth century, the port had become an international commercial boon, carrying with it untold patronage possibilities.

As shipping increased in the nineteenth century, the port expanded its wharves to both sides of Manhattan Island, as well as to Staten Island, Brooklyn, and the New Jersey Shore – 771 miles of wharfage in all. The day Lincoln arrived [for his Cooper Union address], steamships from Le Havre, Liverpool, Hamburg, Baltimore, Savannah, and Havana docked in New York; other ships embarked for Glasgow, Marseilles, Liverpool, Hong Kong, and Barbados.<sup>194</sup>

Both states were early progenitors of strong governorships with lasting, if not intermittent executive powers. While New York's governors have held a consistently powerful place in the state's government, New Jersey has seen more wild swings in its executive's authority. In short, Roosevelt and Wilson's contributions were especially notable because of the strength of their personalities, to be certain—but also due to the plausibility of their executive actions – a product of the constitutional authority presented by both their states and media-dominant locales.<sup>195</sup>

The Hudson model of progressive-executive reform was notably significant, as it was the font of capital, news-generation, and “heroic” national personalities going back arguably as far as Martin Van Buren's governorship. Institutionally speaking, Hudson executives were especially fortified. Moreover, a tradition of an independent executive had been laid down in New York at least as early as Samuel J.

Tilden, and had only been bolstered in the interim by Grover Cleveland's tenures as both state and national executive. It is hard to imagine today that Roosevelt actually stood in Tilden's shadow with respect to executive leadership. Yet Tilden had helped expand the realm of executive possibilities by the time Roosevelt took the oath of office in Albany on New Years' Eve of 1898. In essence, Roosevelt had to demonstrate that he was a worthy successor to the progressive line of Hudson leadership. Barely a month into Roosevelt's term, *The New York Times* wrote:

Mr. Tilden's exposure of the canal frauds when he was Governor was a master stroke of policy as well as morals. The Republican Party was sunk in corruption. All over the land the cry went up for reform. Governor Tilden's work in New York made him the most conspicuous reformer in the Nation...There is the same opportunity in New York now for a great reformer, the same field, the same work...But this time it is no Democratic Tilden, it is the Republican Roosevelt who is called to do the work. He is going to be the great reformer of the day. Upon him the eyes of the country will be fixed. Who knows where the fame of his work will carry him?<sup>196</sup>

Yet, the demands on New York's governor were particularly daunting. The popular pressure to address the dual evils of bossism and patronage had loomed large for some time. As Stephen Skowronek illustrates, the state's centripetal force was geo-political in nature:

[Between 1877 and 1882] reform progressed through two distinct phases. The first centered on the New York Customhouse. Here reform rode a confluence of interests among a faction of the Republican party, a reform-minded President, the merchants of New York, and reform leaders ...The electoral compromise of 1877 set the political conditions for civil service reform's first success in American government...The Port of New York was the lifeline of American government, accounting for well over 50 percent of all federal revenues...More than any other single office, the New York Customhouse symbolized the fusion of party and state, and more than any other single office, it focused the interests of merchants and gentlemen reformers against spoils administration.<sup>197</sup>

To meet the challenge of corruption, New York's governor had to navigate the perilous waters of party and boss confrontation, and an increasingly powerful press – all the while leading a reform agenda ambitious enough to draw popular support, yet modest enough to garner legislative victories. In short, reformers wanted an executive big enough to stand up to the cold and patently undemocratic interests of canals, custom houses, and machines, yet not so big as to dwarf the will of the people. Paradoxically, in winning for a time some of the more cherished concessions demanded by progressives, Roosevelt's governorship portended greater steps away from lasting democratic protections, and in some respects, further widened the gap between the executive and the people – a dominant concern spurring progressive reform to begin with. As Sidney Milkis and Michael Nelson point out:

By itself, Roosevelt's ability to get a considerable part of his program enacted in the absence of a national crisis and in spite of the tepid support, and sometimes the outright resistance, of his party indicated that a new era of presidential leadership had arrived. From now on, government action would be much more likely to bear the president's personal stamp than in the past.<sup>198</sup>

This state of affairs was largely due to the decline of parties and voter turnout, and the advent of more direct approaches to win popular support for public policies. “The civic republican model, in which the people courted statesmen, now stood on its head,” as described by the political scientist John Gerring.<sup>199</sup> The presumption became that presidents were de facto reservoirs of popular will, no matter how shallow or incomprehensibly conceived in construction.

By 1905, Louis Brandeis joined the chorus of disaffected progressives, albeit privately, deploring then President Roosevelt's, “kingly attitude.”<sup>200</sup> By then, the prerogatives of the new American executive were written on the wall, but they were

not entirely new. Indeed, when the first Mayor of newly consolidated New York City, Robert Van Wyck, gave a two-sentence inaugural address in 1898, it was an invocation of an executive zeitgeist. “Mr. Mayor, the people have chosen me to be mayor,” he said. “I shall say whatever I have to say to them.” And that was that.<sup>201</sup>

Van Wyck’s record ultimately demonstrated, and in some respects foreshadowed, the extremes of the plebiscitary leader: rhetoric was for the people, reform for the campaign, and power, ultimately, and increasingly, was to the executive.

Undoubtedly, Teddy Roosevelt’s tenure as New York governor is a window into his later contributions to the modern presidency as a whole – mastery of legislative and party leadership, the routinization of executive-press relations, and an executive-centered governing philosophy –all are on display. And, yet, it is also a window into how that philosophy so precious to Croly and other reformers, had in some respects become detached from the very ends from which it emanated. “The bestowal upon an executive of increased official responsibility and power will be stigmatized by ‘old-fashioned Democrats’ as dangerously despotic,” dismissed Croly.<sup>202</sup> Such dismissals presumed a great deal of the American electorate, and even more of conscientious and enlightened executive statecraft.

### **Roosevelt’s Albany Executive**

By the time Theodore Roosevelt took the oath of office as the youngest president in American history, he was arguably the most famous person in the United States. Roosevelt’s notoriety was hardly accidental, as few politicians knew how to stage their own photographic and print legacy as the great game-hunter and Rough

Rider turned -corruption-fighter.<sup>203</sup> Today, Roosevelt has come to hold a near mythic place in presidential history. Much of what is written about him touches his role in ushering in the modern presidency. In positing Roosevelt as the “father of the rhetorical presidency,” Jeffrey Tulis places him at the epicenter of the institution’s coming of age. Further, Tulis recognizes Roosevelt as the ideological progenitor for other paradigm breaking presidents:

Roosevelt’s [railroad regulation] argument was that a change in authorized practices was necessary to fulfill the purposes of the underlying founding theory of governance. So Roosevelt criticized the founding theory from within, displaying some of the dilemmas of governance built into the original arrangements...[This] serves as a paradigm of rhetorical leadership properly conceived and exercised. Franklin Roosevelt’s campaign to pass the Social Security Act and Reagan’s achievement of tax reform are two of a very similar successes in American political history...[It] also helps to explain how Woodrow Wilson’s subsequent rejection of the constitutional perspective of the founders took hold when it did.<sup>204</sup>

Notably, Tulis’ line of exceptional rhetoricians cited here were all former governors. While the institutional dimension to presidential background has proven to be an equally germane variable in marking the foundation of the modern presidency, it remains an often unattended to aspect of its creation and evolution. It is therefore well to remember and analyze how rhetoric and all other attendant skills brought to bear on the modern presidency in Tulis’ exemplars, were honed first, as governor.

### *Roosevelt’s Media Command and Legislative Leadership*

It is nearly impossible to separate Roosevelt’s handling of the press from his legislative accomplishments and position within his party. Newspapers had long since been largely affiliates of either parties or corporate interests, with few forwarding a progressive agenda. The latter were most enthusiastic about Roosevelt’s

willingness to take on New York's corporations that had been largely exempt from paying taxes on the public franchises they owned. To fight corporate power, early progressives sought executive leadership. "The New York Sun recalled that when Cleveland came to Albany he regarded his task as 'essentially executive,' whereas Governor Roosevelt has shown, more strikingly than in any other instance in recent years, that the office is likewise essentially legislative."<sup>205</sup> Cleveland's example comported well with Roosevelt's own executive philosophy. "In theory the Executive has nothing to do with legislation," wrote Roosevelt. "In practice, as things now are, the Executive is or ought to be peculiarly representative of the people as a whole."<sup>206</sup> Progressives saw this new "legislative executive" as an essential part of the war against both the spoils system and more broadly based machine corruption. A Hamiltonian executive with a sense of Jeffersonian popular appeal was thus part of the character of theoretical leadership Roosevelt sought to employ while governor.<sup>207</sup>

New York's governorship had been used as a sort of progressive "bully pulpit" at least since the days of Tilden and Cleveland. From advocacy for clean government until a young Franklin Roosevelt's publicity campaign for the direct election of senators, the position had gained authoritative resonance as keeper of the neo-liberal flame.<sup>208</sup> As TR biographer G. Wallace Chessman noted:

New York afforded a scope for executive leadership unsurpassed outside the national capital. Here was a premier place to explore the problems disturbing the urban-industrial society, and to advance solutions that might mark the way for others. Here was that rare rostrum assured of national prominence and attention.<sup>209</sup>

It could not have been lost on Roosevelt that "governors or former governors of New York had run as major-party candidates in five of the seven presidential elections

between the Civil War and the Spanish-American War.”<sup>210</sup> For Roosevelt to be the eighth, he would have to do so in the tradition of a Hudson progressive line of executives with true reform accomplishments. Largely due to his formal efforts, the establishment of modern executive-press relationships hearkens back to Roosevelt’s Albany days. Biographer Edmund Morris captures the political significance of Roosevelt’s accomplishment:

Twice daily without fail, when he was in Albany, he would summon reporters into his office for fifteen minutes of questions and answers –mostly the latter, because his loquacity seemed untrammelled by any political scruples... Unassuming as Roosevelt’s press-relations policy may seem in an age of mass communication, it was unprecedented for a Governor of New York State in 1899.<sup>211</sup>

Accordingly, The New York Times credited Roosevelt with “[tearing] down the curtain that shut in the Governor.”<sup>212</sup> The privatization of public knowledge – in a word, secrecy—was part of an ongoing critique by progressives of monopolistic power, both in and out of government. Yet, Roosevelt’s 11 a.m. and 5 p.m. press sessions were more theatrical than illuminating. “It is not publicity in this manner that news of importance is gained,” the *Times* reported, during “A Day With Gov. Roosevelt.” “At [one] conference the writer attended while in Albany...the most famous of all the Albany correspondents was conspicuous by his absence.”<sup>213</sup> Thus, Roosevelt’s conferences institutionalized press relations with the governor, but for the governor’s benefit. The daily sessions were opportunities to leak information of Roosevelt’s choosing and to assess potential hazards. He may not have been the first to employ the “trial balloon” for proposed policies, but Roosevelt regularized the practice, and would go on to establish the first White House Press Room.<sup>214</sup> One



biographer deemed Roosevelt's Albany press relations "the most revolutionary change from past practice."<sup>215</sup>

Since the press was Roosevelt's most effective means of speaking to the people directly, he coveted the relationship early on; they were effectively his counter to boss control in New York. "I therefore made no effort to create a machine of my own, and consistently adopted the plan of going over the heads of the men holding public office and of the men in control of the organization, and appealing directly to the people behind them," Roosevelt explained.<sup>216</sup> As Stephen Ponder describes it:

The intensity with which Roosevelt managed the press in these pre-presidential years indicated more than a desire for self-promotion or political advantage. He was a highly intelligent man, and he was developing a rationale for using the press to shape public opinion that drew both from his notion of expanding executive power as a "steward of the people" and from the Progressive view that properly informing the public was necessary to create support for reform.<sup>217</sup>

Indeed, Roosevelt's governorship produced unprecedented press coverage. Since the inception of *The New York Times*, no other New York governor had garnered the number of annual citations as Roosevelt did during his two year tenure in Albany. The *Times* would cover no other governor as closely or as widely, until Franklin Roosevelt's tenure. While Tilden and Cleveland's terms changed the scope of *Times* coverage, Roosevelt's set a new standard, as evidenced in the table below:

**Table 3.1 Governors of New York and New York Times Citations: 1851-1900**

<b>Governor</b>	<b>Years</b>	<b>Total Citations</b>	<b>Yearly Avg.</b>	<b>Rank</b>
Theodore Roosevelt (R)	1898-1900	408	204	1
Frank S. Black (R)	1896-1898	87	43.5	7
Levi P. Morton (R)	1894-1896	152	76	3
Roswell P. Flower (D)	1891-1894	133	44.3	6
David B. Hill (D)	1884-1891	642	91.7	2
Grover Cleveland (D)	1882-1884	131	65.5	5
Alonzo B. Cornell (R)	1879-1882	45	15	10
Lucius B. Robinson (R)	1876-1879	52	17.3	8
Samuel J. Tilden (D)	1874-1876	133	66.5	4
John Adams Dix (R)	1872-1874	33	16.5	9
John T. Hoffman (D)	1868-1872	55	13.7	13
Reuben E. Fenton (D)	1864-1868	36	9	15t
Horatio Seymour (D)	1861-1864	25	12.5	14
Edwin D. Morgan (R)	1858-1862	19	4.7	17
John A. King (R)	1856-1858	29	14.5	12
Myron H. Clark (Fusion)	1854-1856	18	9	15t
Horatio Seymour (D)	1852-1854	30	15	11
Washington Hunt (Whig)	1851-1852	25	25	(N/A)

Note: dates are from December 31-December 31 for years covered.

#### *The Ford Franchise Bill*

It was Teddy Roosevelt's celebrity and effective use (one might say direction) of the New York press that helped push forward one of the progressive era's most visible, if not most successful pieces of legislation. Going against the "Easy Boss," Thomas Collier Platt –New York's senator and Republican Party boss – Roosevelt cherry picked from four bills in the legislature, focusing on "one proposing a general state tax on all such power and traction [franchise] privileges, in order to replenish the state treasury."<sup>218</sup> Such defiance marked Roosevelt out as a committed and innovative progressive, willing to stand up to the strongest of machines. It was Platt's mentor Roscoe Conkling, after all, whom effectively destroyed Roosevelt's father's political career.

Roosevelt had to work to cultivate a reformer's cachet however; the New York press had been most unforgiving of him for holding Saturday morning breakfasts with Platt, and for his seeming penchant for last minute compromise. The fact was, Roosevelt carved out a centrist position within the progressive movement, one not nearly close enough to William Jennings Bryan's "demagoguery" (as Roosevelt described it) to satisfy the stalwarts, but nevertheless worthy of popular admiration.

One close observer later commented that [Roosevelt's] insistence on balance and qualification had usually prevented him from being a real orator. The primacy Roosevelt had given to working as a professional within the political organization had made him downplay public advocacy on current issues and deliver his major preachments in highly generalized terms.<sup>219</sup>

Roosevelt consciously elected not go down the rhetorical path of Bryan—a veritable Robespierre, “grotesque” and “pitiable.”<sup>220</sup>

While the Ford franchise tax bill on corporations (as it came to be known) was ultimately adopted and properly viewed as a welding by Roosevelt of “conservatism to reform,”<sup>221</sup> it was largely hailed as a heroic moment in progressive reform. The press' euphoria nevertheless masked some of the more practical difficulties of implementation and enforcement of the Ford bill. But it was such challenges—the seeming need to force change while holding the center—that became characteristic of later progressive reforms hewn out by governor-presidents. As well stated by Nathan Miller, “fearing radicalism on the one hand and the excesses of the great corporations on the other, Roosevelt saw himself as a mediator or honest broker, between these contending forces who had the interests of all Americans in mind.”<sup>222</sup> Likewise, Jeffrey Tulis has noted:

Roosevelt isolated two features of contemporary demagoguery as the objects to which the central tents of his public philosophy would be directed. Demagogues appealed to the passions of envy or of fear. Those who exaggerated the corruption of wealth appealed to envy of the poor and middle class. Those who raised the specter of socialism appealed to the fears of the wealthy and middle class. From this observation, Roosevelt concluded that his public philosophy must distinguish individuals and corporations from classes or categories in which they were subsumed. He would go after bad individuals and evil corporations, but would chastise as demagogues those who opposed wealth as such or the impoverished as such.<sup>223</sup>

In this respect, the Ford bill captured both Roosevelt's progressive daring and his legislative pragmatism. That said, his belief in executive primacy pushed him further than earlier models of executive leadership would have countenanced.

In his first Annual Message, Roosevelt in fact proposed an intriguing remedy to what he described as "overlegislation." He called for an "[amendment to] the Constitution so as to provide for biennial sessions of the legislature."<sup>224</sup> Roosevelt wanted to effectively turn the New York State legislature into an every-other-year institution. This was very much keeping in line with Progressive Era notions of legislative inferiority and corruption. "Progressive" democracy was seen as essentially executive in nature; "degenerate" or regressive democracy, was legislative. "Legislatures have degenerated into the condition of being merely agents, rather than principals in the work of government," Herbert Croly wrote. "The propriety of the contemporary movement in favor of the initiative and the referendum is to be attributed to this condition."<sup>225</sup> Increasingly, powerful state executives were taking on the responsibilities of legislation. "More than half of my work as Governor was in the direction of getting needed and important legislation," Roosevelt would claim.<sup>226</sup> The Ford bill was a prime example of executive intervention in legislative affairs.

For starters, Roosevelt used his relationship with the press to push the Ford bill, “[authorizing] the newspaper correspondents to make the public statement that he hoped the Assembly would pass the Ford bill.”<sup>227</sup> To this end, TR used the governor’s special emergency powers. One of Roosevelt’s earliest biographers chronicled the feat:

On the evening of April 28, the Legislature being in session, Roosevelt sent an emergency message to the Assembly, demanding the immediate passage of the bill. The machine leaders were beside themselves with wrath, and the Platt Speaker tore up the message without sending it to the Assembly. At seven o’clock the next morning the Governor was informed of what had occurred. At eight o’clock he reached his office, and sent immediately by hand of his secretary another emergency message to the Speaker, which opened as follows: “I learn that the emergency message which I sent last evening to the Assembly on behalf of the Franchise Tax Bill has not been read. I therefore send hereby another message on the subject. I need not impress upon the Assembly the need of passing this bill at once.” The secretary conveyed to the Speaker intimation from the Governor that if this were not promptly read the Governor would appear in person and read it. The opposition collapsed and the bill was taken up and passed by a large majority.<sup>228</sup>

The passage of the Ford bill was indeed one of the early educative executive experiences that prepared Roosevelt for the White House.<sup>229</sup> He considered the anti-trust bill “the most important law passed in recent times by any American State legislature.”<sup>230</sup> It was his first foray into anti-trust legislation. Hence, Roosevelt’s legislative leadership in New York is justly seen as “[laying] the roots and objectives of the Square Deal.”<sup>231</sup> Beyond this, it contained some of the hallmarks of modern presidential leadership: legislative intervention, party defiance, and executive direction of the press. Despite theoretical opposition to “overlegislation,” what Roosevelt and other progressives inveighed against was legislative leadership. At the

close of the 1899 session, Roosevelt had in fact signed twice as many bills into law as had his predecessor, Governor Black.<sup>232</sup>

As we shall see, Roosevelt's belief in the executive's embodiment of the "people's will" raises questions of Rousseauian dimension concerning the normative duplicity of the phrase. In shepherding a new civil service law in Albany as governor for example, Roosevelt's brokering truly reflected an anti-spoils position held at the time. Yet, if such acts presaged the "Square Deal," than others portended an Anglo-centered nationalism and imperialism that called into question the most basic of constitutional checks. Roosevelt's democratic leanings were complicated at best. As Sven Beckert has noted, Roosevelt fought New York's political machine early on, in part, because it represented an anti-elitist suffragist movement that threatened to turn New York City into what Roosevelt described as a "Celtocracy."<sup>233</sup> Either way, Roosevelt's governorship cannot be disembodied from his ultimate executive record. Much of this legacy included Roosevelt's legislative engineering while governor. If in fact Roosevelt's Albany press relations "prefigured his management of presidential correspondents in Washington, using both a combination of the carrot and the stick," they likewise were a microcosm of his ability to "go over the heads" of the legislature and party opposition, to win legislation to his liking.<sup>234</sup>

### *Beyond the "Too-Compliant Party Man"*

As early as his Inaugural Address as Governor, Roosevelt indicated that he would not govern from the basis of party alone. "It is only through the party system that free governments are now successfully carried on, and yet we must keep ever

vividly before us that the usefulness of a party is strictly limited by its usefulness to the State,” he argued.<sup>235</sup> The combative tone was set at the inaugural ceremony itself. “Equally conspicuous for their absence were the representatives of the Republican Party organization, without whom no inauguration of the past would have been considered complete,” recorded the *Times*.<sup>236</sup> Sensing the early confrontations to come with Platt and Republican leaders, Roosevelt later warned, “the too-compliant party man needs to be told that we can give our money and our labor to our party, but cannot sell our country for it, nor our honor, nor our convictions of right and wrong.”<sup>237</sup> Roosevelt had learned as early as his time in the Albany Assembly, that political reform carried with it political currency when tied to party defiance for a worthy cause. When then Governor Cleveland called upon Roosevelt in 1883 to assist in Cleveland’s breaking ranks with New York Democrats in pushing civil service reform, the lesson was not lost on Roosevelt. In helping Cleveland successfully break with Tammany Democrats from the Republican aisle, Roosevelt was lauded for his “rugged independence” and called a “controlling force on the floor superior to that of any member of his party.”<sup>238</sup>

The political dynamics of the Ford bill were therefore not foreign to Roosevelt. The bill was sponsored by an opposition Democratic senator, and thus placed Roosevelt at cross-purposes with Platt and New York’s Republican machine. However, many of the new, independent executive progressives emerging during this period owed their success to a willingness to move beyond pure party affiliations and issues. Roosevelt was truly a leader in this regard. The passage of the Ford bill was seen instantly as a victory not only over corporate power in New York, but also one

“over the organized leadership of [Roosevelt’s] own party.”<sup>239</sup> The willingness to make gubernatorial appointments on his own terms for example, only heightened Roosevelt’s sense of executive autonomy. It is not coincidental that Roosevelt’s most famous aphorism – “speak softly and carry a big stick,”—dates from this intra-party fight during his New York governorship, not his presidency as is often presumed.<sup>240</sup> Despite walking the line between New York’s Independents, progressive Democrats and his own Republican party, Roosevelt was creating a personal governorship not altogether different from the type of plebiscitary presidency described by Tulis and others. Despite strong condemnation for Roosevelt’s seeming fascination for war, the *Times* applauded him for his independence.

There is not a selfish line in his [Inaugural Address], not a hint of any personal or party motive. He suggests no legislation for partisan advantage... We have been accustomed to see our Governors shape their message to the requirements of the organization or the views of the boss. Mr. Roosevelt’s message is all his own.<sup>241</sup>

Roosevelt understood that fundamentally, his power within the party was in many respects tied to his ability to win favor directly with the people.

The beginning of national party decline was concomitant with the rise of progressivism and increasingly personal executives, not only presidents, as described by Theodore Lowi. The political system had shifted by late nineteenth century as Lowi observes, and a new executive philosophy came to predominate. Governors like Roosevelt were the early theoreticians and practitioners of this philosophy of necessity:

In political terms, the twenty-year period beginning around 1870 constituted an era of social movements. And from these movements there issued a cascade of demands for government action, ranging from outlawing monopolistic practices to the cheapening of the currency, to the improvement



of working conditions as well as the conditions of the poor...Since as we have seen, the states were doing most of the governing, it was naturally and rationally to the states that the social movements looked for redress.<sup>242</sup>

State legislatures could not, and did not do, what aggressive, independent-minded governors did, in attempting to address the broad social discontent common to the era. The movement toward a more executive-centered state was most discernable at the earliest, at the state level, and Roosevelt's Hudson executive lineage and ancestry were an integral part of this narrative. Roosevelt's legislative leadership symbolized the intensifying rejection of earlier Virginian notions of executive propriety. His movement from the statehouse to Washington was part of the broad shift towards popular support for overtly executive leadership. The Hudson model was at the center of this national project.

### *Roosevelt's Executive Philosophy and Management*

As Governor and President, Roosevelt believed that the executive was permitted the ability to act unless otherwise expressly prohibited by the Constitution. He likewise believed that the legislature ought not to enact any law unless it was demonstrably enforceable. Roosevelt's *summum bonum* of executive leadership philosophy thus regarded all executive acts as valid unless expressly prohibited, and all legislative acts cumbersome until having passed executive scrutiny. "I have always sympathized with the view set forth by Pelatiah Webster in 1783...[that] Laws or ordinances of any kind...which fail of execution, are much worse than none," wrote Roosevelt.<sup>243</sup>

Following a Hamiltonian bias towards energetic executive administration, Roosevelt's models at the national level are not surprising.

The course I followed, of regarding the executive as subject to the people, and, under the Constitution, bound to serve the people affirmatively in cases where the Constitution does not explicitly forbid him to render the service, was substantially the course followed by both Andrew Jackson and Abraham Lincoln. Other honorable and well-meaning Presidents, such as James Buchanan, took the opposite and, it seems to me, narrowly legalistic view that the President is the servant of Congress rather than of the people, and can do nothing, no matter how necessary it be to act, unless that Constitution explicitly commands the action.<sup>244</sup>

Part of Roosevelt's view of an independent executive stemmed from his intellectual interests and values. The basis of good government for Roosevelt was expertise mixed with action; he therefore saw academia as fulfilling a practical role in public life. Like Wisconsin's La Follette in Wisconsin, he frequently vetted his own ideas through the lens of those in university life whom he respected, "seeking advice from college professors and experts on such subjects as taxation, canal improvements, education, labor, and conservation. Among his visitors was Woodrow Wilson, who spent a weekend at Sagamore."<sup>245</sup> Such lessons were no doubt fuel for Roosevelt's newly instituted cabinet meetings of New York's top state officials. Roosevelt's evaluation of the Ford bill's feasibility and strength is illustrative of his inclusive, directed, sometimes informal, and more often than not, masterful executive management style. Before long the leading academics and policy experts of the day had weighed in on the bill.<sup>246</sup> Such efforts at building the meritocratic state were tied to progressive views of executive leadership. As Herbert Croly argued, "Progressive democracy demands not merely an increasing employment of the legislative power under representative executive leadership, but it also particularly needs an increase of

administrative authority and efficiency.”<sup>247</sup> Such were the early steps toward “enlightened administration,” thirty years before Franklin D. Roosevelt would mark its arrival in his *Commonwealth Address*.<sup>248</sup>

If Theodore Roosevelt wasn’t fighting the “evils” of corporations *per se*, his administration was willing to target specifically malignant ones. The moral dimension to his rhetoric ought not to cloud however, the very real, and practical stance he took in seeking to match genuine expertise with the challenges of modern governance. Robert Wiebe probably overstated the case when he contended that “in the realm of broad policy, each [Wilson and Roosevelt] political leader was his own expert.”<sup>249</sup> Expert perhaps, but not divorced from outside influence and advice. In this regard, Roosevelt was almost stereotypically progressive. Modern executive leadership was scientific, energetic, and enlightened. Later progressive executives like Wilson would employ similar mechanisms for drawing expertise into government. Yet, the implications for republicanism writ large, were not necessarily benign. As Sidney Milkis instructs, “[Such] commitment to establishing administrators –policy experts—as the ‘conscience of the state’ suggests a theory to supplant rather than refurbish popular government.”<sup>250</sup> Roosevelt’s penchant for seeking counsel outside of his constitutional powers got him into some trouble once president, as he established a plethora of advisory commissions without Congressional approval. The practice has not been abandoned, further strengthening presidential authority.<sup>251</sup>

The basic premise of the anti-spoils, civil service movement was the argument that expertise ought to trump loyalty or favor. This faith in moral efficiency as a

bulwark against the tyranny of the greedy was essential to the spirit of progressivism. Here, Grover Cleveland was very much the exemplar of the age. Having witnessed in 1883 the ability to make legislative change in Albany over dreaded “patronage,” Cleveland would make a familiar if not unchallenged advancement as president. Stephen Skowronek notes that “in Cleveland’s first sixteen months in office there was a 90 percent turnover in presidential officers.”<sup>252</sup> This was in some ways keeping with Tocqueville’s notion of a “revolution” in American politics every four years; but what was different during the progressive era, was the linkage of turnover in office with some traceable form of administrative competence.<sup>253</sup> Cleveland’s election to the presidency in 1884 was indeed, “the crowning achievement of the new independent reform politics.”<sup>254</sup> But it was a coronation that would lead to more lasting and profound reigns –led by even bolder and more effective Hudson progressives. A number of factors made Roosevelt’s breakthrough of greater consequence:

The strategic environment for state building was more favorable during the Roosevelt administration than at any other time...From a position of party strength and electoral stability, Roosevelt pushed executive prerogatives to their limits. Nurturing the development of substantive administrative powers, he drove a wedge into the institutional relationships established among parties, courts, Congress, and the states...He preferred to rely on an expansive interpretation of executive authority, to move ahead with the professionals’ reform agenda on his own initiative, and to bypass Congress as much as possible.<sup>255</sup>

Seeing Roosevelt as a James Monroe style “orthodox innovator,” Stephen Skowronek illuminates one essential aspect of Roosevelt’s historical legacy, namely his “articulation” of the regime to which he belonged. Yet, in examining Roosevelt’s pre-presidential experience and executive heritage, we are likely to do comparable, if

not greater justice, to the genesis of his political gifts. These were orchestrated around more Hudson-based political imperatives, executive-centered philosophies, and progressive designs, than they were defined by the “Era of Good Feelings.” Comparative analysis for the source of Roosevelt’s executive exploits, is likely to find as much fertile ground in the Albany days of Cleveland or Tilden, as discovered in the Washington days of Monroe or Polk. As Roosevelt biographer G. Wallace Chessman has stated:

[Those who boomed Roosevelt for the Presidency could do no better for their argument than to turn to the record of the governorship. There they found formulated his doctrine on the relation of party to the government and the people; his general theory on the role of the state in the modern society; and his stand on such issues as trusts, transportation, labor, and conservation.<sup>256</sup>

Most importantly, these were prescriptions that were culled from a distinct theory of executive-centered leadership. John Milton Cooper, Jr. likewise notes:

As early as 1887 [Roosevelt] had argued that the Hamiltonian legacy of strong central government must be united with “the one great truth taught by Jefferson –that in America a statesman should trust the people, and should endeavor to secure each man all possible individual liberty, confident that he will use it right.” He had praised Lincoln for showing “how a strong people might have a strong government and yet remain the freest on earth.”<sup>257</sup>

The Hamiltonian legacy has not come without consequences however. As Sidney Milkis notes, “[t]he ‘consolidation’ of responsibilities in the national government that would follow from Hamilton’s commercial and international objectives presupposed executive leadership in formulating policy and a strong administrative role in carrying it out. The power of the more democratic and decentralizing institutions –Congress and state governments –were necessarily subordinated in this enterprise.”<sup>258</sup> Ironically, what early progressive executive innovators spawned was popular attachment to executive leadership that in some

respects has obscured the executive from its *raison d'être* –protection of the people's rights. As Lewis Gould warned

Roosevelt's vigorous advocacy of the strong presidency also contained potential dangers and troubling implications. The power to do good for the nation carried with it the capacity to prosecute any trusts that the president considered "bad"...Roosevelt accepted the constraints of legality and precedent as necessary conditions of political life during his presidency. He did not view these obstacles as wise provisions that the framers of the Constitution had included as a possible check against either a well-intentioned president gone wrong or a more sinister executive bent on excessive power.<sup>259</sup>

In writing of former New York Governor Mario Cuomo, Alan Rosenthal made a valid point in stating that "governors today, and especially those in the larger states, recognize that the ability to mobilize broad public support through the media is supplanting the traditional small-group persuasive skills needed by their predecessors."<sup>260</sup> This has been true for some time in the modern era, but the building-blocks of persuasion, outlined through rhetoric and bolstered by institutional practices and custom, go back at least as far as Roosevelt's Albany days. Those features common to the modern presidency emerged in part, from executive practices that bubbled up from an earlier era of executive leaders –none more especially so than those Hudson progressives who governed near the turn of the twentieth century. For better or for ill, these tracks were laid with no apparent route of return. Perhaps this is why the likes of Theodore Roosevelt and Woodrow Wilson remain of contemporary interest, even when few of today's governors can retrace the contours of the modern executive's rise –be it at the state or national level.<sup>261</sup>

## **Conclusion: Rethinking TR and the Modern American Presidency**

The modern presidency came of age when ideas of American executive authority moved through radical reinterpretation. Its transformation was defined in part when state executives built models of aggressive, party defying, press-commanding success. And ultimately, the presidency came of age when American industrial capitalism and political machinery were undergoing fundamental changes – and it did so most tellingly, from the locus of the Hudson corridor of power. New York’s patronage system, newspaper culture, and economic dominance gave its executives outsized significance and opportunities. There, progressives rethought government and how it could work if not purely, than at least *positively*. Governors were the agents of this experimentation. Nationally, they did so with fervor –but in the Hudson model led by Roosevelt, they theorized and shaped the contours of executive leadership that would make enormous, but rather largely understudied contributions to the modern presidency. Roosevelt’s efforts in particular carried extra weight because of the national attention heaped upon him by the nation’s most powerful and magnifying press. Some of Roosevelt’s contributions are not without serious normative concern, particularly as they apply to the areas of presidential prerogative and notions of executive embodiment of the people’s will. Joseph E. Kallenbach captured the long-term historic implications of Roosevelt’s contributions in his study of the governorship and the presidency:

Theodore Roosevelt’s assertion of his stewardship theory of the presidency—an amalgam of the Jacksonian concept of the tribunate function of the office and of a broad Lincolnian view of presidential prerogative power—marked unmistakably the beginning of a new era in the history of the presidency. Although Roosevelt’s application of his theory in practice was discreetly tempered by recognition of the limitations imposed by practical

political considerations, he set in motion evolutionary changes which were built upon and extended by his successors.<sup>262</sup>

In “going over the heads” of his party and its bosses in New York, and in flouting the seldom employed emergency powers at his discretion as Governor, Roosevelt helped demonstrate what the modern executive was capable of, in the single most important executive forum at the time, short of the presidency itself. Roosevelt’s acumen with the press and his legislative leadership were all important foreshadowing of the modern presidency and his own White House tenure. Before Roosevelt’s governorship, no American executive in recent memory had acted so forcefully, so colorfully, and with such overt theoretical consideration for executive power, as he did. The stage had been set in many respects by other Hudson and western progressives to be certain, but it was Roosevelt who commanded the stage first.

In considering the birth of the modern presidency, political science does itself a disservice in not factoring in the contributions of state executive experience as a crucial variable. As the gubernatorial experience of Roosevelt (and as we shall see, Wilson as well) attests, it is among the more powerful places to start. These executives, taken with their immediate predecessors and successors, hold vital explanatory power for how modern state executives built the ideas, and reconstructed the precedents, of the modern American presidency. Our knowledge of the congressional, cabinet-level, and military background of presidential experience is disproportionately out of balance to how pivotal governorships have been in shaping the national executive.



When asked how he'd cope with a recalcitrant legislature before becoming New Jersey's governor, Woodrow Wilson famously remarked, "I can *talk*, can't I?"<sup>263</sup> This thought sums up much of the essence of modern executive authority –call it persuasion as Richard Neustadt did, or "rhetoric" –it is at the core, a sense that what the executive says matters, and may matter *decisively*. In an era where presidential prerogative is more given, rather than contested ground, it is worth considering some of the less traversed paths to this terminus. Prior to 1876, the United States had only four former governors serve as president. The tenures of Monroe, Van Buren, Tyler and Polk were nonetheless largely disconnected from their state executive experiences. During the Progressive Era, however, executive experience was inseparable from the larger phenomenon of the presidency. No experience was more telling than the governorships of Roosevelt and Wilson. Partly this is because they each were part of a national period of state executive fluorescence.

The "laboratories of democracy" as Louis Brandeis had described America's states in 1890, were headed by political scientists (if we may extend the metaphor) with overtly executive predispositions. The Progressive Era had orchestrated a potent valorization of the executive as "leader." What was lost in part, in the Second Republic's transvaluation of values, was the sense that republicanism is built around an artfully restrained executive. Yet, by FDR's presidency, Hegel's Owl of Minerva had already flown. Perhaps something less than a monster was created in the *Brandeisian* labs by progressive governors and governor presidents –but something perhaps less than democratic emerged as well. Here, James P. Young's assessment is to the point:

[Roosevelt and Wilson's] actions amounted to what has been called a basic change in constitutional structure. At the least the modern presidency began to emerge in the thought and practice of the two Progressive presidents .... We are all probably better off in the regulated world the Progressives created than in what went before; still, one need only scan a newspaper frequently to know that the regulatory state has not tamed the giant corporation or brought full security to all. Nor can anyone claim that democracy is more secure than it was seventy years ago. By many standards it is weaker.<sup>264</sup>

The governorships of Roosevelt and Wilson are but a gateway into understanding the democratic gains and losses inherent in America's modern presidency. The full story must include their presidencies outright, and those that followed. And yet, in earnest, we can learn much about what proved decisive both for the American presidency, and the nature of its democracy, by witnessing executive power in these governorships. If democracy is to be measured by civic engagement, by the voting practices of its members, and by the constraints foisted upon their leaders, Progressive Era executive leadership, particularly as exemplified by its most powerful leaders, leaves much to be desired. As Theodore Lowi has lamented, "no entrepreneur would sign a contract that leaves the conditions of fulfillment to the subjective judgment of the other party. This is precisely what has happened in the new social contract underlying the modern government of the United States."<sup>265</sup> Such a contract conjures up Thomas Hobbes' historic frontispiece to his *Leviathan* – the unitary executive embodying—literally—the people and their will. How then, if at all, shall the people get it back? While Lowi and others place the establishment of the "personal president" as a product of the New Deal, much of the record of executive personalist leadership suggests a resurrection of Jacksonian prerogative during the Progressive Era. Perhaps simply looking earlier, and one level below the surface at the state level, before the process began to beg for

reconsideration, we can grasp much that prerogative power and the imperial presidency would bring to bear on American political development.

## 4

**An “Unconstitutional Governor”: Woodrow Wilson  
and the People’s Executive, 1885-1913**

“Some gentlemen...seem to have supposed that I studied politics out of books. Now, there isn’t any politics worth talking about in books. In books everything looks obvious, very symmetrical, very systematic, and very complete, but it is not the picture of life and it is only in the picture of life that all of us are interested.” –Governor Woodrow Wilson, Jersey City, New Jersey, 1911<sup>266</sup>

“It will not do to look at men congregated in bodies politic through the medium of the constitutions and traditions of the states they live in, as if that were the glass of interpretation. Constitutions are vehicles of life, but not the sources of it.”

–Woodrow Wilson, Presidential Address, American Political Science Association, 1911<sup>267</sup>

## **Introduction**

In late summer of his first year as governor, Woodrow Wilson attended the fourth annual conference of governors, held in Spring Lake, New Jersey. The so called “House of Governors,” instituted by President Theodore Roosevelt in 1908<sup>268</sup>, was a political phenomenon illustrative of the growing power of state executives during the Progressive Era, and a reflection of the theoretical debates surrounding just what direction that newly found power should take. As the conference’s host governor, Wilson found himself in the midst of a profound exchange that in myriad ways embodied the type of executive leadership he had grown to espouse, and, quite purposefully – pitted against those more closely associated with the views of the Constitution’s framers. Discussion over executive powers turned “warm” when the question of the initiative, referendum, and recall arose.<sup>269</sup> These hallmarks of progressivism were designed to restore democracy to the people, giving ordinary citizens direct access to legislation, public policy, and their leaders. Importantly, all

three features had the tendency to weaken the strength of parties while bolstering the authority of executives.<sup>270</sup> While Alabama's governor Emmett O'Neal argued against catering to "every popular impulse and yielding to every wave of popular passion,"<sup>271</sup>

Wilson stood firm:

The people of the United States want their Governors to be leaders in matters of legislation because they have serious suspicion as to the source of the legislation, and they have a serious distrust of their legislatures...what I would urge as against the views of Gov. O'Neal is that there is nothing inconsistent between the strengthening of the powers of the Executive and the direct power of the people."<sup>272</sup>

For his part, O'Neal was unmoved. "I would rather stand with Madison and Hamilton, than to stand with some modern prophets and some of our Western statesman," he retorted, offering a jibe at both Wilson and his beloved British parliamentary system.<sup>273</sup>

Wilson's movement to an executive-centrist political philosophy ran parallel to the rising profile of America's governors. At the previous year's conference, New York's Governor Hughes proclaimed "We are here in our own right as State Executive."<sup>274</sup> While Hughes' declaration was an admonition against federal encroachment into "states' rights," it was also a proclamation of new found state executive authority and popular appeal. Wilson himself had used the group as a platform even before becoming governor, sounding his views on executive power during the conference's keynote address in 1910:

Every Governor of a State is by the terms of the Constitution a part of the Legislature. No bill can become law without his assent and signature...His legislative vote, so to say, is never less than half of the Legislature. He has the right of initiative in legislation, too, though he has so far, singularly enough, made little use of it...There is no executive usurpation in a Governor's undertaking to do that. He usurps nothing which does not belong to him of right...He who cries usurpation against him is afraid of debate,

wishes to keep legislation safe against scrutiny, behind closed doors and within the covert of partisan consultations.<sup>275</sup>

By the time Wilson began to put into practice his executive philosophy as Governor, state executives had gained a degree of national prominence for the first time in American history. With few national exemplars of executive leadership after the Civil War –save for persistent plaudits for Grover Cleveland – governors became the locus for theoretical musings on executive power. By the turn of the century, the number of state constitutions that included strong provisions for executive leadership had grown considerably, and would continue to do so for the next half century.<sup>276</sup>

Western states in particular were leaders in executive experimentation, capturing the attention of progressive thinkers such as Herbert Croly. Wilson was equally impressed, citing, like Croly, the State of Oregon’s innovations in executive power.

“I earnestly commend to your careful consideration the laws in recent years adopted in the State of Oregon,” Wilson implored in his Inaugural Address as Governor.

“[Their] effect has been to bring government back to the people and to protect it from the control of the representatives of selfish and special interests,” he said.<sup>277</sup>

Oregon’s Governor William S. U’Ren, a westerner by way of Wisconsin, like so many future progressives, made quite an impression on Wilson, who over time came to support Oregon’s “new tools of democracy” –the initiative, recall, and referendum, under certain circumstances.<sup>278</sup> Nevertheless, what western progressives lacked was a forum as powerful as the still heavily press dominant East. New York, long since a leader in executive powers – Alexander Hamilton upheld the New York governor as exemplar for the relative strength of the President in the *Federalist* – was at the fore of this reconceptualization of executive leadership.<sup>279</sup> Here, in the Hudson corridor of

power, former New York governors Samuel J. Tilden and Grover Cleveland loomed largest, in some respects, even surpassing the gubernatorial legacy of Teddy Roosevelt.

What gave New Jersey's governor similar advantage was the strength of the State's patronage system. As Wilson biographer Arthur Link noted, "Few governors in the country possessed the sweeping range of patronage that the governor of New Jersey had at his disposal in 1911; he appointed practically all high-ranking judicial and administrative officials."<sup>280</sup> The State's constitution had been revised in 1844, granting the governor "a three year term, a weak veto, and some appointment powers."<sup>281</sup> While seemingly not profound by today's standards of executive latitude, the new constitution also held one critical feature endemic to modern executive office:

The constitution did, however, contain the provision that Coleman Ransone suggests opened the way to gubernatorial participation in policymaking: "[the Governor] shall communicate by message to the legislature at the opening of each session, and at such times as he may deem necessary, the condition of the State, and recommend such measures as he may deem expedient." Eventually, the governor's message became the vehicle for laying out a legislative program.<sup>282</sup>

At the time of this addition, New Jersey was already among a handful of states with a comparably strong legacy of executive authority.<sup>283</sup> Yet, because of its vast patronage opportunities and concomitant venues for corruption, New Jersey had also long been a choice state for bossism and executive malfeasance. Wilson once referred to New Jersey as "the Bloody Angle" – a term linked to the battle at Gettysburg – in placing emphasis on where the state stood in relation to its

significance in leading the national progressive reform charge. Wilson, no doubt saw himself as General Meade, if not Lincoln outright.<sup>284</sup>

At the cusp of the modern presidency, modern executive practice was well under way at the state level. These innovations were built around legislative leadership by the executive, direction of the party –rather than mere compliance – and a command of press and media relations that furthered a vigorous executive philosophy of government. While the presidency would be strengthened over the next century, the governorship as political institution would be vital to the reconstruction of executive possibilities. Yet, the preeminence of the governorship would recede for a time, and not become a source for presidential timber until Jimmy Carter’s nomination and ultimate victory in 1976. In some respects, the success of progressive executive innovation was the undoing of state executive prowess – at least temporarily. As Kendrick Clements illustrates:

[Wilson] and other progressives demonstrated that state government could be revitalized to deal with modern society. The irony of his success, however, was that triumph at the state level made him a national figure and a potential candidate for the presidency. The best leaders were thus plucked from the states and thrust upon the national stage, where to be successful they had to argue that the problems they had been dealing with effectively at the state level could only be attacked from Washington. The success of state reform movements seemed to doom them and to focus government on the national government.<sup>285</sup>

The earliest pre-Progressive executive figure of note was New York’s Democratic governor Samuel J. Tilden. His defeat in the 1876 presidential election under the most dubious of circumstances was a great disillusionment for Wilson, and presaged his disdain for the corruptibility of legislatures. “When I see so plainly that there is an endeavor to make the will of the people subservient to the wishes of a few



unblushing scoundrels, such as some of those in power in Washington, I am the more persuaded that while the government of the Republic is beautiful in theory, its practical application fails entirely,” he would write.<sup>286</sup> Tilden’s reform record would become the standard for future executive reform among Hudson progressives. While Cleveland attained the White House and held his own captivation over would-be reformers, Tilden’s defeat was a perpetual scar, and a reminder of the price for taking “the machine” head on. The New York Times’ early expose on Wilson in 1910 just months before the election, captured progressive aspirations for Wilson quite well. “*Wilson – A Tilden, But a Tilden Up to Date*,” ran a late September headline. The Times would tout Wilson as “a man with all the Tilden characteristics and an appreciation of the facts that conditions have changed since Tilden’s day.”<sup>287</sup> In New Jersey, Wilson would face tremendous opposition, but also great opportunity for progressive support, provided he demonstrate credentials worthy of the Tilden legacy.<sup>288</sup>

In some important respects, Wilson’s governorship was nothing new; it was built upon emerging national progressive principles and practices –especially those honed by Wisconsin’s former governor Robert La Follette and other westerners—and shaped to a great extent within the state by New Jersey’s progressive (self-styled “New Idea”) Republicans.<sup>289</sup> As Arthur Link noted:

[P]rogressive spokesmen knew that Wilson was no pioneer of reform, either in the state or in the nation. Many of them had personally helped Hoke Smith in Georgia, Bob La Follette in Wisconsin, Hiram Johnson in California, or Charles Evans Hughes in New York to push through similar reform programs years before. These all paved the way for Wilson’s success.<sup>290</sup>

Yet, Wilson's governorship was more than any other, a platform for neo-executive theory to be put into practice. Wilson was the intellectual progenitor of the executive turn in American governance. His understanding of the relationship between public opinion and executive leadership, coupled with his direction of the Democratic Party, was a microcosm of an executive style that most Americans would ultimately come to take for granted by mid-century. From his command of the press, use of rhetoric, popular appeals, and his leadership of a collapsed wall between the executive and the legislature, Wilson's tenure as Governor represents an indispensable element for understanding what twentieth and twenty-first century presidential leadership would come to look like. And, perhaps most important, Wilson's tenure is the bridge between the Progressive Era and New Deal executive leadership – the link between Cleveland –the last of the stronger nineteenth century executives, and FDR –the quintessential modern executive leader. Ultimately, Wilson's executive philosophy was not merely “written in books,” as he cagily remarked on the campaign trail for governor in 1910. It would likewise be written into his practices as state executive. “There is no training school for Presidents,” Wilson had once mused, “unless as some governors have wished, it be looked for in the governorships of states.” That had been in 1908, in Wilson's classic *Constitutional Government*. By 1911, his training, and indeed, that of a new American executive leadership, was well underway.<sup>291</sup>

### **Woodrow Wilson's American Executive Zeitgeist**

Over a decade before entering politics and laying out what has come to be seen as his transformative treatise on the presidency in *Constitutional Government*,

Woodrow Wilson expressed the essentials of his perspective on executive leadership in an article in the *Atlantic Monthly*.<sup>292</sup> The subject of the essay was Grover Cleveland. In examining the Cleveland presidency, Wilson telegraphed his future executive philosophy while paying homage to the chief representative of executive authority since Lincoln. “He has been the sort of President the makers of the Constitution had vaguely in mind: more man than partisan; with an independent executive will of his own,” wrote Wilson.<sup>293</sup> Just how closely connected to the Framers’ vision of the presidency Cleveland was is an interesting question. What drew admiration from Wilson likely would likely have drawn the ire of Madison:

It was singular how politics began at once to centre in the President, waiting for [Cleveland’s] initiative, and how the air at Washington filled with murmurs against the domineering and usurping temper and practice of the Executive. Power had somehow gone the length of the avenue, and seemed lodged in one man.<sup>294</sup>

As one of the earliest presidents to invoke the use of executive privilege and the first to use the veto with astonishingly regularity, Cleveland was in many respects the type of executive Madison would have blanched at. In this regard, as on later occasions, Wilson was closer to reinterpreting the founding –if not rewriting it – than he was to upholding its contemporary merits. For Wilson, Cleveland represented the popular, if not fully plebiscitary president. He was, Wilson would say, “a President, as it were, by immediate choice from out of the body of the people, as the Constitution has all along appeared to expect.”<sup>295</sup> Wilson also saw fit to laud Cleveland’s party leadership and his intrusions into legislation, reminding readers that “the President stands at the centre of legislation as well as of administration in executing his great office.”<sup>296</sup>

Moreover, Wilson's trained eye saw the connection between Cleveland's executive experiences as Mayor of Buffalo and Governor of New York State. At each turn, Cleveland was party-defiant, a leader of his legislature, and no simple-minded legalist. "Not all of government can be crowded into the rules of law," Wilson would instruct.<sup>297</sup> Indeed, the extralegal executive would become a signature part of Wilson's leadership philosophy. When running for the governorship, Wilson would make good on the promise of executive independence. "As Governor of New Jersey I shall have no part in the choice of a Senator," he would say during the campaign. "Legally speaking, it is not my duty even to give advice with regard to the choice. But there are other duties besides legal duties."<sup>298</sup> Indeed Wilson's first political battle was in exercising these extralegal duties in personally stumping for the Senate candidate of his choice. But that was in 1911. In 1897, Grover Cleveland was Woodrow Wilson's most proximate model of a modern executive – before there was a Roosevelt administration, before Wilson had ventured into politics himself. If anything made Wilson's dormant executive found in his *Congressional Government* obsolete in 1885, it was the presidency and executive power found in the person of Grover Cleveland.<sup>299</sup> For Wilson, "[Cleveland] made policies and altered parties after the fashion of an earlier age in our history."<sup>300</sup> Time, it seemed, had passed the Founders by.

#### *Woodrow Wilson and The Hegelian Turn in Presidential Political History*

American progressivism was nothing, if not keenly aware of time. As its exponents frequently lacked a coherent political philosophy, the Progressive Era was

more about aspirations than strict ideology. Nonetheless, progressives were definitionally linked to the idea of democratic triumphalism – the emergence of science, education, and indeed civilization, over former darkness and barbarism. Sometimes darkness was simple immaturity and anachronistic features of society. For Wilson, the Constitution fell within the former category. It wasn't so much that Wilsonian political science sought a dissolution of American constitutionalism as much as it wanted to drag constitutional formalism into modernity. In an 1890 lecture on Democracy, Wilson addressed the Founders from the assumed perch of historical clarity:

We have in a measure undone their work. A century has led us very far along the road of change. Year by year we have sought to bring government nearer to the people, despite the original plan.<sup>301</sup>

Much of this sentiment was a product of Wilson's reading of history and the German philosopher G.W.F. Hegel. As Ronald Pestritto explains, "while Wilson's thought is perhaps most obviously influenced by [Edmund] Burke and Walter Bagehot, both members of the English Historical School, Wilson goes beyond their evolutionary conservatism to adopt a historicism most directly attributable to Hegel."<sup>302</sup>

Hegelian history is best understood as a series of progressions, each age governed by a Spirit or "zeitgeist" relevant to its own conditions. There are no "good" or "bad" epochs per se; each is good for their time, with "the slaughter bench" of history compelling progress, sometimes imbuing the period with characteristic brutality.<sup>303</sup> Wilson's understanding of the American founding is thus tied to his broader sense of History:

Hegel agrees with the basic precept of the Historical School that one cannot transcend one's own historical environment. Historical contingency makes it

impossible to ground politics on an abstract principle. Wilson cited Hegel directly in making this same point in his essay, “The Study of Administration.” The political principles of any age, Wilson contends, are nothing more than the reflections of its corresponding historical spirit. Wilson claimed that “the philosophy of any time is, as Hegel says, ‘nothing but the spirit of that time expressed in abstract thought.’”<sup>304</sup>

This is a crucial distinction from the founding conceptualization of time. Jeffersonian History is universal, abstract, and timeless. That is, in rooting itself upon the Lockean social contract, society is “created” out of truths that defy any particular age or set of circumstances. Human freedom therefore, is not subject to context – it is “evident” and intractable. For Wilson, such theoretical musings defy the logic of history. The theme of the universe is change; Darwin supplants Newton as modernity has supplanted the founders’ strict adherence to social contract theory. Since power is tied to the necessarily transient sentiments of the people, structure and symmetry hold no allure for Wilson. It is why some have suggested that Wilson’s executive philosophy reflects the closest thing to a “reversal of the whig revolution of 1689.”<sup>305</sup>

In his 1891 essay on Edmund Burke, Wilson argued “no state can ever be conducted on its principles.”<sup>306</sup> Principles are loose and subject to change. “Good government, like all virtue, [Burke] deemed to be a practical habit of conduct,” Wilson wrote. It is “not a matter of constitutional structure.”<sup>307</sup> If the personal president owes its origins to any theoretical exposition by an American statesman, it is this one expressed by Wilson. In marrying Burkeian traditionalism to Hegelian progress, Wilson espoused an at once conservative and radical doctrine of governance. Since custom is read as temporal, formerly conservative traditional notions of the state are turned on their head. Instead of tradition representing solely an aversion to revolutionary change, Wilson argues for tradition as epochal.

Constitutional structure is merely a legal appendage to generational understandings.

As Jeffrey Tulis notes

Wilson attacked the founders for relying on mere “parchment barriers” to effectuate a separation of powers. This claim is an obvious distortion of founding views. In *The Federalist*, nos. 47 and 48, the argument is precisely that the federal constitution, unlike earlier state constitutions would *not* rely primarily upon parchment distinctions of power but upon differentiation of institutional structures.<sup>308</sup>

For these reasons, Wilson is seen by some as inaugurating a “postconstitutional presidency.”<sup>309</sup> Perhaps the theoretical change wrought by Wilson is better understood as a form of *presidential* constitutionalism. As Sidney Milkis and Michael Nelson suggest

Wilson agreed with [Theodore] Roosevelt that the president must direct more attention to national problems. But he also believed that executive leadership would be ineffective or dangerous unless it was accompanied by a fundamental change in the government’s working arrangements. Such a change would unite the constitutionally separated branches of government.<sup>310</sup>

In effect, modern American conceptions of a “unitary executive” owe their origins to Woodrow Wilson’s theory of executive governance. His governorship was the first forum to put these ideas to the test.

### *The Case for the Unconstitutional Governor*

In early October of the campaign for governor, Woodrow Wilson expressed his executive philosophy as tersely as possible. At the Trenton Taylor Opera House, Wilson upbraided his Republican opponent, Vivian M. Lewis, for suggesting that if elected, Lewis “would only talk to the Legislature and be bound by the acts of that body.”

If you elect me [said Wilson] I will be an unconstitutional Governor in that respect. I will talk to the people as well as to the Legislature, and I will use all moral force with that body to bring about what the people demand. I am going to take every important debate in the Legislature out on the stump and discuss it with them. If the people do not agree, then no harm will be done to the legislators, but the people will have their way in things. This is serving the spirit of the Constitution...The Governor is elected in this State, and if he does not talk the people have no spokesman.<sup>311</sup>

Wilson was advocating a clean break with the notion of a separation of powers, one that New Jersey's constitution has seemingly embraced for decades.<sup>312</sup> Wilson would read between the lines of the document – seeing as he suggested to his Trenton audience – far greater latitude than imagined. It was a popular message – Wilson's “unconstitutional Governor” line earned him a two-minute ovation.<sup>313</sup>

Three months later and newly elected, Wilson would say, “The thing I am violating is not the Constitution of the State but the constitution of politics.”<sup>314</sup> However read, Wilson was at the least inveighing against constitutional formalism; at worst, he was close to embracing patently anti-republican principles. In *Constitutional Government*, Wilson had rebuked the legalist approach altogether. “Liberty fixed in unalterable law would be no liberty at all,” he would claim.<sup>315</sup> For all his sense of Jeffersonian populism, Wilson was similarly dismissive of Jeffersonian Natural Law, arguing the true heart of The Declaration of Independence was to be found not in its preamble, but in Jefferson's insistence on the right of the people to alter their government according to generational necessities.<sup>316</sup> The President is best positioned to determine such imperatives as he best embodies the will of the people. Since parliaments were literally “talking shops” for Wilson, they could not expect to move beyond theoretical considerations.<sup>317</sup> In this regard, Wilson



does indeed represent a form of overthrow of the Whig Revolution in 1689 –he as much says so:

The government of the United States was constructed upon the Whig theory of political dynamics, which was a sort of unconscious copy of the Newtonian theory of the universe. In our own day, whenever we discuss the structure or development of anything, whether in nature or society, we consciously or unconsciously follow Mr. Darwin; but before Darwin, they followed Newtown...The trouble with the [Founders'] theory is that government is not a machine but a living thing. It falls, not under the theory of the universe, but under the theory of organic life. It is accountable to Darwin, not to Newton<sup>318</sup>

Wilson's theory is not divorced from his broader appreciation of executive background and the requisites for presidential success in the modern era. "Certainly the country has never thought of members of Congress as in any particular degree fitted for the presidency," he wrote in *Constitutional Government*. And while cabinet officers were well-suited for the office in "our earlier practice" customary to the Whig Era in American politics, "the men best prepared, no doubt, are those who have been governors of states."<sup>319</sup> Not everyone would find solace in such executive exuberance. None other than Henry Cabot Lodge would argue "Mr. Wilson stands for a theory of administration and government which is not American." In fairness, it was not customary to much of the American political experience of Lodge's lifetime.<sup>320</sup> The prevalence of anything resembling strong and persistent executive leadership during the Progressive Era was occurring at the state level. It was "the new and strong leadership of the Governors," wrote the New York Times, that were foisting reform upon the nation; they, and not the nation's presidents, were the parties responsible for "cleansing their legislative halls."<sup>321</sup> Indeed, the closest thing to a modern president for Wilson was a modern governor –or a president that had been

one. As early as 1885, Wilson recognized that “the presidency is very like a big governorship.”<sup>322</sup> In truth, by his election to the governorship of New Jersey in 1910, and with the modern presidency still evolving, the nation’s chief executive remained a figure still somewhat less demonstrably powerful and creative than his erstwhile junior executive contemporaries.

### **The New Boss and the Hudson Press: Wilson’s Party Leadership**

By the end of Wilson’s tenure as Governor he had launched the inexorable transformation of both the Democratic Party and its relationship to its political leadership. After two years of reducing, if not destroying New Jersey’s bosses, Wilson had indeed made his mark as a “Tilden up to date.” At an Independence Day conference of Democratic National Committee members held at Sea Girt, New Jersey, one attendee freshly arrived from Baltimore, put it best to one reporter. “We have come merely for a visit to the new boss.”<sup>323</sup> After years of fighting bossism, Wilson was more supplanter than vanquisher. He, and future presidents would mark modern presidential leadership by the personal direction of their parties – not the other way around, as it had been at least since the days of Martin Van Buren. As Sidney Milkis notes, “Martin Van Buren’s efforts to legitimate party competition in the United States during the 1830s rested on an effort to control presidential ambition.”<sup>324</sup> At Sea Girt in 1912, the Party arrived to receive instructions. As the New York Times reported, “as the committee members left the Governor’s home at nightfall, each one in shaking his hand told him that the future policy of the

Democratic National Committee was to give him ‘whatever he wanted and felt called upon to request at its hands.’”<sup>325</sup>

Before Wilson could lead his party, he would have to upend the political bosses endemic to Trenton politics. While Theodore Roosevelt’s governorship was in some ways instructive for Wilson, in some respects his task in New Jersey was more formidable. As James D. Startt expressed it:

The political terrain of New Jersey was a landscape unknown to Wilson. In no state in the union did lenient corporate laws attract more “trusts” than in New Jersey, and in no state did boss-controlled political machines, often in alliance with large corporate interests, wield greater power...New Jersey Republican newspapers outnumbered Democratic ones 92 to 52. When the state’s 86 independent newspapers are added to the equation, the problematic nature of support for Wilson can be appreciated.<sup>326</sup>

If Wilson were to be successful, he would have to employ uncommon skill in molding public opinion. He would do so – as governor—in terms characteristic of modern presidents.

Wilson’s press challenges were like pincers –southern New Jersey commuters were beholden to Philadelphia opinion while “the *New York Tribune* for instance, made a habit of targeting [Northern] New Jersey commuters with news and opinion about their state.”<sup>327</sup> This difficulty in generating attention and resources across the state – a problem not unfamiliar to modern New Jersey statewide office holders – challenged Wilson to secure and hold the attention of a dispersed press –particularly the Hudson variety that was highly influential in generating news of national import.<sup>328</sup> To his later national advantage, Wilson garnered an unusual amount of coverage from the New York press. Indeed, he was covered more by the New York Times than its own Governor Roosevelt had been during TR’s Albany tenure.<sup>329</sup>

Indeed, Wilson dwarfed all previous New Jersey governors, exploding the trend towards more press coverage of Hudson executives that had begun in New York with Samuel J. Tilden. Reflecting the advent of the personal executive, Wilson's governorship was covered more by the *Times* than all previous New Jersey governorships combined, since the paper's inception:

**Table 4.1 Governors of New Jersey and New York Times Citations: 1851-1913**

Governor	Years <sup>1</sup>	Total Citations	Yearly Avg.	Rank
Woodrow Wilson (D)	1911-1913	645	322.5	1
John Franklin Fort (R)	1908-1911	50	16.6	6
Edward C. Stokes (R)	1905-1908	33	11	8
Franklin Murphy (R)	1902-1905	101	33.6	2
Foster M. Voorhees (R)	1898-1902	40	10	9
John W. Griggs (R)	1896-1898	34	17	5
George T. Werts (D)	1893-1896	39	13	7
Leon Abbett (D)	1890-1893	77	25.6	3
Robert S. Green (D)	1887-1890	16	5.3	11
Leon Abbett (D)	1884-1887	63	21	4
George C. Ludlow (D)	1881-1884	8	2.6	14t
George B. McClellan (D)	1878-1881	7	2.3	17t
Joseph D. Bedle (D)	1875-1878	1	.33	21
Joel Parker (D)	1872-1875	19	6.3	10
Theodore F. Randolph (D)	1869-1872	4	1.3	19
Marcus L. Ward (R)	1866-1869	8	2.6	14t
Joel Parker (D)	1863-1866	13	4.3	12
Charles S. Olden (R)	1860-1863	2	.66	20
William A. Newell (R)	1857-1860	10	3.3	13
Rodman Price (D)	1854-1857	7	2.3	17t
George F. Fort (D)	1851-1854	8	2.6	14t

As was the case with its coverage of New York's governors, the *Times* increasingly covered state executives in the last quarter of the nineteenth century. While TR and Wilson were both anomalies in terms of the amount of press coverage they received, they were both part of an upward trend, no doubt tied to the Progressive Era, in the rise of the governor's significance in state and national politics.

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<sup>1</sup> Dates encompass January 1 through January 1st for years cited.

Deftly, Wilson worked the Democratic Party controlled press before later seeking some distance from them. Early on, he mastered what today might be called an “embedded” relationship with the press corps:

Reporters accompanying Wilson during the campaign were drawn not only to his ability as a speaker but also to the man. He made himself accessible to them...[C]arrying a group of reporters and stenographers hurried across the state on rough, dusty, and sometimes impassable roads, Candidate Wilson remained patient and congenial. He was gracious about campaign inconveniences and impromptu demands made upon him...Moreover, Wilson let his regard for the reporters traveling with him be known. He often brought them together to ask their opinion on a point...“We have learned to love this man,” [said one].<sup>330</sup>

While not on a two-a-day pace as Roosevelt, Wilson did in fact institute daily press meetings –called “séances,” while the legislature was in session.<sup>331</sup>

The person responsible for later regularizing press conferences in the Wilson White House was none other than Wilson’s Trenton secretary Joseph P. Tumulty, who had been with Wilson since his first campaign in New Jersey.<sup>332</sup> Tumulty served Wilson in New Jersey as advance man, information-gatherer, confidant, and advisor. Tumulty had proven so valuable that Wilson stood firm in his appointment of Tumulty as his private secretary while President, despite vehement anti-Catholic opposition from within Wilson’s circle.<sup>333</sup> As he had advised in his capacity as secretary during Wilson’s gubernatorial years, Tumulty would likewise suggest to President Wilson that the best remedy for political opposition was taking to the stump.<sup>334</sup> Indeed, Wilson recognized Tumulty as “one of the ablest young Democratic politicians of the State” and someone to “have as a guide at my elbow in matters of which I know almost nothing.”<sup>335</sup>

Wilson's most strategic and influential move followed by the press came early in his governorship, as he stared down New Jersey boss and Democratic senator James Smith. It would become Wilson's signature experience in demonstrating popular executive leadership over his party. Wilson's "Bloody Angle" reference was a nod to this intra-party fight over the governor's influence in political matters formally outside his purview. Smith miscalculated in expecting Wilson's endorsement for reelection to the Senate, as the new governor sought to carve out an independent executive path in Trenton. In exchange for the Governor's support, Smith offered Wilson a clear route to full enactment of his legislative agenda. Wilson deflected this offer and supported a clean but unimpressive candidate in James E. Martine. "If you beat me in this fight," said a knowing Wilson to Smith, "how do I know you won't be able to beat me in everything?"<sup>336</sup> The battle would have lasting impact for Wilson, who like TR, earned his executive stripes by an act of defiance of Hudson bossism. As Wilson biographer Kendrick Clements describes:

During December and January Wilson traveled around the state as if he were campaigning, denouncing Smith and urging support for Martine. It was an unprecedented appeal to the public in a senatorial campaign, and it was effective in keeping pressure on the legislators. When the Democrats met in caucus on 23 January 1911 thirty-three were pledged to Martine, and despite last minute efforts by those Wilson denounced as Smith's "agents and partisans," the first ballot in the legislature the next day produced forty votes for Martine, just one short of the number needed for election.<sup>337</sup>

Wilson had made his point. Smith capitulated later that day. What is especially noteworthy from the episode is Wilson's assault on traditional party king making. "Of whom does the Democratic Party consist?" he would ask. "Does the Democratic Party consist of a little group of gentlemen in Essex County?"<sup>338</sup>

Wilson's early executive legend was no doubt built around this Democratic Party

infighting. It was widely reported for example, that Wilson on one occasion kicked out of his office Boss Smith's nephew and lieutenant, James Nugent.<sup>339</sup> By such open defiance Wilson was defining a new relationship between the executive and party.

The *Times* put the implications of the fight with Smith best:

Dr. Wilson's attitude in deciding to take up the cudgels against Smith has cleared the political atmosphere marvelously and has made every one realize that the former President of Princeton University has now absolutely assumed the leadership of the Democratic Party in New Jersey.<sup>340</sup>

Wilson's defiance did not come without cost. He would go on to lose the Democratic hold over the New Jersey legislature in 1912, as the Smith machine instructed its Democratic state workers to "lay down" during the election, thus "destroying Wilson's presidential chances."<sup>341</sup> While Wilson would go on to win the 1912 presidential election, New Jersey progressive reform would suffer a significant blow.

With progressives clamoring for executive strength, Wilson was demonstrating that the party was no longer the prime mover in politics. "Only the President represents the country as a whole," argued Wilson in *Constitutional Government*. Because of the vast powers of his office he can "if he chooses become national boss."<sup>342</sup> While Wilson rejected the democratic implications of such a reality, the only restriction upon the President as he saw it was public opinion. Wilson's own record as Governor in New Jersey demonstrated that American politics could be remade such that a popularly elected executive could effectively win public support while accruing enormous power in party leadership—at least at the state level—while employing extra-constitutional measures. Such leadership had proven widely popular across the country during the Progressive Era. And it would become

the embodiment of modern presidential leadership, Wilson's caveats aside. It was a form of leadership that elicited the admiration if not approval of Herbert Croly:

[Wilson] has the power to write his own platform and practically repudiate the official platform of his party. He becomes the leader, almost the dictator, of his party, as no president has between Andrew Jackson and Woodrow Wilson. A wise, firm, yet conciliatory man like President Wilson can exercise his enormous power as to make his party a more rather than a less effective instrument of government, just as a monarchy may become, in the hands of an exceptionally able, independent, energetic and humane administrator, a temporarily beneficent form of government. But a Woodrow Wilson is not born of every election.<sup>343</sup>

Croly represented an anti-party variant of progressivism; his fears, and those of similarly situated progressives, was based on the premise that the executive would succumb to the type of bossism rampant in America's urban centers. As Richard Hofstadter reminded at the time, the age was largely reviled as urbanized beyond recognition. "The first city," Hofstadter wrote, quoting Josiah Strong, "was built by the first murderer."<sup>344</sup> Neo-bossism in the form of presidential party leadership, was presumably not the answer to the howls of the cities. Yet the executive autonomy – one that effectively headed party – coveted by so many progressives, was best represented in the firm hand of Wilson, even as governor. As Alexander and Juliette George noted in their study of Wilson,

The legislative session of 1911 was a triumph for Wilson. Never in the history of the state had there been so fruitful a session. In four months Wilson had succeeded in piloting his entire program through both houses. He had done so by eliminating the two major obstacles on which, in less skillful hands, the whole program might have foundered: boss control of the Assembly, and Republican opposition in the Senate. His masterful performance had increased his availability for the presidential nomination immeasurably.<sup>345</sup>



Wilson's leadership here is best understood in the context of his executive era. Wisconsin's Bob La Follette had demonstrated similar success, using the same tactics as governor to great effect –and like Wilson—helped pave the way for a far more executive-centered governance, in an era increasingly open to personalist leadership.<sup>346</sup> Wilson had proven he understood the modern requisites of public executive leadership –well before television, and in the dawn before radio. Fred Greenstein's point that “the presidential activism of FDR had been preceded by the assertive leadership of Theodore Roosevelt and Woodrow Wilson,” can be applied to their dual mastery of press relations and for Wilson especially, the leadership of his party. The seeds of such leadership, of necessity, may be applied more generally to the governorships of all three future presidents.<sup>347</sup>

### **Woodrow Wilson's Modern Legislative Leadership**

While it is well established that Woodrow Wilson “was the first chief executive since John Adams to appear before Congress rather than sending messages in written form,”<sup>348</sup> what are often overlooked are the influences upon Wilson in coming to this decision. It was in all likelihood, New York's pre-Jacksonian constitution, and Wisconsin's progressive governor that served as the inspiration for Wilson's seeming innovation.<sup>349</sup> Besides Bob La Follette, only one other modern executive had been linked to such a daring encroachment into legislative authority. North Carolina's Democratic Governor Robert Broadnax Glenn had also personally delivered his address in person in 1905.<sup>350</sup> Glenn and Wilson were political contemporaries – his term ended the year before Wilson was elected Governor of

New Jersey in 1909. An attendee of the first Governor's Conference in 1908, Glenn was an executive progressive typical of the era – a conservationist and a strong advocate of executive authority.<sup>351</sup> True to the period, Glenn opened his remarks at the conference with praise for Grover Cleveland and an attack on the laxity of Congress.<sup>352</sup> It stands to reason that Wilson's atavistic emulation of this Federalist-era presidential practice would emerge during a period of renewed executive authority and creativity –fostered most consciously by progressive governors. While Wilson was breaking a 113-year precedent at the national level, at the state level, the innovation was relatively fresh –a mere eight years removed from Wilson's modern presidential iconoclasm.

To appreciate the boldness of Wilson's foray into the sanctity of the legislature, a watershed moment that has come to distinguish the modern presidency from its predecessors, it is important to revisit Wilson's theoretical understanding of the founding.<sup>353</sup> As Ronald J. Pestritto notes, "for Wilson, the separation of powers, and all of the other institutional remedies that the founders employed against the danger of faction, stood in the way of government's exercising its power in accord with the dictates of progress."<sup>354</sup> As Wilson would later explain during the presidential campaign of 1912, "You know that it was Jefferson who said that the best government is that which does as little governing as possible...But that time has passed."<sup>355</sup> Where the framers had feared excessive power, progressives in many ways feared powerlessness. The neat, symmetrical ("Newtonian" in Wilson's words) order of the American Constitution had to be re-interpreted as an organic (now, "Darwinian") order willing to defy structural impediments for the greater good of the

people. Where Madison had taken for granted that “in republican government, the legislative authority necessarily predominates,”<sup>356</sup> Wilson sought to “relocate administrative processes from Congress to the executive department.”<sup>357</sup> In the end, the personally delivered Message became the symbol of executive-driven government.

### *Wilson’s Legislative Executive Enlarged*

Wilson focused his legislative agenda in New Jersey on bedrock progressive policies: the establishment of direct primaries; fighting corruption; the regulation of public utilities; and a liability act for employers.<sup>358</sup> To these ends, Wilson would personally lobby the Democratic Assembly. “Breaking all precedent, Wilson attended a caucus of the Democratic Assemblymen. For three hours, he lectured them about the necessity of passing the [election] bill. For the benefit of those who might remain impervious to his arguments, he warned them that if necessary he would carry the fight to the people.”<sup>359</sup> The exchange between Wilson and the Legislature was memorable, as noted by Russell Stannard Baker:

“What constitutional right has the Governor to interfere in legislation?” demanded one of the legislators bluntly. “Since you appeal to the constitution,” responded Wilson, “I can satisfy you.” He drew from his pocket a copy of the constitution and read the following clause: “The governor shall communicate by message to the legislature at the opening of each session, and at such other times as he may deem necessary, the condition of the state, and recommend such measures as he may deem expedient.”<sup>360</sup>

In this fight over what would become the Geran Bill for electoral reform, Wilson won outright. Twenty-seven of the thirty-eight assemblymen attending the caucus voted for the measure.<sup>361</sup> For his part, a truculent Wilson would boast “A notion has gone

abroad that I whipped the Legislature of New Jersey into performing certain acts, but that view of the matter is not correct. I did appeal to public opinion, and public opinion did the rest.”<sup>362</sup>

In passing the Geran Bill for electoral reform, Wilson won himself a legislative legacy of the first order. The victory was earned with a style of personal executive leadership characteristic of the era’s upstart progressive governors. Wilson had met with nearly every legislator on the Smith appointment issue,<sup>363</sup> and in this instance, took to the stump to educate New Jersey voters about the provisions of the Geran Bill. “The Geran Bill is intended to clear all obstacles away and to put the whole management alike of parties and of elections in the hands of voters themselves,” urged the Governor.<sup>364</sup> Wilson specifically sought direct involvement of the people in the bill, which contained the distinctly anti-party feature of disallowing the name of any person on a primary ticket of any party, unless pledged to vote for New Jersey’s top-primary vote getter for the State’s senate seat.<sup>365</sup> As the *Times* reported,

In the past New Jersey has voted with the old-fashioned party ballot containing only the names of the nominees of one party. This year [1911] every one nominated appeared on one ballot, but there were no party designation devices except the words denoting the parties name...There was no way that a ballot could be prepared by a single mark.<sup>366</sup>

If the measure put greater power in the hands of the people, it did equal damage to party control, and more significantly, made the Governor a figure with plebiscitary power and popular authority. Nevertheless, young progressive idealists like New York’s Robert Moses took note of Wilson’s executive acumen during his governorship. “His writings show not only a clear understanding of the defects of

our...civil service, but also a keen realization of the executive leadership necessary to remedy them,” wrote New York’s future Power Broker.<sup>367</sup>

Again, one reason why Wilson and other Hudson-based executives were so vital to the era was their command over national press attention. In defying Hudson machines, New York and New Jersey governors could garner greater attention than other politicians. They could be sure their legislative acts of defiance would be heard not only in greater New York, but picked up nationally. Wilson had the particular good fortune to also be a southerner, which meant his brethren would be predisposed to excusing aspects of his northern political lineage and governance, while southern newspapermen covered his more favorable exploits. Wilson may have joked that “compared with Princeton politicians,” New Jersey’s party bosses were “neophytes,” but people around the country knew better, even as they laughed.<sup>368</sup>

Like Teddy Roosevelt’s, Wilson’s governorship meant much to the stream of modern innovations that would flow into the presidency. His use of rhetoric, directly speaking to voters –and openly encouraging dissent with the less progressive wing of his party –all became part of a new executive manner. Not all presidents (or governors for that matter) would employ it, but those who did quickly became pacesetters of modern executive leadership. As Theodore Lowi notes, Wilson’s call for the president to be “as big a man as a man as he can be,” eventually became unnecessary, as all presidents eventually became de facto, “exceptional.” “The presidency grew,” notes Lowi, “because it had become the center of a new governmental theory, and it became the center of a governmental theory by virtue of a whole variety of analyses and writings that were attempting to build some kind of

consonance between the new, positive state and American democratic values.”<sup>369</sup>

The most telling and first practical clashes between these contending realities occurred in America’s statehouses. Along with TR’s, Wilson’s governorship reflected this crucial dialectic in American executive political development. It was a tension common to the larger Progressive Era, and heightened by Hudson progressives, who were compelled to confront at the crossroads of the new century, a new American state, one requiring new conceptions of executive leadership. Such was summed up by Wilson himself, who at once argued that the presidency was essentially a “big governorship,” while reserving for himself the audacious, if not chilling right to execute its office, “unconstitutionally,” if need be.

### **Conclusion: Conceiving the Unitary Executive**

Woodrow Wilson’s governorship was the practical reflection of his political thought and a harbinger of future presidential practices. It was in Trenton that Wilson personally crossed the threshold of executive impropriety –hitherto he had only done so in theory. By intruding into a Democratic legislative caucus, making popular appeals to the people outside of his constitutionally designated appointment powers, and by leading, rather than following his party, Wilson exemplified the features of modern American executive leadership. And yet, much of this was not particularly new; La Follette had done much quite like this in Wisconsin –and with more radical flair. La Follette was more feared than admired. For his part, Teddy Roosevelt had continued a tradition of gubernatorial independence in New York that at least dated to Samuel J. Tilden. And other governors had been as forthrightly “executive” –indeed

the word itself had changed in meaning from its tepid incarnation at the founding – as Wilson had been during the Progressive Era. But Wilson went furthest – he alone theorized a full turn from founding notions embedded in the Constitution. Theodore Roosevelt, for one, would not go so far. Likewise, Wilson was the first to openly advocate and fulfill a rejection of such constitutional bulwarks as the separation of powers and checks and balances, since the days of Andrew Jackson. And only Wilson rhapsodized about Darwinian political change over static traditionalism. He did all of this first, in his executive experience as Governor.

In his Hegelian epistemology, Wilson was a true radical. Coupled with his Burkeian sensibility, he was also a paradigm breaker. Wilson would take Burke – modernity’s archetype conservative thinker, and embellish him with stilts such that FDR and a host of liberal policy makers could dash away from staid political forms. Custom mattered for Burke, but it was always epochal for Wilson. It lacked the continuity of political culture Burke had infused it with. Thus with great irony, Wilson’s executive-centered theory of governance embraced the Jeffersonian claim to the life of politics belonging to the living. But Jefferson had meant this as a guard against government’s perpetual encroachment into the lives of its citizens; Wilson meant it as a liberating device for popular and ever-changing executive leadership. In a sense, Wilson’s was a call for government of the people, for the people, but through the executive. While Wilson saw a sort of “passionless”<sup>370</sup> austerity in Edward Gibbon’s *Decline and Fall of the Roman Empire* in his essay “The Historian,” we can but wonder at Wilson’s assessment of the earliest of republican falls. “The principles of a free constitution are irrevocably lost when the legislative power is nominated by

the executive,” wrote Gibbon of Rome’s decline.<sup>371</sup> In a later salvo, Gibbon would warn, “By declaring themselves the protectors of the people, Marius and Caesar had subverted the constitution of their country.”<sup>372</sup> Writing at the dawn of the modern republican era, Gibbon had an intriguingly contrarian project in revisiting Rome’s fall.<sup>373</sup> For Wilson, his personal history in the making was a neo-republican project – founded on popular executive appeal – and far removed from the republican structures so beloved by Gibbon, and America’s founders.

In considering the profound changes in American life, both addressed by and influencing the Progressive Era, it is worth considering just how elementally audacious Wilson’s critique of past executive practices was. Beyond an embrace of direct primaries, the recall or referendum, Wilson was calling forth a new way of conceiving democratic governance. Many saw his popular executive, immensely popular at the time, as the only possible counter to the excesses wrought by unfettered industrial capitalism. In exemplifying the type of executive demanded at the time while Governor, Wilson set not only himself, but the presidency on a course that has known little sustained retreat in the domain of executive power. There is much to lament in pondering, like Gibbon where such power might lead, and has indeed led. Shortly after Wilson, such power was heaped upon the quintessential executive of the age –another Hudson progressive, who would come to personally identify with as early as his days in Albany, the complete arts of executive governance. In so doing, much more could be ascertained at the time that was gained by progressives, than that which had been lost in the acquisition of such demonstrable executive power. And so it was with the early political legacy of Governor Franklin D. Roosevelt.



## 5

**FDR's Albany Executive:  
Government Without Politics, Governance without Opposition**

“I want to speak not of politics but of Government. I want to speak not of parties, but of universal principles.”

—Franklin D. Roosevelt, Commonwealth Club Address, San Francisco, 1932<sup>374</sup>

“Every few years, say every half generation, the general problems of civilization change in such a way that new difficulties of adjustment are presented to government. The forms have to catch up with the facts.”

—Franklin D. Roosevelt, Interview with *The New York Times*, 1932<sup>375</sup>

### **Introduction**

On September 30, 1932, during the heart of his first campaign for the presidency, Governor Franklin D. Roosevelt spoke in front of one hundred thousand people in Milwaukee, Wisconsin. Over thirty years removed from Wisconsin's Robert M. La Follette's governorship, Roosevelt was nonetheless compelled to pay homage to what had come to be known interchangeably as the “Wisconsin Idea” and the “La Follette School” of political thought.<sup>376</sup> It had been “Fighting Bob” La Follette whom a generation earlier personified the core tenets of progressive executive philosophy. His was an avowedly executive centered leadership – above party, plebiscitary in nature, and fiercely populist. Before Woodrow Wilson crossed the line of implicit constitutional propriety by speaking directly to Congress in person, La Follette had done so as governor. Before FDR challenged members of his own party while president to follow his lead as director of the New Deal, La Follette waged a purge of his own, “reading the roll” on the campaign trail against fellow Republicans whom did not conform to his progressive vision, embarrassing them into

either acquiescence or defeat at the hands of more progressive Democrats.<sup>377</sup>

Roosevelt was more earnest than pandering when he told his Milwaukee audience “Out here in Wisconsin you do not merely protest against the teachings of the present order, you set out to correct them. You put your ideals into circulation. You set up standards to which liberals in all States have found it profitable and inspiring to repair.”<sup>378</sup> Indeed, Roosevelt claimed La Follette taught him from afar as early as FDR’s Harvard years. It was an instruction in liberal public policy and executive centered party leadership. “The refreshing freedom from the party lock-step is a Wisconsin habit,” he would say to the crowd in Milwaukee. “I hope the habit continues.”<sup>379</sup>

FDR understood as well as anyone that he was not so much orchestrating a departure from past practices as much as he was cementing them. More than beginning a new order of leadership, Roosevelt was the definitive seal of America’s modern executive epoch. And as much as he was the harbinger of presidential leadership to come, FDR was the last of a line of proto-modern executives — progressive governors whom had called into question the nature of traditional American notions of executive practice. The Hudson line in particular — encompassing New York and New Jersey’s epicenter of politics and patronage — was most instructive to FDR. Western progressives from La Follette to California’s Governor Hiram Johnson became important, but the generation of Hudson Governors — Tilden, Grover Cleveland, Theodore Roosevelt, and Woodrow Wilson — built a line of theory and practice that remade the landscape of executive possibilities directly pertinent to FDR. And it was the great but unlucky predecessor to Roosevelt — New

York's Governor Alfred E. Smith – that most immediately embodied the executive acumen and policies FDR would come to exemplify on the national stage.

The suggestion that FDR lacked a coherent political philosophy holds only the thinnest veneer of truth when understood with this legacy in mind. A more apt description suggests Roosevelt stepped into a political philosophy more than he authored one of his own. As last in a line of prophetic executives, FDR was decidedly more Joshua than Moses. Somewhat cryptically, Hiram Johnson remarked in 1920, “In the end of course there will be a revolution, but it will not come in my time.”<sup>380</sup> Roosevelt may not have authored a theory of revolution envisioned by Johnson and countless progressives, but he did possess a theory; and it centered on unapologetic executive dominance over the legislature, above party, and tied to the people. As one of the architects of the New Deal, Raymond Moley reflected in 1939 that Roosevelt's political philosophy was

[T]he heritage of a series of economic and social crises that began in 1873, the bywords of a progressivism that for over sixty years had preached the need for controlling the increasing concentration of economic power and the need for converting that power to social ends. These were the purposes that had activated Bryan, Altgeld, Tom Johnson, old Bob La Follette, and to a degree, T.R. and Wilson.<sup>381</sup>

By the time of his governorship, Roosevelt had been steeped in a deep progressive pedigree, one that went beyond his obvious connections to TR. As FDR biographer Frank Freidel suggested, Roosevelt may well have “at heart always remained more a Progressive than a New Dealer.”<sup>382</sup> In line with this progressive tradition, Roosevelt sold his anti-bossism to voters en route to the New York State Legislature in 1911, the governorship in 1928, and the White House in 1932. Executive leadership in New York had been defined in this way since the days when

Roosevelt's father and political circle backed the governorships of Samuel J. Tilden and Grover Cleveland.<sup>383</sup> The path to executive power in the state had been laid with opposition to the political machine of either party on one hand, and yet, subtle recognition of party power and influence. The lure of patronage was a defining aspect of executive temptation and power. An anti-machine politics that did not take this into account was not based in reality. When FDR was offered and declined the preeminent of patronage positions in 1913, the Collector of the Customs House of the Port of New York, it was only because he had a better offer.<sup>384</sup> Like Tilden who was offered the post decades before him, FDR would choose another path to power. Instead, he would accept the position as Assistant Secretary of the Navy in the Wilson administration. All the same, Roosevelt understood New York's party-patronage politics as well as any executive before him. Even his tenure under Wilson was linked to future New York executive politics. As Freidel noted:

Obviously in joining the Wilson administration, Roosevelt was increasing his power in New York politics through his involvement in patronage. Through the proper dispensing of jobs he would have liked to build a strong upstate pro-Wilson and anti-Tammany organization, and he devoted a large amount of time and effort to this undertaking. He and Louis Howe, whom he had brought to the Navy Department, fought especially doggedly for postmasterships in upstate Republican congressional districts.<sup>385</sup>

Roosevelt ultimately failed in this early endeavor, teaching him that "he could not win New York primaries without Tammany support."<sup>386</sup> The lesson helped form Roosevelt's early understanding of party power – it cut both ways, and in the absence of greater personal power could prove debilitating. The key was to hold the reins of both popular and party power and thus dissipate opposition. Good government was effectively the absence of countervailing power to executive-led progressive change.

In New York, where a strong executive and party machine shared political authority, Roosevelt's early career was defined by a need to build personal power while accommodating required party loyalties. It was a dialectic that had produced an elite cadre of political leaders from the State:

With its forty-five electoral votes (more than three times as many as California), New York was a major player in presidential politics. In the sixteen presidential elections since the Civil War, a New Yorker had led the Democratic ticket eight times. Add TR and Charles Evan Hughes for the Republicans, and a majority of the post-Civil War nominees had been from New York.<sup>387</sup>

FDR's immediate predecessor – Al Smith – had proven a more than influential part of this Hudson line of executive progressives. Much of Roosevelt's legislative program was a product of Smith's legacy as governor. As the political journalist Samuel Lubell wrote, "Before the Roosevelt Revolution there was an Al Smith Revolution."<sup>388</sup> Smith took an already powerful office and further elevated its executive reach, consolidating its one hundred departments in the state down to some twenty directly accountable to the governor. This model of administration was far from lost on Roosevelt.<sup>389</sup> Indeed, the entire proximate executive political history of New York had been the training ground for FDR and his vision of progressive politics and executive leadership. New York's governor's increased power was part of a process toward centralization that was concomitant with Roosevelt's rise in the state. The growth of New York's executive powers were summed up well years later as providing "the possibility of unity of command, of effective coordination, of internal responsibility, and of administration."<sup>390</sup>

For Roosevelt the key lessons of executive success from the period were rooted in maximizing policy opportunities in the face of either internal or external

party opposition. “When I think of the difficulties of former State Chairmen with former Governors,” he remarked, “I have an idea that [James Farley] and I make a combination which has not existed since Cleveland and Lamont – and that is so long ago that neither you nor I know anything about it except from history books.”<sup>391</sup> Again, Roosevelt’s musings were toward the dissipation of opposition. This did not necessarily mean the end of parties or even the diminution of their influence; it meant in short, progressive-executive dominance first and foremost. Parties should trail leadership and not the other way around. FDR’s push to consolidate power around his executive office and its policies reflected a movement away from party-directed initiatives and policy strategy. As Roosevelt remarked to an aide in 1932, “We shall have eight years in Washington. At the end of that time we may or may not have a Democratic party; but we will have a Progressive one.”<sup>392</sup> While this sentiment was Rooseveltian hyperbole personified, it nonetheless captured an equally important aspect of FDR’s executive persona. The party had best be with the President if it wished to remain relevant. In an age of established executive leadership, Roosevelt was articulating the plebiscitary nature of presidential power. It was a defining lesson for Roosevelt, one most closely learned and delivered while governor.

### **FDR’s Albany Executive**

Few New York politicians understood the rough and tumble nature of legislative and party relations in New York as well as Franklin Roosevelt. FDR had been eyed for some time and was ultimately chosen by party leaders to succeed Alfred E. Smith as governor. Smith himself orchestrated the move, looking to

Roosevelt in 1928 as an heir apparent while he girded himself for a presidential bid. Smith's idea was to govern by proxy and to use FDR's good name and "clean government" record and state connections en route to winning New York in the national election.<sup>393</sup> Smith would ultimately be foiled on both counts. Roosevelt would win the state for himself, becoming governor in 1928 – but he could not deliver New York to Smith in the presidential election. More tellingly, at least with respect to FDR's executive acumen as an independent political leader, he rejected Smith's efforts to govern indirectly through the appointment of old and loyal stalwarts. Roosevelt's governorship was to be his own, even at the expense of alienating Smith and key Democratic Party supporters. This early move would be a sign of the type of Hudson progressive FDR would be. He was in essence cut from the cloth of highly executive forerunners, including Smith, his uncle Theodore Roosevelt, and chief among his heroes, Grover Cleveland.

Smith in some ways loomed largest among these executives. It is easy to forget how critical he was to Roosevelt's New York tenure as governor, and indeed for what was to come. As noted in an early post-mortem on Roosevelt's political career, the Columbia historian Bernard Bellush attempted to make a point above the din of purely presidential accounts of the New Deal. "Despite the contentions of many historians," he would write, "the seeds of the New Deal were first planted by a graduate of Tammany Hall and the Fulton fish market, the four-time Governor, Alfred E. Smith."<sup>394</sup> The challenge for Roosevelt was that Smith wanted to ensconce more than just his legislative reforms at the heart of FDR's governorship; he wanted his people there as well. As Arthur M. Schlesinger, Jr. recounted

Al Smith had been a great governor. Now denied the Presidency, he seemed disinclined to relinquish the governorship. His motives were doubly mixed. A sincere concern for Roosevelt's health and for the state's welfare mingled with a reluctance to yield power...A friend told Roosevelt that Smith had said of him, "He won't live for a year." In any case, Smith informed Roosevelt that Belle Moskowitz was ready to start work on the inaugural address and the message to the legislature. Smith also suggested that Mrs. Moskowitz be appointed the Governor's secretary and that Robert Moses be kept as Secretary of State. And he reserved for himself a suite at the DeWitt Clinton Hotel in Albany to help on the big decisions.<sup>395</sup>

Roosevelt deflected these entreaties with great deftness. Like Woodrow Wilson years before him, he rejected internal party pressures in the realm of gubernatorial appointments. Wilson had once mused to a New Jersey party boss "If you beat me in this fight, how do I know you won't beat me in everything?" Roosevelt's aside to Frances Perkins was along these lines. "I've got to be Governor of the State of New York, and I have got to be it myself," he concluded.<sup>396</sup> Moskowitz was in fact universally regarded as the best legislative insider in Albany. But she came at a price too dear for FDR. To accept her or Moses, for that matter, would be to violate every precept of the modern executive template laid down in Albany as early as Governor Samuel J. Tilden. Roosevelt understood national candidates, let alone state executives, could ill-afford the imprimatur of crouching to bosses, however noble or competent.

### *Roosevelt's Legislative Leadership*

One of the gifts Al Smith bequeathed to Roosevelt was legislation placing budgetary authority in the state in the hands of the governor. With a Republican controlled legislature, Roosevelt's hands were nonetheless tied; at the very least the



details of the budget could be contested constitutionally. Indeed the new act implemented under Smith gave the legislature some power to strike out some items of the governor's budget without proposing alternatives.<sup>397</sup> Such revisions were the crux of executive-legislative imbroglios in the state. For his part, FDR upped the ante. "I raise the broad question affecting the division of governmental duties between the executive, legislative, and the judicial branches of government," Roosevelt forewarned.<sup>398</sup> James MacGregor Burns put the battle between FDR and the legislature in proper perspective:

The position [Roosevelt] had taken both in public and private – that he was fighting for "Constitutional Government, carrying out the original American theory of separation of powers between executive, legislative, and judicial branches" – was a remarkable stand for a politician who in Albany and later in Washington would try to bypass some of the ancient barriers between the three branches of government.<sup>399</sup>

Roosevelt was cunning in depicting his support for the executive-driven budget as emanating out of a desire for limited government. "To the same degree that the Governor should never be given legislative functions, so the legislative members should never be given executive functions," he mused during the budgetary battle.<sup>400</sup>

Ultimately, the battle over Roosevelt's budget grew contentious enough that the issue went to the Appellate Division of the State Supreme Court. Roosevelt was looking to the judicial branch for backing of implied executive powers. Roosevelt's Attorney General is said to have quoted Al Smith in making his case to the Court. "Pay no attention to this talk about increasing the power of the Governor. Pay no attention to this talk about decreasing the power of the Legislature. Nothing in the proposed executive budget does either of these two things," quoted Attorney General Ward.<sup>401</sup> Pay no attention indeed. Roosevelt's executive philosophy – strident about

goals, subtle in its arguments, would lose out initially – the Appellate Division would hand the Governor a loss. But Roosevelt would win in the equivalent of New York’s state supreme court, the Court of Appeals. There, Roosevelt’s executive vision was upheld. He would claim the governor’s authority over New York’s budget as a “victory for constitutional government.”<sup>402</sup> As Bernard Bellush noted, FDR’s executive order No. 8248, issued a decade later as President, and “transferred the United States Bureau of the Budget to the Executive Office of the nation’s Chief Executive.”<sup>403</sup> Constitutional government had proven once again, in a new age, to mean executive centered government. For Roosevelt, the vision began in Albany.

FDR – cognizant of the tradition of Hudson progressives before him, including governors, Teddy Roosevelt, Wilson, and Cleveland – was in many respects the quintessential executive of the age. The political historian and Roosevelt biographer Thomas H. Greer correctly emphasized Roosevelt’s executive pedigree. He was in many respects, disinclined to see politics through any other lens:

Although he knew much of the judicial and legislative branches of government, Roosevelt was pre-eminently a specialist in the executive process. Counting his service as Assistant Secretary of the Navy, he spent twenty-four years in the executive branch –including sixteen as Chief Executive (of state or nation). His long hold on the presidency and the drama of history enabled him to know that office from alpha to omega...As a child he once sat on Grover Cleveland’s knee. His first vote for president was for his dynamic relative, “Uncle Ted.” As Assistant Secretary, he served with enthusiasm under Wilson. He deeply admired these three, and they formed in his mind a highly personal, composite model of what a president should be.<sup>404</sup>

Quite importantly, each of these former governors were leaders equally executive in their backgrounds and dispositions. Roosevelt was emulating executive behavior from predecessors who knew little to nothing of personal legislative experience. Neither Cleveland, TR, Wilson, nor FDR spent a single day in Congress. Only Teddy

Roosevelt spent any time of consequence in a legislature. Roosevelt was self-aware of this lineage and took pride in his overt executive predilections, once writing Grover Cleveland's widow in 1941 about his "happy association" with Cleveland for being equally vigorous in employing the veto while governor.<sup>405</sup> It may be suggested that the recourse to veto is a sign of executive weakness. Roosevelt certainly didn't see it that way. He went further than Cleveland, and other governor-presidents, whom would account for close to two-thirds of all presidential vetoes despite representing roughly one-third of all presidencies. FDR in fact was the first president to read a veto message to Congress personally, taking on the mantle of legislator-in-chief.<sup>406</sup>

Roosevelt would employ personal appeals to the legislature on more than one occasion. In an early battle with the New York legislature over water power, Roosevelt addressed the chamber in person in his first term as governor.<sup>407</sup> Perhaps channeling Wilson in making such an appeal, Roosevelt's gubernatorial confrontation was perhaps more unnerving to New York's Republicans than Wilson's congressional counterparts years earlier. Roosevelt's action would be the first in a protracted fight in the state over the question of power rates. Here, Roosevelt would be less successful than in his fight to win control over the budget. As the *New York Times* reported at the time, "Roosevelt, like former Governor Smith, has but one recourse—to appeal from the legislature to the people."<sup>408</sup> Roosevelt would do so to great effect in so many arenas, but with respect to water power control, FDR's popular appeals were to little avail. In June of 1929, he tried to make his case in populist terms. "In New York at the present time only the Governor and Lieutenant Governor stand

between the retention by the people of their property and its alienation,” he would say. “We seem to have forgotten the old difference between capital going into purely private ventures and capital going into public service corporations.”<sup>409</sup> Despite his best arguments for cheaper power rates, Roosevelt could win little more than the establishment of a state power commission.<sup>410</sup>

Yet what amounted to a legislative defeat, Roosevelt was able to turn into a public and personal victory. Roosevelt portrayed the creation of the commission as a signal accomplishment. The press coverage followed suit and gave Roosevelt national credentials as a progressive governor, earning him early talk as a possible candidate for the presidency in 1932. Walter Lippmann, an ardent if not infrequent critic, lauded the creation of the power commission as “a complete triumph.”<sup>411</sup> It was a sign of Roosevelt’s ability to win support in the press where support was supposed to be lacking. Indeed, FDR’s historic name, charisma, and skill with the press and the new medium of radio, made him one of the more powerful political figures in the nation. Most importantly, Roosevelt was able to generate coverage from the platform of New York’s governor that was on an unprecedented level. He dwarfed his immediate predecessors in this regard, including the powerful and consequential governorship of Al Smith. Only Smith would approach Roosevelt’s avalanche of press coverage in the state.

In the over eighty years of New York Times coverage of New York governors ending in Roosevelt’s 1928 term, the newspaper tracked state executives to a far greater extent in the second half of that tenure than in the first. Times coverage captured the increasing significance of the governor not only in state affairs, but

nationally as well. In this regard, FDR followed the trajectory of former governors Tilden, Cleveland, Teddy Roosevelt, Charles Evans Hughes and Al Smith in becoming a presidential candidate in part due to national press attention of New York's governor. The table below provides one means of gauging what amounted to unprecedented publicity for an executive whose national appeal grew out of the epicenter of New York media coverage and notoriety:

**Table 5.1 Governors of New York and *New York Times* Citations: 1851-1932**

<b>Governor</b>	<b>Years<sup>2</sup></b>	<b>Total Citations</b>	<b>Yearly Avg.</b>	<b>Rank</b>
Franklin D. Roosevelt (D)	1929-1932	2445	611.2	1
Al Smith (D)	1923-1928	2628	38	2
Nathan L. Miller (R)	1921-1922	148	74	8
Al Smith (D)	1919-1920	266	133	4
Charles S. Whitman (R)	1915-1918	208	52	12
Martin H. Glynn <sup>3</sup> (R)	1913-1914	98	49	13
John Alden Dix (D)	1911-1912	157	78.5	6
Charles Evan Hughes <sup>4</sup> (R)	1907-1910	268	67	9
Frank W. Higgins (R)	1905-1906	11	5.5	24
Benjamin Odell (R)	1901-1904	105	26.2	16
Theodore Roosevelt (R)	1898-1900	408	204	3
Frank S. Black (R)	1896-1898	87	43.5	15
Levi P. Morton (R)	1894-1896	152	76	7
Roswell P. Flower (D)	1891-1894	133	44.3	14
David B. Hill (D)	1884-1891	642	91.7	5
Grover Cleveland (D)	1882-1884	131	65.5	11
Alonzo B. Cornell (R)	1879-1882	45	15	19
Lucius B. Robinson (R)	1876-1879	52	17.3	17
Samuel J. Tilden (D)	1874-1876	133	66.5	10
John Adams Dix (R)	1872-1874	33	16.5	18
John T. Hoffman (D)	1868-1872	55	13.7	21
Reuben E. Fenton (D)	1864-1868	36	9	22t
Horatio Seymour (D)	1861-1864	25	12.5	14
Edwin D. Morgan (R)	1858-1862	19	4.7	25
John A. King (R)	1856-1858	29	14.5	20
Myron H. Clark (Fusion-R)	1854-1856	18	9	22t
Horatio Seymour (D)	1852-1854	30	15	17
Washington Hunt (Whig Anti-Rent)	1851-1852	25	25	(N/A)

<sup>2</sup> Dates encompass January 1 thru December 31 of years cited, 1901-1932, and December 31-December 31, 1851-1900.

<sup>3</sup> Glynn took office on October 17, 1913 upon the impeachment and removal of William Sulzer.

<sup>4</sup> Hughes left office on October 6, 1910 per his appointment as Associate Justice of the Supreme Court.

Executive leadership in anti-machine politics along with progressive legislation, earned Empire State candidates for the White House a cachet no other state could match. Roosevelt went further than any of his predecessors in enhancing his press relationships by establishing a publicity bureau at a cost of \$100,000 per year, countering the largely Republican upstate press.<sup>412</sup> Coupled with daily press briefings, Roosevelt was acute in generating press coverage on his terms, frequently leaking information to maximize its potential benefit over time. Then came the governor's "fireside chats."

Like much that has come to be associated with Roosevelt's presidency, FDR's innovative use of radio for political purposes originated with his governorship.

Roosevelt thought he could circumvent a virtual state Republican monopoly of the press outside New York City with broadcasts. The Democratic party thus contracted for an hour of radio time each month on a statewide hookup, which Roosevelt used to discuss the latest developments in Albany. As a follow-up to these monthly radio addresses, James Farley sent out questionnaires to local Democrats asking them about their reception. When faced with the 1929 legislative impasse, Roosevelt used the microphone to make a public appeal. By April 1929, Roosevelt was using his radio time in the manner of what was later called a "fireside chat," "an intimate, quiet way" of speaking.<sup>413</sup>

Roosevelt knew the power of cutting directly to the people. In campaigning for the governorship he had addressed both English language newspapers upstate and foreign language papers in the ethnic tableau of New York City, by speaking to their editors.<sup>414</sup> By 1931, Roosevelt was cagily proposing state-funding of rural newspapers to help "better educate" New York citizens. "The country paper should be the country schoolmaster for us older people," Roosevelt wrote the President of the National Editorial Association.<sup>415</sup> Presumably, Roosevelt would be the headmaster. It was a brilliant strategy that demonstrated FDR's efforts to blanket executive

functions over civic life, including the Fourth Estate.<sup>416</sup> This was no easy chore as a great many people were still influenced by the written word, which tended to filter Roosevelt's radio addresses at times. Roosevelt lamented this fact in a letter touching on one of Walter Lippmann's ongoing criticisms:

I may be a little sore because a week ago I made a short radio speech on a national hook-up on the broad subject of State vs. Federal Commission Rights. I talked about the broad principles and did not emphasize the Prohibition angle, but merely state the constitutional fact of the Eighteenth Amendment. Therefore Walter hopped all over me the next morning, relegated all the rest of the speech to the discard and cursed me for not having made a speech on Prohibition alone!<sup>417</sup>

Like Roosevelt's legislative leadership and skill with the press were cultivated during his governorship, so too was his improvisational and targeted response to America's Depression. It was the New Deal born in Albany.

### *The New Deal Prophesied*

FDR might have been late in recognizing the severity of the Depression, but he was the first executive in the country to tackle it head on. He already had great progressive credentials and was no stranger to supporting federal intervention in what had been seen as distinctly private life. In June of 1930 at the Governors' Conference at Salt Lake City, he was the first governor to propose unemployment insurance and old-age pensions.<sup>418</sup> Given the severity of the crisis but also the realities of a Republican-led legislature in New York, Roosevelt took a pragmatic approach to addressing the Depression in the state. As James MacGregor Burns noted

Operating even then a "little left of center," to use his later term, he anticipated many of the New Deal programs in his continuous search for ways to meet specific problems. As the severity of the problems broadened during

the Depression, so did the scope of his solutions. In his thinking he was ranging somewhat ahead of most politicians in the Northeast.<sup>419</sup>

By August of 1931, Roosevelt had created the Temporary Emergency Relief Administration (TERA) and pushed for unemployment insurance. As Roosevelt biographer Frank Freidel noted, Roosevelt “was far in advance of most other governors in advocating long-range reforms to ease future depressions.”<sup>420</sup> New York was the first state to create such an agency and it served as a model for other states that would follow. It was the prototype for Roosevelt’s Federal Emergency Relief Administration (FERA) as president.<sup>421</sup> The fact that the opposition party legislature was not fully supportive only steeled Roosevelt’s resolve to defy opposition – the stuff of “politics” as he derisively labeled it—years later as president. “Government,” on the other hand – the institution of enlightened administration – would dispense with trivial gamesmanship in the presence of such desperation. Roosevelt was learning that progressive government had to be in some respects totalized against the enemies of reform. When Roosevelt said “to these unfortunate citizens aid must be extended by government –not as charity but as a matter of social duty,” he said it as governor of a state battling him over progressive reform.<sup>422</sup> In short, FDR’s New Deal activation of government was married early on to his sense of the need for executive political power.

In campaigning for reelection in 1930, Roosevelt lambasted the Republican legislature’s opposition to his programs as “a leadership which has contented itself with a policy of blockade.”<sup>423</sup> Later, in his second term as President. Roosevelt had opportunity to reflect on the significance of these early fights:



As Governor, it was often necessary for me to appeal for public support over the heads of the Legislature and sometimes over the almost united opposition of the newspapers of the State. In several instances, what was passed by the Legislature was literally forced from the Republican leaders by demand of public opinion which never hesitated to make its views known and which found ways of making them known.<sup>424</sup>

Quite self-consciously, Roosevelt characterized his gubernatorial years as “The Genesis of the New Deal,” in his public papers. They are an early insight into his executive philosophy and views toward active, progressive government as understood in the first half of the twentieth century. Among the numerous keepsakes of Rooseveltian thought is one reflection on Grover Cleveland’s lecture “The Independence of the Executive.”<sup>425</sup> In April of 1900, Cleveland delivered a series of lectures at Princeton on the constitutional autonomy of the president, declaring the presidency “pre-eminently the people’s office.”<sup>426</sup> Like Wilson before him, FDR revered Cleveland’s executive disposition – and in effect replaced both Cleveland and Wilson as the quintessential executives of the age. The Depression had provided Roosevelt a canvass unlike those that limited his predecessors. Later, the Second World War would change conceptualizations about the limits of executive behavior indefinitely. But for Roosevelt, all began in Albany.

### **FDR’s Executive and Party Philosophies**

Richard Hofstadter wrote that despite the continuities in language which connected the Progressive Era to the New Deal, the latter was essentially a departure from all political philosophy that came before it.<sup>427</sup> If Hofstadter is right – a point not beyond contestation certainly – than that departure like all gravity defying movements, must have had a grounding. And that grounding was an exaltation of

executive power rooted in progressivism's desire to build countervailing power to private interests. Teddy Roosevelt, Woodrow Wilson, and finally FDR were all rooted in this cornerstone heritage of accepted neo-liberal thought. In his fight with the Republican legislature over water power rates, Roosevelt inveighed against legislative intransigence. "Executive responsibility must be armed with Executive authority," he exclaimed.<sup>428</sup> Herbert Hoover suggested even more than what was implied concerning his campaign against Roosevelt in 1932. "This campaign is more than a contest between two parties," he said. "It is a contest between two philosophies of government."<sup>429</sup> The inner clash within the broad ideological contours of liberalism and conservatism as they were being newly defined, was one over executive function. As Robert Moley evidenced in his personal memoir of the New Deal:

Ernest K. Lindley, the best historian of the Roosevelt regime to date, has pointed out that "Mr. Roosevelt did not recruit his professorial advisers to provide him with a point of view; he drew them to him because their point of view was akin to his own" that is perfectly true. It is also true that "Mr. Roosevelt had developed his political philosophy long before the depression began and long before he met any members of his brain trust...[that] long before the presidential campaign of 1932 Mr. Roosevelt had emerged as the leading Democratic exponent of a modern liberalism of which the kernel was readiness to use the power of political government to redress the balance of the economic world."<sup>430</sup>

For Roosevelt, the "power of political government" was none other than the executive. His interpretation of American history was decidedly so, and his visionary leaders were singularly personalist if not militant in executive disposition. These included Jefferson, Jackson, Lincoln, and of course, "Uncle Teddy."<sup>431</sup> His sense of a separation of powers was pragmatic and fluid. When the conception benefited Roosevelt he was keen to embrace it, as he did while governor. In admonishing New

York's Justice Ellis Staley over his handling of Roosevelt's investigation of New York City mayor Jimmy Walker, Roosevelt was full of self-aggrandizing restraint. "It is incumbent upon public officers, under our system, to respect the constitutional division of authority and to remain within the limits prescribed for their own action," he lectured the Justice in an indirect jibe.<sup>432</sup> For his part, Justice Staley upheld the Governor's power of removal.<sup>433</sup>

For all of his presumed anti-philosophy, Roosevelt could delve into theoretical musings of his own. "What is the State?" he asked in his opening remarks to the New York Legislature on August 28, 1932. Invoking such impractical constructs found in the state of nature as "the caveman," Roosevelt weaved a story of government's responsibility to meet the basic needs of its citizenry.

In many messages to your honorable bodies I have pointed out that [the] earlier exemplification of the State's responsibility has been sustained and enlarged from year to year as we have grown to a better understanding of governmental functions. I have mentioned specifically the general agreement of today –that upon the State falls the duty of protecting and sustaining those of its citizens who, through no fault of their own, find themselves in their old age unable to maintain life...In broad terms I assert that modern society, acting through its government, owes the definite obligation to prevent the starvation and dire want of any of its fellow-men and women who try to maintain themselves but cannot.<sup>434</sup>

The speech is said to have marked the "genesis of the New Deal."<sup>435</sup> In effect it was the consolidation of decades worth of progressive policy prescriptions and theory. What was new was that former crises and panics – 1873 and 1893 loomed largest — lacked the magnitude and threat posed by the Great Depression. Moreover, it was a staple of Hudson progressivism that such crises had to be redressed by powerful executive action. Legislatures, like parties, had to be led, and if they would not follow, recourse would be taken in the form of popular appeals to the people. This

was not a new playbook; what was new was the skillfulness of the practitioner, the tools available, including mass media, and the severity of the challenge. As the political scientist John Gerring notes, “Roosevelt did not advance policies any different from those of [William Jennings ] Bryan and Wilson until it became apparent that such traditional economic methods would not do the job.”<sup>436</sup>

By January of 1932, Roosevelt was already pushing for greater latitude in policy alterations at the state level. In advocating for greater economic relief measures in New York, Roosevelt implored the Legislature “Let us not seek merely to restore. Let us restore and at the same time remodel.”<sup>437</sup> Such remodeling was about not only expanding government’s capacity to directly involve itself in the economic, and by extension, “private” affairs of its citizenry. It was necessarily tied to an expansion of executive powers and constitutional authority. As Sidney M. Milkis notes, one of the great ironies of the increase in executive authority linked to popular appeals is the fact that ultimately, public policy has in some respects become decidedly estranged from popular representation.<sup>438</sup> Roosevelt’s emphasis on executive administration’s growth and push for a greater purview in economic policy was first initiated as governor, and an outgrowth of popular progressive innovations at the state level.

Later, the Commonwealth Club Address, as it has come to be known, marked a kind of codification of these values which tied executive-led economic policy and progressive thought together. Citing German Chancellor Otto von Bismarck’s command economy policies of 1880, Adolf Berle, the chief architect of the San Francisco Address, argued to Roosevelt, that he had to take the reigns of the economy

if elected president or let private forces “tear it to pieces.”<sup>439</sup> Berle’s speech, delivered by Roosevelt on September 23, 1932, went largely unchanged by FDR and remains the theoretical lodestar for understanding Roosevelt’s public philosophy as it came to be embodied in New Deal policies. Importantly, Roosevelt began the address with a disarming rhetorical device. “I want to speak not of politics but of Government. I want to speak not of parties, but of universal principles,” he began.<sup>440</sup>

For Roosevelt, politics and parties were not so much democratic as they were representative of democracy’s discordant elements. They were not *prima facie* incongruous to democracy as much as they were brakes on imaginative, breakaway policies. What Roosevelt had taken away as governor were the lessons of party opposition in the form of Tammany power, and politics’ corrosive effect on legislation (namely Republican counteroffensives). In the Commonwealth Address, Roosevelt articulated a vision of civil life not divorced fully from the State of Nature, so delineated by Rousseau and other theoreticians. The brutishness of politics itself had to be transcended. “The creators of national Government were perforce ruthless men,” he recalled.<sup>441</sup> To counter the power of such ruthlessness, civil society expanded and constitutional restraints were placed on autocratic rulers. From this process emerged the American Revolution and Jeffersonian democracy – a measured counter itself to Hamiltonian impatience with popular democratic forms. This dialectic was in Roosevelt’s words the beginning of “the day of the individual against the system.”<sup>442</sup> While western expansion was still plausible, Roosevelt’s lecture continued, so was the viability of individual prosperity and autonomy from the

system. Late nineteenth century industrial capitalism changed all of that and as Roosevelt recounted, “the cry was raised against the great corporations.”<sup>443</sup>

Here, Roosevelt invoked the progressive legacies of both Theodore Roosevelt and Woodrow Wilson as exemplars of the rightful protective role of executive authority in the interests of individual rights –indeed of “private rights” redefined in terms of economic security and self-interest. In a world where “equality of opportunity as we know it no longer exists,” Roosevelt reasoned, we must move further still to protect the interests of ordinary people.<sup>444</sup> This requires a new social contract and Roosevelt’s example of it being meted out is instructive of his executive philosophy, linked to his conception of public welfare:

The task of statesmanship has always been the redefinition of these rights [those outlined in the Declaration of Independence] in terms of a changing and growing social order...I held, for example, in proceedings before me as Governor, the purpose of which was the removal of the Sheriff of New York, that under modern conditions it is not enough for a public official merely to evade the legal terms of official wrongdoing. He owed a positive duty as well. I said in substance that if he had acquired large sums of money, he was when accused required to explain the sources of such wealth. To that extent this wealth was colored with a public interest...I feel that we are coming to a view through the drift of our legislation and our public thinking in the past quarter century that private economic power is, to enlarge an old phrase, a public trust as well.<sup>445</sup>

That public trust had to be upheld by the sole representative of all of the people –in the case of New York, it was the governor. Practically, Roosevelt’s stance against Sheriff Farley, like his effort to remove New York City Mayor Jimmy Walker, was a calculated effort to cultivate national appeal as an anti-Tammany executive.

Roosevelt did not relish removing Farley, anymore than he was personally interested in removing the adventurous Walker; but his vision of an executive in command and his desire to win the presidency were paramount. The invocation of Roosevelt’s

dismissal of Farley in the Commonwealth Address was Roosevelt's effort to bolster his sense of independence while burnishing his credentials as a leader who could protect the people against the corruption endemic to private interests.

Arthur Schlesinger, Jr. argued that the Commonwealth Address "reflected Berle more than it did Roosevelt."<sup>446</sup> Yet what is clear is that Roosevelt understood the politics behind fashioning an image commensurate with the tasks of increased national authority in economic matters, and a presidency strengthened by the perception of nonpartisan governance. In this way, the Commonwealth Address married both theory and politics. Indeed, the political realities on the ground in San Francisco in the early fall of 1932 commanded as much attention from Roosevelt as the outlines of this crucial policy speech. Winning over to his candidacy the likes of former California Governor and progressive stalwart Hiram Johnson was just as crucial as envisioning a bold new rhetoric toward an improved social contract. In fact, the Commonwealth Address was able to accomplish both, and both elements were important to Roosevelt. Shortly after his inaugural, Johnson would pay Roosevelt a compliment formed from fond appreciation for political experimentation, so beloved by progressives. "The admirable thing about Roosevelt," Johnson would say, "is that he has the guts to try."<sup>447</sup> The false choice of seeing Roosevelt as either pragmatist or grand theoretician belies the nature of executive practices of the Progressive Era. Power and theory were often wed together seamlessly. Roosevelt was fond of quoting Grover Cleveland who faced difficult, if less cataclysmic times while president. "We are confronted with a condition, not a theory," Cleveland said in his Third Annual Message to Congress.<sup>448</sup> The truth was closer to what the

Commonwealth Address represented some thirty-five years later. The imperatives of crisis had been the window through which theory could skillfully come into play in American politics. That window had been opening since the presidential contest of Hayes and Tilden. In 1932, the window had been blown wide open.

### *Roosevelt's Party Politics*

It has been rightly argued that the demands of economic centralization and liberal social policy compelled a new kind of party politics in America—one oriented around presidential leadership.<sup>449</sup> Franklin Roosevelt understood this intuitively on several levels. His lesson in executive-centered party governance came first in the Wilson administration. Here, FDR was more of a student of Wilson than Teddy Roosevelt, who was more apt to contemplate the dissolution of party than personalize it. Indeed, there had been a longstanding progressive strain of executive party leadership dating as far back as La Follette's governorship. La Follette's attempted purge of sorts in Wisconsin while campaigning for progressive-minded candidates exemplifies this feature of progressivism. Hiram Johnson of California went so far as to help lead the nascent Lincoln-Roosevelt League—a rebuke of the less progressive elements of his own Republican Party. The appeal of independent executive leadership at the turn of the century was frequently personified by governors who were above party—"transcendent" and fearless. By 1932, a new "Roosevelt League" was being formed—this one in support of FDR's presidential bid. Progressives had not exactly gone away—and an executive, party-defying ethos was at the core of what spirit remained, as demonstrated in the League's backing of Roosevelt:



In his demand for social justice, his zeal to defend and conserve the people's natural resources and his intolerance of graft and corruption, Governor Roosevelt throughout his public career has been true to progressive principles...Upon these issues the National Progressive League calls upon every independent voter to ignore party labels and join in support of Governor Roosevelt's candidacy and the progressive principles for which he stands.<sup>450</sup>

The Hudson progressive tradition had been characterized by such anti-party vigilance. Samuel Tilden's appeal was tied to the fact that he, and he alone was powerful and independent enough to break party ties and put New York's legendary Boss Tweed in handcuffs. Roosevelt's father had been a Tilden man, and FDR's cachet as a national leader, as Tilden's before him, was built on the premise that he too, was capable of standing up to the Tweed of his day—Mayor Jimmy Walker and Tammany Hall. While less an enthusiastic combatant in these matters than Tilden, in part out of recognition of how much he owed Tammany (Roosevelt's 1928 gubernatorial victory was by the thinnest of margins) – Roosevelt nonetheless was quick to adopt the mantle of corruption fighter.<sup>451</sup> This was particularly the case as Roosevelt sought to prove he was willing to do so even in defiance of his own party. This was what Roosevelt was selling to crowds in Chicago and Milwaukee in the fall of 1932, and what the national media were buying at the time. One *Times* headline captured the essence of Roosevelt's rising stardom. "Roosevelt Started Fighting Tammany," the *Times* reminded readers after Roosevelt had been elected president.<sup>452</sup> While FDR's encounters with Tammany involved as many handshakes as they did fisticuffs over the years, Roosevelt remained committed to the view that the executive should lead one's party and not the other way around; he simply had not had the power in New York to demonstrate the principle as he would once president.

The challenge for Roosevelt had been to cultivate an image above party while currying favor with Tammany – a *sine qua non* for winning statewide office in New York. As Theodore Lowi noted

Roosevelt had been a product of traditional Democratic party politics, was at home in such an environment, and was so lacking in hostility that he made his peace not only with the machines of New York but with those of other cities as well.<sup>453</sup>

True enough, but Roosevelt understood that merely playing the party game would not be sufficient enough for the type of ultimate power he sought. To accomplish national executive prestige, Roosevelt would have to become, at least in image, an executive in the Hudson progressive tradition. It is one of the reasons that Roosevelt perpetually invoked Cleveland, Tilden, and Wilson, not to mention “Uncle Teddy.”

Not everyone bought the connection, including the former chairman of the

Progressive National Committee in 1912:

[Roosevelt’s] biography declaration that at Harvard he ‘unequivocally stood for Bryan’ and his New York Times interview, the year before Colonel [Theodore] Roosevelt made his second race for the Presidency, that ‘I am a Democrat first, last and all the time’ leaves a bad taste in the mouths of these people in the West before whom he is now posing in his attempt to show them he is strictly a non-partisan when it comes to appealing to them for their votes this year.<sup>454</sup>

Richard Hofstadter’s accusation that FDR had no intention to end bossism or confront corrupt Democratic politicians is correct but to a point. As far back as Tilden, proto-progressives and liberal executives in the Hudson corridor of power worked to build up their own “machines.” This may have been done out of pragmatism but it wasn’t done to the exclusion of reform efforts. Roosevelt’s willingness to jettison Sheriff Farley or compel a resignation from Jimmy Walker were certainly not “crusades” as Hofstadter rightly suggests. But they were tangible

byproducts of personal interests conflating with a broader liberal agenda. None were able to make this marriage of the personal and political as deftly as Roosevelt; for this he is no less “progressive.” In a word, Roosevelt’s chief concern was with “opposition.” The politics of party machinations had to be matched by those of executive strength. It is fair to see a direct and inverse relationship between Roosevelt’s loyalty or “clubbiness” with his own party, and the procurement of greater power. Such a relationship may not speak to Roosevelt’s courage as a non-partisan, but it certainly speaks to his wisdom. Again, Tilden’s historic failure in 1876 may have earned him enduring admiration among Hudson progressives, but it certainly didn’t earn him national office. It is said that Tilden’s loss inspired Woodrow Wilson. Roosevelt was more inspired by victories. As Thomas H. Greer pointed out, Roosevelt learned the hard way that opposition from within one’s own party could be equally devastating to personal and progressive interests:

A decisive turning point was Roosevelt’s experience in the New York Democratic primary of 1914. While serving as a Wilson appointee in Washington, he decided to test his vote appeal at home. He filed for U.S. senator against Tammany-backed James Gerard (Wilson’s Ambassador to Germany). Roosevelt campaigned vigorously as the “anti-Boss” candidate, but he was decisively beaten in the primary. Although stung by the setback, he learned his lesson well. He never again defied the Tammany organization in an election campaign.<sup>455</sup>

Practically speaking, Roosevelt worked in New York to build the Democratic Party from the ground up, particularly upstate where the party had done poorly historically. In the final analysis, Roosevelt not only elected not to bite the hand that fed him, but to in essence, recreate the relationship between master and beast. In time, the personalist power of the national executive grew by such degrees that it has become difficult to fathom a time when such a relationship didn’t exist. As the last of

the line of Hudson progressives, and final act in a series led by state executives introduced to national executive power, Roosevelt was adept enough to wait until he had accumulated enough personal power to strike out on a course not directed by his party. The forms – party-led executive action, had been surpassed by the facts – power in the hands of plebiscitary leaders, who understood the power of administration, crisis leadership, and media command. Roosevelt's was a masterful stroke that continues to carry great implications for executive leadership today.

## **Conclusion**

Franklin D. Roosevelt's first decisive moment as governor was an act of party defiance. In rejecting Belle Moskowitz and Robert Moses as potential appointments favored by Al Smith, Roosevelt was carving for himself an independent path as governor. His last crucial act – leading an indictment against Mayor Jimmy Walker, was likewise an act of defiance against Tammany Hall. Both moves showed FDR at his pragmatic and progressive best. In rejecting Moskowitz and Moses, he was making a point about power. Roosevelt made it clear that the Smith tenure had indeed come to a close. In confronting Walker, albeit late and with little relish, Roosevelt was claiming a leadership status somewhat distant from his party's most prominent figure, and the epicenter of its power. Roosevelt's aspiration was for a new era of executive leadership, and he was willing to jettison Tammany to do it – at least for appearances. Finally, Roosevelt laid out his most comprehensive prospectus on progressive values in the midst of the Depression. The Commonwealth Address, given in his last days as governor, was a treatise born not only of neo-liberal

imperatives, but also Hudson progressive executive philosophy. The types of changes Roosevelt sought to usher in were not tied to some Wilson-like “spirit of the age.” Roosevelt didn’t think in those terms. He saw the change effectuated in society as the byproduct of powerful executive leadership. The zeitgeist was the product of the leader. Roosevelt’s governorship was the last preparatory moment in this evolution, and once he had the power to declare the next epoch in America’s relationship between its citizens and its government, he did so.

These bookends of the Roosevelt governorship held together other important foreshadowings of Roosevelt’s future executive disposition. His efforts to win cheaper power rates for New Yorkers, his push to win ultimate executive authority for the state’s executive over budgetary matters, and his exercise of authority in dismissing Sheriff Farley – all were telling examples of Roosevelt’s governing philosophy. In this regard, FDR’s injection of “separation of powers” discourse was as sincere as Chief Justice John Marshall’s invocation of limited powers for the Court in *Marbury*. It is not without coincidence that Marshall has likewise been said to have lacked a deep penchant for founding principles or a comprehensive philosophy. Perhaps there is more in common with the Virginian Federalist and the Hudson progressive than ordinarily thought. In a sense, Roosevelt understood executive power as a stabilizing and countervailing power to too deeply entrenched business interests. Perhaps his patrician pedigree helped him understand better than most the ills of oversized private interests, as Marshall’s parochial background helped him see the limits of interest rooted dominantly in the local. Whatever the variant creating a deeper sense of the public was that connected the two men, Roosevelt was no less

prolific in reshaping American notions of the presidency than Marshall was at reconvening an understanding about the nature of the Supreme Court. Roosevelt assuredly began this process in Albany, and he did so as the last of a line of governors who rose to preeminence in the Empire State, by eschewing early nineteenth century virtues of executive propriety.

“People tell me that I hold to party ties less tenaciously than most of my predecessors,” Roosevelt told his audience at a Jackson Day Dinner in 1940. “I admit the soft impeachment.”<sup>456</sup> What Roosevelt did hold to was the acceptance of presidential leadership over his party. It was a hallmark of progressivism that he thought this the natural province of executives. In holding this belief, Roosevelt was not so much breaking ground or ushering in some new rhetorical phase of presidential leadership. He was merely articulating a line of reasoning held by progressive governors and governor-presidents for well over fifty years. Roosevelt wasn’t the first to contribute this vision to American executive politics. But he validated it. Roosevelt transformed what Cleveland, TR, and Wilson attempted and placed it in the realm of routine. While each of these three previous stalwarts of Hudson executive power did so for themselves in their movement from statehouse to White House, Roosevelt did for all time, and for every future president. And while Roosevelt’s efforts at reconstructing American conceptions of the public and the good along activist government lines has been challenged by a host of conservative critics since the New Deal began, no American president since – conservative or otherwise – has called for the dismantling of the national executive along the lines reserved for other liberal state edifices. Roosevelt made the New Deal executive – the one built by

Progressive Era leaders of tremendous political acumen and imagination – a permanent fixture of American politics.

When Ronald Reagan famously intoned “there you go again,” in his 1980 debate with Jimmy Carter, few knew it as an old line of FDR’s. Those who draw comparisons between the two presidents frequently make note of Roosevelt and Reagan’s connections to both the New Deal and an early career in media (Roosevelt was editor of the *Harvard Crimson*). Yet, what’s often overlooked in Reagan’s seeming Rooseveltian style, is his most substantive enduring connection to FDR. The neo-founder of American conservatism in American politics was deeply liberal – indeed, more appropriately, progressive – in his understanding of executive power. And little could be more quixotically telling about Roosevelt’s confirmation of the new American executive launched by a cadre of progressive executives. Government may have been the problem for conservatives in the last quarter of the twentieth century, but few defined the president’s power as part of that government. If anything, the president was beyond government – a unitary figure possessing popular authority and power with little specified limits. For this, Reagan – and all future presidents, of whatever political stripe – must love Roosevelt. Such is the enduring, if not at times mystifying contribution of progressive executive government, shaped most directly by governors and governor-presidents, that culminated in the Albany to Washington narrative of Franklin Delano Roosevelt.

## 6

**Executive Power and American Democracy:  
“Undoing the Framers’ Work”**

“In the United States, magistrates are not elected by a special group of citizens but by the majority of the nation; they immediately represent the passions of the crowd and depend entirely upon its wishes; as a result, they inspire neither dislike nor fear: thus, I have pointed out how little care has been taken to restrict their power of action and how great a share of power has been left to their discretion. This state of affairs has forged habits which will survive it. The American magistrate would retain his undefined power while ceasing to be accountable and it is impossible to say where tyranny would then end.” –Alexis de Tocqueville, *Democracy In America*, 1835<sup>457</sup>

“Boundless intemperance in nature is a tyranny; it hath been th’untimely emptying of the happy throne, and fall of many kings.” – *Macbeth*<sup>458</sup>

### **Introduction**

Fear of an unbound executive was at the heart of constitutional concerns at the nation’s founding. It was, as the biblical admonition suggests, the beginning of all knowledge.<sup>459</sup> And yet that fear was overcome, as Alexis de Tocqueville – ever prescient — noted, by associating the national executive with the will of the people. In due time, the *demos* would somehow become embodied in the president. To fear the president would be to fear oneself. And who would disarm or restrict their own authority willfully? Such was Tocqueville’s analysis in an age with “no great parties” – one overshadowed by the reach of Andrew Jackson, whose presidency was the first to marry mass participation to primitive executive provocations.<sup>460</sup> And like the great modern presidents that would emerge generations later, Jackson knew little of the legislative levers of democratic governance. An executive in war and in the blood-let Florida Territory, Jackson personified the ironic fusion of broad democratic populism and the exclusivity of executive power. Yet Jackson’s dominance did not portend the



immediate rise of a presidential republic; but it did introduce “habits” that would be remembered long after the Age of Jackson had ended. It is one of the subtle stories of American political development that governors were the first executives to draw broadly upon these habits. In doing so, executive centered government emanated from below while carrying the banner of progressivism. The built in dangers of tyrannical power envisioned and feared by many of the Framers was ultimately shed in a colossal exchange of founding principles for protective personalist leadership.

The thing that fundamentally altered the nature of the presidency was its increasingly direct connection to the American people as Tocqueville suggested. Woodrow Wilson echoed this perspective at the end of the nineteenth century when, in his essay on Democracy, he attached normative value to the transition away from the founding. Whereas Tocqueville shuddered at the prospects of a radicalized popular executive, Wilson embraced it head on:

We have in a measure undone [the Framer’s] work. A century has led us very far along upon the road of change. Year by year we have sought to bring government nearer to the people despite the original plan. We nominate the President now in popular convention...We grow daily more and more uneasy because a man may be made President who has not received a popular majority in the vote for electors. We declare, and most of us believe that the people are sovereign, and we diligently endeavor to make their sovereignty real and operative in all things.<sup>461</sup>

Wilson’s declaration is notable in that it comes at least a decade, and for some proponents of the modern presidency, a generation before its arrival. For Wilson, Grover Cleveland’s presidency and the combined efforts from state executives, was sufficient evidence of a crossing into entirely new territory with respect to the Constitution’s relevance in a new executive age.<sup>462</sup> The regime of governor-presidents that he was a part of – the Hayes-Cleveland-McKinley-Roosevelt-Wilson

line – was a revelation about the rejection of staid forms and *ancien* interpretations of constitutional strictures such as the separation of powers and legislative democracy. When this line culminated in the presidency of Franklin D. Roosevelt, such power and authority had been conferred upon the nation’s chief executive that all future presidents would be assumed to operate from an executive disposition. While the presidency is the great terminal executive office, not all previous presidents were presumed to orient their governing philosophy from this standpoint; after FDR, the presidency would be so infused with executive prerogative that prior executive office was no longer the preeminent harbinger of outsized presidential conduct. To follow Roosevelt would be to follow all of the combined facets of modern executive leadership – to in short, embrace the executive-centered republic.<sup>463</sup>

The two clusters of governor-presidencies in American history shed much light on American political development, but for different reasons. The first one, begun by Rutherford B. Hayes and capped off by FDR, was driven by progressive policy approaches and modern executive interpretations of constitutional government. The second cluster, initiated by President Jimmy Carter, began as a reaction to the Watergate scandal, but was sustained by a resurgent appeal for Washington outsiders.<sup>464</sup> Ironically, this last regime of governor-presidents did very little to reject such imperial interpretations of the modern presidency as the “unitary executive” or the plebiscitary presidency. Tactics may have been called into question, but not the fundamental orientation of the executive-centered republic.<sup>465</sup> Notably, this present era has been much more about the marketing of presidential candidates as outsiders and oppositional leadership in Washington. The shared desire to either “change,”

“heal,” or “cleanse” Washington among this group reflects a domestic agenda rooted in economic or cultural disaffection of some kind. Compared to the “kings of progressivism” as the historian Robert Wiebe described the governors of the progressive era, this cohort has been far less policy driven and equally less concerned with the philosophical role of the president’s status in the nation’s governance. That question seems to have been resolved long ago. While the Cold War silenced the voice of the governorship as a pathway to the presidency, it only inflated the position of the president as the force for national change (and at times, recalcitrance) in both domestic and foreign affairs.<sup>466</sup> In the aftermath of Vietnam and in the lingering shadow of détente, American governors regained their status as junior executives with sufficient pedigree to make the next leap to presidential leadership. The prominence of governors as presidential candidates has been reaffirmed in the Carter-Reagan-Clinton-Bush line.

### *The Lessons of the Progressive Prince*

The modern presidency has been edified along four pillars of executive action; these include party leadership, media command, legislative direction, and an executive-centric governing philosophy. Before these practices became a hallmark of presidential leadership in the modern era, they traced their origins to America’s governors. The Progressive Era – however hard to delimit – was undoubtedly a political response to the growing influences of corporate power and social dislocation in the nation. American industrialization had become a part of the intensification of privatized interests and a deeper detachment of those interests from the public good.

Thus, the inevitable contrast of giant interests against those of the people: Southern Pacific Railroad, the New York Customs House, Canal Ring, and U.S. Steel, to name just a few. The intermediary forces between the public and private interests of the nation had become associated with patently undemocratic government. The political party had been reduced to nothing more in the popular imagination than political bosses and “machine” politics. The legislatures of the states and Congress itself were increasingly seen as repositories of corruption and malfeasance.<sup>467</sup> As the public fell further away from republicanism’s promise of genuine representation and fairness, social despair gave rise to attacks on both party and legislative democracy. Governors, newly empowered, and given greater constitutional authority, were the initial recipients of popular power and responsibility. As Herbert Croly noted in *Progressive Democracy*, “Wherever public opinion has been vigorously demanding the adoption of a progressive state policy, the agent to which it has turned for the carrying out of that policy has been a candidate for governor.”<sup>468</sup> At the end of the nineteenth century, the “laboratories of democracy,” as Louis Brandeis had described the states, were being run by scientists of a different executive stripe. These were executives openly challenging the ethos of the framers of the Constitution, and on occasion, claiming for themselves unexpressed powers in the name of protecting the interests of the people. American governors began a restorative work in executive public policy that would reshape all notions of what it was possible for a national executive to achieve.

In Ohio as governor and later as president, Rutherford B. Hayes would greatly expand the discretionary power of the executive. His willingness to go over the heads

of Congress and speak directly to the people earned him the appellation, “Rutherford the Rover.” He had put down a labor strike in Ohio and would do so as president with such force and alacrity that many would take note of the brazen quality of his executive leadership. Others in the faint dawn of the modern presidency would go further. Grover Cleveland carried his executive oriented paradigm from mayoralty to governorship to presidency, with little regard for intrusion into what was perceived at the time to be the legislature’s domain. Cleveland’s obsession with the veto, his invocation of executive privilege, and his willingness to buck party made him a colossal figure of the age – beyond his well-publicized physical stature. Indeed, in New York, Cleveland’s governorship along with Samuel J. Tilden’s, became the quintessential element in New York State’s narrative for executive leadership during the last quarter of the nineteenth century. Simply put, Cleveland was the Roosevelt of his era.

What made these early figures so striking was their propensity to eschew constitutional limits or at a minimum, the popularly accepted notions of constitutional propriety at the time. Governors such as Robert M. La Follette of Wisconsin and Hiram Johnson of California would openly disregard them as folly. As the historian George Mowry noted, Johnson rejected “the whole system of checks and balances as a denial of popular government.”<sup>469</sup> What mattered most in the early Progressive Era was movement toward the people, as Tocqueville had witnessed as early as the 1830s. By the turn of the century, the Progressives had begun a movement to institutionalize such popular-executive proximity. The direct primary, the referendum, and the recall were all varyingly attempted and employed throughout the states ultimately, in an

effort to reign in the untoward forces of political corruption and capitalist excess.

The remedy was to unbind the executive and grant whatever constitutional silences to that individual –that “single man,” as Woodrow Wilson had described Cleveland.

The potential for tyranny was undervalued in the face of other tyrannies. The modern presidency was a planned event, but its own excesses were dismissed against more meaningful usurpations taking place.

Few considered the implications of the demise of party as it unfolded. When Alabama’s governor challenged Wilson as standing against the wisdom of Hamilton and Madison as some wayward “modern prophet,” Wilson only grew in the exchange. Wilson had allied himself to the will of the people; his legitimacy was therefore rooted in his and other executives’ ability to stand in for the public as true representations of popular desire. Hence, Wilson and numerous of his co-modern executives, were indeed prophetic – and frequently messianic in their constitutional views. Seeing themselves as embodying the will of the people, men like La Follette and Wilson struck a moral chord in the electorate and touched it frequently through their own rhetoric as the plebiscitary presidency grew in its infancy. Theodore Roosevelt for one, had grown so despondent over failed legislative leadership that he proposed biennial legislatures. Wilson likened the legislature to parliament – a type of “talking shop” with little relevance to the affairs at hand which demanded decisiveness and dispatch.<sup>470</sup> Thus, a fundamental precept of democracy earned a derisive place in the lexicon of the era. To speak was the prerogative of the executive. When undertaken by the legislature, it sounded as so many clanging cymbals. “Overlegislation” had become a form of over-speaking.<sup>471</sup>

Part of the challenge governors posed to traditional practices was in the realm of executive appointments. With increasing frequency strong governors rejected party recommendations and bypassed legislative leadership in selecting individuals to public office they deemed accountable and graft-free. Ironically, such anti-party and anti-legislative tendencies resulted in the building up of alternative local party structures and more personal political machines. From Samuel Tilden of New York in 1876 to Hiram Johnson in California in the 1900s, state executives sought to create new political forms devoted to their leadership over older institutions and bosses who were connected to party. The Lincoln-Roosevelt league led by Johnson is just one such example. Coupled with greater formal authority bestowed upon governors at the turn of the century, state executives had become formidable in their own right as “bosses.” Woodrow Wilson’s nomination as president only served to cement the change from party patronage bossism to the president as ultimate party boss. Progressive Era politics did not end boss politics as much as it created a new “national Boss” – as Wilson himself had been described by the legion of party officials who came to visit him in Sea Girt, New Jersey upon his nomination.<sup>472</sup> The executive-party relationship had been inverted; Van Buren’s conception of a closely guarded national executive died a Progressive death.<sup>473</sup>

None, of course, theorized the “post-constitutional” presidency as carefully as Wilson. Deeply influenced by the governorship and presidencies of Theodore Roosevelt and Grover Cleveland, Wilson applied his sense of historical change to an era that was increasingly emblematic of politics as evolutionary. Thus, his Darwinian rejection of constitutional formalism as outdated and outmoded. And with the

examples of popular rhetoric and media attention cultivated by the likes of La Follette and TR, Wilson further institutionalized executive-press relations, choosing to create a bridge between the executive and the people in a manner that large legislative bodies never could. He instituted daily press sessions as governor, following the twice-a-day model of TR, while becoming similarly disposed to using the “trial balloon” as his way of testing the feasibility of his ideas. In standing up to three party bosses in New Jersey, Wilson laid claim to broad constitutional powers in Trenton, arguing that to be his own man, the governor had to have powers and freedoms commensurate with the task. Wilson’s invocations of extra-legal parameters for the governor were greeted by wide popular support – they had in fact become a sign that finally, someone was willing to do all that could be done, if not more, in standing up to private interests and official corruption. He was as the New York Times described him, a “Tilden, but a Tilden up to Date.”<sup>474</sup>

But the opportunity cost of transacting for greater executive power necessarily led to withdrawals from other formerly held accounts. The notion of separation of powers became quaint, rather than *de rigueur*. The theory that the president is free to act unless expressly proscribed from doing so was embraced by the key executive figures during the Progressive Era. It was the atmosphere in which FDR received his political education. Among his mentors were of course “Uncle Teddy,” but also Wilson, Cleveland, and La Follette. His predecessor in New York, Al Smith provided the tangible assistance to executive authority’s expansion in the Empire State, consolidating a host of agencies under the direction of the governor. The New York model proffered ever so lightly by Hamilton had grown into the preeminent



executive seat in the nation, second only to the presidency itself. Importantly, Progressive governors would inject their broad renderings on executive powers into the presidency, grafting onto the national edifice practices and theories from their own tenures in Albany.

Franklin Roosevelt's limitations in New York were less constitutional than they were political. He was unable to fully distance himself from Tammany Hall despite early and late acts of defiance in his gubernatorial tenure. Nevertheless, FDR brokered tremendous authority to the State's governor, winning for himself near complete authority over New York's massive budget, while addressing the State Assembly in person in an effort to lower the State's water power rates. His tenacity in making his own appointments and keeping power over his choices for removal were no small victories. New York had intermittently been in and out of the hands of bosses such as the Republican Roscoe Conkling or Democratic Tammany. Roosevelt bucked the party and its bosses delicately, understanding that the Hudson path to the presidency required the imprimatur of a genuinely anti-establishment candidate. Governors had been earning this distinction for some time – to continue the trend, Roosevelt would have to take the risk of opposing his own party and its leadership. Such was the essence of how TR found his way to the White House, as the party boss of his era led an all out assault to get him on the ticket in 1900 as McKinley's Vice President. Governors learned to take their paradigm shattering ways with them, much to the delight of local antagonists. Wilson had no sooner left New Jersey for example, than progressive reform began to take a back seat to political expediency and back-room dealing.

### **Theoretical Implications of the Personal Presidency**

The modern presidency did earn large and heretofore unforeseen concessions to the public welfare state. To a great extent, the outline of reforms such as the Square Deal and New Deal could be seen in Albany, for example. Such reforms were not without costs. They came at the price of a heavy administrative burden<sup>475</sup> and a significant reduction in the meaningfulness of party. In the avalanche of presidential vetoes (launched disproportionately by governor-presidents), executive orders, and claims on prerogative power, greater distance was created between the president and the people. It is easy to forget just how far from natural a single dominant executive was seen as instrumental to the nation's democratic founding. Ben Franklin sought a twelve-member executive council in Pennsylvania for example, while numerous states withheld from their governors the power of appointment.<sup>476</sup> The obvious association with monarchy lent itself towards the dissipation of executive constitutional power. Yet, the consolidation of executive power grew over the course of the nineteenth century to be seen as natural and "organic." In a word, centralization was "progressive." This is not to suggest that the American Constitution rendered the chief executive mute; rather the idea was that legislative dominance was such a clear given that the executive had to be fortified in the interest of balance. As Charles Thach noted:

What was feared was "everything was being drawn into the legislative vortex," and that the executive department would not be strong enough to fulfill its proper functions. The main thing with the majority was to strengthen the executive, whatever the argument.<sup>477</sup>

As Publius assumed in Federalist 51, "in republican government, the legislative authority necessarily predominates."

Little had done more to overturn this assumption than the rise of Progressive executive theories and practices. The crucial variable used to justify the executive turn in American republicanism was and remains the need for “energetic” government and the demands imposed by emergency. Dispatch and decisiveness are combined in various ways to extend the prerogative of the president. Overly strong parliamentary systems or legislatures are for weak states or those that have suicide embedded in their compacts. As Harvey C. Mansfield suggests, “everyone agrees on the necessity of a strong executive.”<sup>478</sup> Yet the ends are often more controversial than the means attributed to presidential power. Emergency power – the stuff of which the energetic strong executive is premised upon – has evolved conceptually from putting down riotous ruffians in early New York, to the need to act in a perpetual state of emergency in “the War on Terror.”<sup>479</sup> A conflict such as the latter necessarily invokes a limitless struggle rooted in existential threat; in such a “crisis” the president does not claim emergency powers, so much as they are preexistent. They are in the ether of politics in a way that neither Lincoln, FDR, nor every Cold War president, might strain to envision. Not only is emergency embedded with respect to foreign policy threats, it is gaseous in its permeability; no single state threatens – and thus all threaten. What kind of executive power is ever sufficient to meet such a threat? While “energy in the executive” may be “a leading character in the definition of good government,” as Alexander Hamilton suggested in Federalist 70, it ought not to be seen as the equivalent of good government. Energy is morally neutral – what it is directed towards becomes a normative concern.

The Progressive executives – the governors and governor-presidents that built the modern presidency, sought executive power as part of an internal struggle against political and private excesses. The effort was designed to implement public policies against nationalized distress occasioned by bouts of *ennui*. Today's efforts at furthering executive power are in many respects fortified by popular fears and low-level angst.<sup>480</sup> Thus, the modern presidency of today, some one hundred years after its inception, is predicated on a minimalist (or consumerist) civic body, where the president can act with little regard to popular upheaval. As the French political theorist Bertrand de Jouvenel remarked:

Every authority is, by the law of its nature, essentially dualist. Being ambitious, each separate authority tends to grow; being egoistical, to consult only its immediate interest; being jealous, to pare down the role of other authorities. And this strife provides the state with its main chance. The growth of its authority strikes private individuals as being not so much a continual encroachment on their liberty as an attempt to put down the various petty tyrannies to which they have been subjected. It looks as though the advance of the state is a means to the advance of the individual.

Such was the basis of Tocqueville's fears of presidential tyranny noted at the beginning of this chapter. True tyranny is best connected to broad civic indifference. It occupies the twilight between "dislike" and "fear." The redundancy of emergency can only breed a numbed citizenry. The space between code orange and red, by way of example, is too thin to illicit intelligible mortification. People go on with their lives, it is said.

Tellingly, Mansfield's treatise on modern executive power begins with a cryptic citation from *Macbeth*. "If it were done, when 'tis done, then 'twere well it were done quickly," is the haunting passage.<sup>481</sup> But one is left unsure as to whether Mansfield would have it read for its implicit warnings or on face value – a kind of

shop-worn advice in the name of executive decisiveness. Of course, *Macbeth* is the story of a murder –one premised on ill-read tidings that are filtered through an egoistically reprobate mind. The lesson of *Macbeth* is that whatever is “best done quickly” is probably something that shouldn’t be done in the first place. Dispatch is a fig leaf for unbridled power. Emergency must therefore necessarily be defined as time-bound; to do otherwise is to blanket all political time as fearsome.

Civic complicity with a state of emergency in perpetuity is what fuels the power of executive leadership beyond practical restraint. Aristotle noted the tendency of democracies to devolve into such a compliant form of tyranny:

In democracies the most potent cause of revolution is the unprincipled character of popular leaders. Sometimes they bring malicious prosecutions against the owners of possessions one by one, and so cause them to join forces; for common fear makes the bitterest of foes cooperate. At other times they openly egg on the multitude against them.<sup>482</sup>

Further detachment of the executive from constitutional accountability is fueled by the loss of party as intermediary between the executive and the body politic. In this light the Progressive Era brought three strands laden with anti-democratic composition together: the deterioration of party, the rise of popular appeals, and an executive governing philosophy opposed to constitutional formalism. As Sidney M. Milkis has noted “For Progressives, public opinion would reach fulfillment with the formation of an independent executive power, freed from provincial, special, and corrupt influence of political parties.”<sup>483</sup> What’s more, with respect to the rise of the modern presidency in America, presidential background had emerged as disproportionately executive in nature. From Harry S. Truman to George W. Bush, presidents have been four times as likely to have spent part of their career in public

office prior to the White House in some executive capacity, than those presidents from Washington to Lincoln. The imbalance in executive, as opposed to legislative experience, speaks to the modern presidency's relationship not only to state executive practices, but also a core grounding in executive leadership. Part of the story of the modern presidency is the loss of the sense of constitutional balance between the legislative and executive branches, traded for the institutional primacy of the presidency, and more broadly – the executive.

It is almost novel to reconsider founding debates as waged by Pacificus and Helvidius (Hamilton and Madison) over the president's authority to proclaim neutrality. Madison's deep concern that none less than Washington be reproachable for the possible usurpation of legislative power – even in the context of a non-belligerent act – speaks to how far we've come in the presumption of broad presidential powers.<sup>484</sup> Such a presumption is difficult to square with classical democratic ideals at best, or simple checks on personal ambition at a minimum. The transition to an executive-centered republic, brought about most forthrightly during the Progressive Era, and launched primarily by state executives and governor-presidents, offers tremendous insight into the role institutional background plays in the formation of long-developed political behavior. As Stephen Skowronek pointedly notes, “for most of American history, the cutting edge of the assault on the constitutional principle of checks and balances – and the most potent engine elevating the presidency in the American system – was not the exercise of war powers but political democratization.”<sup>485</sup>

*The Executive Turn Towards The Imperial Presidency*

We are now thirty-five years removed from the publication of Arthur M. Schlesinger Jr.'s *The Imperial Presidency*. Schlesinger's work focused on the growth of presidential power primarily as a byproduct of greater authority in foreign affairs and war. Schlesinger thought the Second World War particularly instrumental in bolstering presidential prerogative. Interestingly, Schlesinger did not directly address the Progressive Era's influence on the dissolution of the power of parties in America, nor the rise of mass media which occurred during the period. On the contrary, Schlesinger took these two phenomena and placed them in the context of the 1960s and 1970s to explain the groundwork laid for the modern presidency's outsized quality.

As the parties wasted away, the Presidency stood out in solitary majesty as the central focus of political emotion, the ever more potent symbol of the national community. When parties were strong and media weak, Presidents were objects of respect but not veneration. There were no great personality cults of Rutherford B. Hayes and Benjamin Harrison...For their part historians and political scientists discovered in the image of the two Roosevelts and Wilson, strong presidents using power for enlightened ends, the model of the Presidency to teach their students and hold up before the aspiring politicians.<sup>486</sup>

While Schlesinger saw the imperial presidency truly born in the 1940s and 1950s, like so many analyses of the modern presidency, *The Imperial Presidency* paid only cursory attention to the Progressive Era as launching an undercurrent of popular and political support for the presidential republic to emerge at mid-century. While Hayes was no great charismatic figure, he did represent a bolder move toward the restoration of presidential power. His age and the age of TR and Wilson to follow, did in fact set the stage for the more blatant and less apologetic executive excesses generations later.

It is not happenstance that four of the five figures referenced here by Schlesinger, were once governors, with Harrison having lost an unsuccessful bid at the office. This was in fact an executive age where a regime of executive presidents governed from that branch's paradigm. Numerous governor-presidents were responsible for injecting imperial tendencies into the presidency; later overwhelming factors gave oxygen to the conflagration of little-restrained executive power. As Andrew Rudalevige wisely instructs "there is no 'imperial presidency' in the structure of American government. Any such creature is conditional, fragile, and revocable. The presidency, in other words, is contingently imperial."<sup>487</sup>

This is perhaps why the more critical element in Schlesinger's narrative, is the role he assigns the body politic as civic enablers of presidential prerogative and extra-constitutional action. Here, Schlesinger captures the essence of the challenge of granting so much in the way of emergency power to the president under the guise that citizens can somehow carry on as disconnected figures from the vagaries of personalist leadership. "What kept a strong President constitutional, in addition to checks and balances incorporated in his own breast," instructed Schlesinger, "was the vigilance of the nation." "Neither impeachment nor repentance would make much difference if the people themselves had come to the unconscious acceptance of the imperial Presidency."<sup>488</sup>

The relationship between representative democracy and executive power is at the heart of classical discourse on politics. It reflects one of democratic inquiry's great and persistent challenges. As Sheldon Wolin expressed it:

Locke's famous proviso that authority can be "taken back" if the governors violate the terms of the contract suggests mistrust, suspicion that political



power will evade direct control. With the introduction of administration and the centralization of power, it will be virtually impossible for the citizen to recognize these powers as his own. He has resigned them and become resigned to their loss.<sup>489</sup>

For Wolin, this is the opening for Totalitarian Democracy and the Imperial Citizenry. For as suggestive of recent presidential history such analysis may be, it is worth pointing out that the age of administration and centralization was primarily an endeavor launched during the Progressive Era. And it was state executives acting as governors, or several instances later as presidents, that made the distant administrative state and the institutionalization of the plebiscitary presidency all the more plausible. This was part of the exchange for progressive public policies and security against the excesses of corporate capitalism and wayward democracy. While the post-War presidency furnished the broadest possible range of executive authority and extra-constitutional mandates claimed by presidents, the Progressive Era opened the doorway. Thus, one of the deep and abiding ironies of American democracy was reinforced: democratic ideals were juxtaposed with the realities of subverted democratic processes and politics. In his concluding discussion in *Democracy in America*, Alexis de Tocqueville ventured an opinion on what he saw as a looming administrative despotism.

At the present time, many people very easily fall in with this type of compromise between a despotic administration and the sovereignty of the people and they think they have sufficiently safeguarded individual freedom when they surrendered it to a national authority. That is not good enough for me. The character of the master is much less important to me than the fact of obedience.<sup>490</sup>

Like much that was to transpire in the latter portion of the nineteenth and early twentieth centuries, Alexis de Tocqueville saw the shape of things to come.

### **Conclusion: “Our American Governors”**

Patrick Henry was chief among the skeptics of America’s constitutional president. The pledges of modest executive rule and checks and balances left him deeply unsatisfied. “Where are your checks in this Government?” he lamented. “It is on a supposition that our American Governors shall be honest, that all the good qualities of this Government are founded: But its defective, and imperfect construction, puts it in their power to perpetrate the worst of mischiefs, should they be bad men.”<sup>491</sup> In the end, Henry and the Anti-Federalists would lose this argument among other significant battles over both the content and meaning of the Constitution. But this early struggle over the nature of American executive power – the terms “Governors” and “Presidents” were interchangeable in early American usage – was far from the last. Henry had himself been a colonial governor, one predisposed to showing deference to the Virginia legislature.<sup>492</sup> A century later, lines of argument similar to Henry’s would fall into disfavor. It was at “The House of Governors” – one of the earliest meetings of the nation’s governors, when Woodrow Wilson argued down one of his colleagues about the extension of the governor’s executive power. “There is nothing inconsistent between the strengthening of the powers of the Executive and the direct power of the people,” Wilson implored. Some present were unimpressed. “I would rather stand with Madison and Hamilton, than to stand with some modern prophets,” Alabama’s somewhat less enthusiastic governor retorted.<sup>493</sup> By the early part of the twentieth century, Hamilton and Madison would be seen as moderates on the executive question – a fact Henry would no doubt have found curious.

The ties between the people and the executive had been so forged as inseparable by Progressives that foundational principles such as separation of powers had to be reconsidered, if not intellectually jettisoned altogether. Herbert Croly, for one, sought examples of executive power in the nation's governors, and in praising Oregon's efforts to embolden the power of its executive, launched a line of argument at odds with founding notions of representative government:

The executive represents essentially the purposes of a prevailing majority in the political composition of the state. The legislature represents those minor phases of public opinion which have sufficient energy and conscience to demand some vehicle of expression.<sup>494</sup>

The Progressive executive now ruled over bifurcated public opinion; that which was of a legislative character was "minor." That embodied in the executive was truly democratic. This was the frontispiece of Hobbes' *Leviathan* come to life. James P. Young expressed the exchange of progressivism's public policies for the somewhat lessened quality of democratic life in America well. "We are all probably better off in the regulated world the Progressives created than in what went before," he noted in *Reconsidering American Liberalism*. "Yet it cannot be claimed that democracy is more secure than it was seventy years ago. By many standards it is weaker."<sup>495</sup>

For all of the presidency's limitations, we are all too often reminded of just how consequential the president's power is – more so for ill than for good with respect to the preservation of democratic values. Woodrow Wilson and Herbert Croly's quite tortured view of the public suggests an executive power built upon the most creative imagining of majorities elicited from the frailest minorities of those who participate in presidential elections. When sixty-percent of the eligible voting

population turns out in presidential elections, and is hailed as a restoration of participant democracy, grim questions must be forwarded regarding the attendant nature of present-day republicanism. A theoretical “public” of one is plausible if the term is stretched to ultimate plasticity, but this hardly constitutes democratic government. This is why the parallel phenomena of the ascendancy of executive power and the declination of party power and civic participation holds such foreboding prospects for American democracy. “The weakening of the two-party system as a check on power,” reminds Wolin, “was one manifestation of a general weakening of institutions intended to limit or balance power.”<sup>496</sup>

In an August 1932 memo to then Governor Franklin D. Roosevelt, Adolf Berle, one of the architects of New Deal theory and a key advisor to FDR, wrote to convince him that his campaign for president needed an anchoring intellectual address. What became known as the “Commonwealth Address” stands as the most coherent theoretical text outlining Roosevelt’s perspective on the New Deal’s public mission. It is therefore interesting to note the executive template suggested by Berle. “In a word,” he wrote, “it is necessary to do for this system what Bismarck did for the German system in 1880, as result of conditions not unlike these.”<sup>497</sup> The richness found by way of analogy is evident in analyses of what Bismarck’s policies suggested for democratic values in Germany. As James T. Kloppenberg noted:

The centralization of power in Germany under Bismarck’s strategy of *Sammlungspolitik* (coalition politics) was thus accompanied by the simultaneous and fateful corruption of the democratic process and the polarization of the voting public. Ironically, German liberals were initially attracted to Bismarck because he seemed to offer an effective barrier against the perceived threat to *Bildung* – the ideal of cultivation cherished by the German middle class...[D]espite its ostensibly democratic institutions, government in imperial Germany became a tool of elite domination.<sup>498</sup>

Personalist power's growth enabled progressive change – but it also enfeebled participatory democracy and political parties to an extent. Finding a way back seems hardly tenable in a climate devoid of popular institutional vigor. As Schlesinger reflected, “As the parties wasted away, the Presidency stood out in solitary majesty as the central focus of political emotion, the ever more potent symbol of national community.”<sup>499</sup>

The modern presidency was born over considerable time and came to form in ways that are not as obvious as are its effects on the nature of political power in America's presidential republic. As executive power's demands grew in the latter part of the nineteenth century, state executives were most often the earliest claimants. Governors launched bold experiments in the expansion of executive authority, and during the high tide of progressivism, they were the chief institutional representatives of practices ever removed from the nation's earliest notions of executive propriety. When some became presidents in their own right –as did the crucial figures of the period, including Cleveland TR, Wilson, and FDR – they brought with them the acumen and executive predilections learned while state executives. They injected into the presidency an easy acceptance of executive-centered governance and prerogative power. The stalwarts of the modern presidency were executives. In large part, the imbalance in pre-presidential background reflected in the disproportionate time spent in executive administration, suggests that the modern presidency is best understood when tied to the entirety of executive behavior in a federal republic such as ours. In looking at the presidency in this light, we can see not only the character of outsized executive power at its dawn, but also possible approaches toward its

restraint. The modern presidency was largely the creation of popular support for executive action in the face of powerful and anti-democratic market and political forces. It could not have blossomed fully, however, without the concomitant declination if not decimation of parties as an intermediary force in American politics. It is near impossible to envision the reining in of the imperial presidency absent a substantive elevation in the participatory character of American life and the revitalization of political parties. The American citizen's relationship to executive power must be reconsidered anew. In so doing, we must apprehend the circumstances of its craven deterioration.

## NOTES

## Chapter 1, pages 1-27

<sup>1</sup> Hamilton, Alexander, James Madison, and John Jay. *The Federalist Papers* (Commentary by Garry Wills) (New York: Bantam Dell, 1982), 425.

<sup>2</sup> Durkheim, Emile. *The Division of Labor in Society* (New York: The Free Press, 1984), 143-4.

<sup>3</sup> For a more comprehensive list of modern presidential characteristics, see Clinton Rossiter's *The American Presidency* (Baltimore: Johns Hopkins University Press, 1987), 95-127.

<sup>4</sup> The question of presidential performance as a function of executive background, however valuable, is beyond the scope of this present project.

<sup>5</sup> The arbor-filled analogy was provided by Virginia's Edmund Randolph. Madison, James. *Notes of Debates in the Federal Convention of 1787 Reported by James Madison* (Athens, OH: Ohio University Press, 1966), 93-94.

<sup>6</sup> Hamilton, 424-425.

<sup>7</sup> Charles Thach noted that New York was the one exception to the Revolutionary trend in state constitutions towards the subordination of executive power. See Thach, Charles C. Jr. *The Creation of the Presidency, 1775-1789: A Study in Constitutional History* (New York: Da Capo Press, 1969), 27-28.

<sup>8</sup> This is to say Hamilton favored a powerful executive whose own *virtu* or political skills could effectuate political change beyond the reach of legislative strictures.

<sup>9</sup> There is much to be evaluated in considering this second cluster of governor-presidents (beginning in 1976), particularly when invoking the first such regime (beginning in 1876). However, that analysis is beyond the scope of this dissertation despite its looming suggestiveness.

<sup>10</sup> Military commanders—generals such as Andrew Jackson, Zachary Taylor, and Dwight Eisenhower—are difficult to fold entirely into this analysis of executives. While having a type of CEO experience, military service is not the equivalent of running for, or holding elective office. At what level of service ought one to draw the line? Hayes served in the Civil War as a Major General while James Garfield for example, was a brigade commander; many other presidents had some form of military service. This category of executives warrants further study and disaggregation. It is unfortunately, beyond the scope of this project, however worthy of attention.

<sup>11</sup> Kallenbach, Joseph E. *The American Chief Executive: The Presidency and the Governorship* (New York: Harper and Row Publishers, 1966), 174.

<sup>12</sup> See Sidney Milkis (with Marc Landy), *Presidential Greatness* (Lawrence: University of Kansas Press, 2000) and Stephen Skowronek's *Presidential Leadership in Political Time: Reprise and Reappraisal* (Lawrence: University of Kansas Press, 2008), for example.

<sup>13</sup> Mayer's recent work for example, focuses on executive orders. See Mayer, Kenneth R. *With the Stroke of a Pen: Executive Orders and Presidential Power* (Princeton: Princeton University Press, 2002).

<sup>14</sup> See Table 2, page 22.

<sup>15</sup> This cohort spent 171 years in prior public office, but actually one year greater than the Washington to Grant cohort, with respect to prior elective executive office. See Table 1, page 21.

<sup>16</sup> Durkheim's *The Division of Labor in Society*, cited at the beginning of this chapter, offers but one example of how modern social discontent has been closely tied to new forms of political authority.

<sup>17</sup> Thad Beyle's work on the governorship has been among the most prominent. See for example, Beyle, Thad and Lynn Muchmore. *Being Governor: The View from the Office* (Durham: Duke University Press, 1983).

<sup>18</sup> Neustadt, Richard E. *Presidential Power and the Modern Presidents: The Politics of Leadership from Roosevelt to Reagan* (New York: The Free Press, 1990), 6.

<sup>19</sup> Tulis, Jeffrey. *The Rhetorical Presidency* (Princeton: Princeton University Press, 1987), 14.

<sup>20</sup> Ibid, 64.

<sup>21</sup> Ibid, 87.

<sup>22</sup> Governor-presidents average 18 speeches per year, while presidents lacking gubernatorial experience average 10.

<sup>23</sup> This is meant quite literally with regard to executive background. But the broader, more contemporary understanding of executive resonates here as well: namely the valorization and primacy of the executive in government.

<sup>24</sup> See Harvey C. Mansfield's discussion of the term executive. Notably, his otherwise detailed exploration of the term and its importance doesn't venture into the governorship or executive administration beyond the presidency. Mansfield, Harvey C. *Taming the Prince: the Ambivalence of Modern Executive Power* (Baltimore: Johns Hopkins University Press, 1993), 1-20.

## Chapter 2, pages 28-66

<sup>25</sup> Cannon, Lou. *Governor Reagan: His Rise to Power* (New York: Public Affairs, 2003), 158.

<sup>26</sup> Schlesinger, Arthur M. Jr. *The Crisis of the Old Order, 1919-1933* (Boston: Houghton Mifflin Company, 1957), 45.

<sup>27</sup> For a full discussion on the development of central state authority, see Richard F. Bensel's *Yankee Leviathan: The Origins of Central State Authority in America, 1859-1877* (New York: Cambridge University Press, 1990). Both here and in *Building a New American State: The Expansion of National Administrative Capacities, 1877-1920* (Cambridge: Cambridge University Press, 1982), Skowronek is more attuned to courts and parties, but his overall argument is one of centralization centered around the building of modern political institutions.

<sup>28</sup> The election of 2000 and the subsequent intervention by the United States Supreme Court revived discussions of late nineteenth century presidential contests and the narrowness of electoral victories. For example, see R.W. Apple, Jr.'s "Recipe for a Stalemate," *New York Times*, November 9, 2000.

<sup>29</sup> Woodward's history of the "Bargain of 1876" remains the definitive starting point for revisiting the aftermath of the election which resulted in a Hayes victory for Republicans, and the restoration of white home rule for Southern Democrats. See Woodward's *Reunion and Reaction: The Compromise of 1877 and the End of Reconstruction* (Boston: Little, Brown and Company, 1951).

<sup>30</sup> James Monroe, Martin Van Buren, and John Tyler served as governors, but did not run for the presidency from their respective statehouses. Andrew Jackson and William Henry Harrison served as governors of territories. Beschloss, Michael. *The Presidents* (New York: American Heritage, 2003).

<sup>31</sup> Tilden's running mate, Thomas A. Hendricks, was also a governor—Indiana's leading soft-money politician, strategically placed on the ticket to balance Tilden's more conservative economic policies. Morris, Roy Jr. *Fraud of the Century: Rutherford B. Hayes, Samuel Tilden, and the Stolen Election of 1876* (New York: Simon and Schuster, 2003), 114.

<sup>32</sup> The phrase is Thomas E. Cronin's. *The State of the Presidency* (Little, Brown: Boston, 1980). Gary L. Gregg II also uses it in his *The Presidential Republic: Executive Representation and Deliberative Democracy* (New York: Rowan and Littlefield, 1997).

<sup>33</sup> The eight in chronological order are, Hayes, Grover Cleveland, William S. McKinley, Theodore Roosevelt, Woodrow Wilson, Calvin Coolidge, and Franklin D. Roosevelt. Cleveland's two administrations count twice.

<sup>34</sup> My use of "Republic" is to connote a more general governing philosophy, marked in the "Second" by the rise of strong executives, national power, and political centralization. The term probably owes its most recent persuasive influence to Theodore Lowi and his *The End of Liberalism: The Second Republic of the United States* (New York: W.W. Norton and Company, 1979). Lowi viewed the New Deal as the beginning of a Second Republic, but for different reasons. Others, such as Wilson Carey McWilliams, took the view of the New Deal as a *Third Republic*, following those launched by the Constitutional Convention and the Civil War.

<sup>35</sup> The approach was reinforced by nominations. Richard M. Pious instructs, "from 1800 to 1820 all the [presidential] nominees of the congressional caucus were Virginians." See Richard M. Pious "The Presidency and the Nominating Process: Politics and Power," in Nelson, Michael. (ed.) *The Presidency and the Political System* (Washington, D.C.: CQ Press, 2006), 197.

<sup>36</sup> Sabato, Larry. *Goodbye to Goodtime Charlie: The American Governorship Transformed* (Washington, D.C.: CQ Press, 1983), 4.

<sup>37</sup> Ibid, 4.

<sup>38</sup> Wiebe, Robert H. *The Search for Order: 1877-1920* (New York: Hill and Wang), 1967, 179-180.



<sup>39</sup> Cannon, 158.

<sup>40</sup> Quotation from Alan Ehrenhalt, paper prepared for the Woodrow Wilson School of Public and International Affairs Colloquium, Princeton University, "Woodrow Wilson in the Nation's Service," *Woodrow Wilson and the Modern American Governorship*, Princeton University, April 28, 2006, 3.

<sup>41</sup> DiNunzio, Mario R. (ed.) Cited in Wilson's "The Making of the Nation," originally in *The Atlantic Monthly*, July, 1897. *Woodrow Wilson: Essential Writings and Speeches of the Scholar-President* (New York: New York University Press, 2006), 180

<sup>42</sup> Address before the Commercial Club of Portland, Oregon, May 18, 1911. Cited in Sabato, 6, 11.

<sup>43</sup> William Jennings Bryan attended as a 16 year-old. Morris, 108.

<sup>44</sup> Flick, Alexander Clarence. *Samuel Jones Tilden: A Study in Political Sagacity* (Westport: Greenwood Press, 1973), 293.

<sup>45</sup> Morris, 179.

<sup>46</sup> Trefousse, Hans L. *Rutherford B. Hayes* (New York: Times Books, 2002), 99, 122

<sup>47</sup> Morris, 146. The emphasis is mine.

<sup>48</sup> Morris, 122.

<sup>49</sup> Flick, 281-282.

<sup>50</sup> Morris, 105.

<sup>51</sup> Caro, Robert. *Master of the Senate: The Years of Lyndon Johnson* (New York: Alfred Knopf, 2002), 30.

<sup>52</sup> Indeed, a decline in trust in the electorate helped create the second cluster of state executive transfers to the White House. See Marc J. Hetherington and Suzanne Globetti, "The Presidency and Political Trust," in Nelson (ed.), 235-253.

<sup>53</sup> Kallenbach, Joseph E. *The American Chief Executive: The Presidency and the Governorship* (New York: Harper and Row, 1966), 174. The geography was so deterministic that Richard M. Pious described it as the Republicans' "old New York/Ohio combination." See Nelson, 206.

<sup>54</sup> Flick, 307.

<sup>55</sup> Ibid, 317.

<sup>56</sup> Trefousse, 73.

<sup>57</sup> Burrows, Edwin G. and Mike Wallace. *Gotham: A History of New York City to 1898* (New York: Oxford University Press, 1999), 572

<sup>58</sup> Hoogenboom, Ari. *Rutherford B. Hayes: Warrior and President* (Lawrence: University of Kansas Press, 1995), 324.

<sup>59</sup> Morris, Edmund. *The Rise of Theodore Roosevelt* (New York: The Modern Library, 1979), 68-69, 124-125.

<sup>60</sup> Eckenrode, H.J. *Rutherford B. Hayes: Statesman of Reunion* (Port Washington: Kennikat Press, 1963), 269.

<sup>61</sup> Morris, Roy, 91.

<sup>62</sup> Tilden and Hayes both favored a return to the gold standard.

<sup>63</sup> McCullough, David. *The Great Bridge: The Epic Story of the Building of the Brooklyn Bridge* (New York: Simon and Schuster, 1972), 257.

<sup>64</sup> Flick, 258.

<sup>65</sup> Morris, Edmund, 772.

<sup>66</sup> Morris, Roy Jr., 104. See "Centennial Sam," chapter three, for coverage of Tilden's emergence as a preeminent reformer.

<sup>67</sup> The immensely wealthy Tilden purchased the Governor's Mansion for the State of New York (Flick, 254); meanwhile, Hayes moved into Columbus Judge Noah H. Swayne's house (Trefousse, 51).

<sup>68</sup> Kallenbach, 18-19.

<sup>69</sup> Thach, Charles C. *The Creation of the Presidency, 1775-1789* (New York: Da Capo Press, 1922), 41. For an excellent look at late-nineteenth century reflections on the New York Doctors' riots, see chapter 4 of Joel Tyler Hadley's *The Great Riots of New York, 1712-1873* (New York: Thunder Mouth Press, 2004). The doctors were a bit overzealous, digging up the loved ones of Gotham's finest in the interest of science.

<sup>70</sup> "There is a close analogy between him [the President] and a Governor of New York," wrote Alexander Hamilton in making the case for a single strong executive, in *Federalist* 69. If New

Yorkers, to whom *The Federalist* was directed, could stomach their own governor, they presumably ought to have been able to accept Hamilton's executive.

<sup>71</sup> Ranson, Frederick. *The Great Unknown: Governor Rutherford B. Hayes of Ohio* (Morgantown: West Virginia University, dissertation, 1978), 56-57.

<sup>72</sup> Barnard, 244-245.

<sup>73</sup> Ibid, 310.

<sup>74</sup> Morris, Jr., 145.

<sup>75</sup> Flick, 263.

<sup>76</sup> Hoogenboom, 327.

<sup>77</sup> Barnard, 445-446.

<sup>78</sup> Trefousse, 95.

<sup>79</sup> Hoogenboom, 318.

<sup>80</sup> Ibid, 346.

<sup>81</sup> Tulis, Jeffrey K. *The Rhetorical Presidency* (Princeton: Princeton University Press, 1987), 64. This takes into account the unprecedented administration of Andrew Johnson and his 60 speeches, the grossest "violation" of the tacit pre-modern prohibition against the President's direct appeals to the people. Hayes's speeches more than double Johnson's 126 to 60.

<sup>82</sup> Hoogenboom, 303.

<sup>83</sup> Barnard, 246.

<sup>84</sup> Trefousse, 141.

<sup>85</sup> Merrill, Horace Samuel. *Bourbon Leader: Grover Cleveland and the Democratic Party* (Boston: Little, Brown and Company, 1957), 44.

<sup>86</sup> Graff, Henry. *Grover Cleveland* (New York: Henry Holt and Company, 2002), 55.

<sup>87</sup> For a full discussion of Clinton and Cleveland compared and the politics of preemption, see Stephen Skowronek's *The Politics Presidents Make: Leadership from John Adams to Bill Clinton* (Cambridge: Belknap Press, 1997) 447-464.

<sup>88</sup> Brodsky, Alyn. *Grover Cleveland: A Study in Character* (New York: St. Martin's Press, 2000), 135.

<sup>89</sup> Crockett, David A. *The Opposition Presidency: Leadership and the Constraints of History* (College Station: Texas A&M University Press, 2002), 99-100.

<sup>90</sup> Brodsky, 137.

<sup>91</sup> Crockett, 100.

<sup>92</sup> Jeffers, H. Paul. *An Honest President: The Life and Presidencies of Grover Cleveland* (New York: William Morrow, 2000), 146. The emphasis is mine.

<sup>93</sup> Most recent invocations surround "the War on Terror." See for instance, "Of Privilege and Politics," *New York Times*, editorial, March 31, 2004, A22.

<sup>94</sup> Welch, Richard E. Jr. *The Presidencies of Grover Cleveland* (Lawrence: University Press of Kansas, 1988), 57.

<sup>95</sup> Crockett, 98.

<sup>96</sup> Welch, 9-10.

<sup>97</sup> Brodsky, 58.

<sup>98</sup> Morris, Edmund, 176-177.

<sup>99</sup> Jeffers, 6.

<sup>100</sup> Governor-presidents account for 17 of the 43 (40%) presidencies in American history and 63% of total vetoes. It may be argued that the stark rise in the number of presidential vetoes is concomitant to the rise in governor-presidents. Even when factoring out all four of FDR's terms, former governors still account for nearly half of all presidential vetoes. See *The American Presidency Project* (<http://www.presidency.ucsb.edu/index.php>), Gerhard Peters and John Woolley, 1999-2005, University of California, Santa Barbara. The Office of the Clerk of the U.S. House of Representatives, likewise keeps an updated count of presidential vetoes ([http://clerk.house.gov/art\\_history/house\\_history/vetoes.html](http://clerk.house.gov/art_history/house_history/vetoes.html)).

<sup>101</sup> Crockett, 215. Crockett is interested in "oppositional presidents," a term loosely inspired by Robert Dahl and Stephen Skowronek's "preemptive" presidents. Here, I argue for pre-presidential background as an equally useful explanatory variable for assessing in part, the underlying disposition towards employing the veto, above and beyond political context or "time." For example, even when compacting presidential time to the arrival of governor-presidents (beginning with Hayes), vetoes by

governor-presidents are still disproportionately high (65% of all vetoes representing 44% of all presidencies between Hayes and George W. Bush). Again, even when eliminating FDR's four terms, governor-presidents employ the veto disproportionate to their numbers (52% of the time, representing 40% of these presidencies). It would seem that oppositional presidencies arise most frequently among double-executives (i.e. governor-presidents).

<sup>102</sup> Jeffers, 48.

<sup>103</sup> Brodsky, 63.

<sup>104</sup> Graff, 33-34.

<sup>105</sup> Skowronek, Stephen. *Building a New American State: The Expansion of National Administrative Capacities, 1877-1920* (Cambridge: Cambridge University Press, 1990), 66.

<sup>106</sup> Wiebe, viii.

<sup>107</sup> Ibid, 93.

<sup>108</sup> Rossiter, Clinton. *The American Presidency* (Baltimore: Johns Hopkins University Press, 1987), 105.

<sup>109</sup> Ibid, 94.

<sup>110</sup> Merrill, 195.

<sup>111</sup> This is Lewis L. Gould's aversion to ranking Cleveland among the moderns. Gould, Lewis L. *The Modern American Presidency* (Lawrence: University of Kansas Press, 2003), 1.

<sup>112</sup> See Mark Wahlgren Summers' book of the same title. Summers, Mark Wahlgren. *Rum, Romanism, and Rebellion: The Making of the President, 1884* (Chapel Hill: University of North Carolina Press, 2000).

<sup>113</sup> See for instance, Steve Benen's "High Infidelity: What if Three Adulterers Run for Public Office and No One Cares?" *Washington Monthly*, July/August, 2006.

<sup>114</sup> "History insured that the linkage between Cleveland and FDR would be defined to Cleveland's disadvantage," wrote Cleveland biographer Geoffrey Blodgett, cited in Leuchtenburg, William E. *In the Shadow of FDR: From Harry Truman to Ronald Reagan* (Ithaca: Cornell University Press, 1983), 240, 346.

<sup>115</sup> Brandeis was particularly enamored with New York and Wisconsin's progressive ideas that found their way readily into New Deal policies. It is difficult to imagine the legislative success emanating from these and other progressive states without executive leadership from those governors who dotted the landscape in the years leading up to the New Deal. David Osborne first reprised this premise during the heart of the second wave of governor-presidents in 1988. See Osborne, David. *Laboratories of Democracy* (Boston: Harvard Business School, 1990).

<sup>116</sup> Stuckey, Mary E. "The Domain of Public Conscience: Woodrow Wilson and the Establishment of a Transcendent Political Order," *Rhetoric and Public Affairs*, 6.1 (2003)

<sup>117</sup> Tulis, 55-59.

<sup>118</sup> Kallenbach, 335-36.

<sup>119</sup> Unger, Nancy C. *Fighting Bob La Follette: The Righteous Reformer* (Chapel Hill: The University of North Carolina Press, 2000), 122.

<sup>120</sup> Thelen, David P. *Robert M. La Follette and the Insurgent Spirit* (Boston: Little Brown, and Company, 1976), 50.

<sup>121</sup> Ibid, 51.

<sup>122</sup> Lovejoy, Allen Fraser. *La Follette and the Establishment of the Direct Primary in Wisconsin, 1890-1904* (New Haven: Yale University Press, 1941), 66-67.

<sup>123</sup> Ibid, 67.

<sup>124</sup> Ibid, 66.

<sup>125</sup> Unger, 123.

<sup>126</sup> Maxwell, Robert S. *La Follette and the Rise of the Progressives in Wisconsin* (Madison: State Historical Society of Wisconsin, 1956), 12.

<sup>127</sup> Unger, 33.

<sup>128</sup> Ibid, 31-32.

<sup>129</sup> Skowronek, 258.

<sup>130</sup> Unger, 143.

<sup>131</sup> Morris, Edmund. *Theodore Rex* (New York: Random House, 2001), 434.

<sup>132</sup> Skowronek, 125.

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- <sup>133</sup> Maxwell, 7-8.
- <sup>134</sup> Burgchardt, Carl R. *Robert La Follette, Sr.: The Voice of Conscience* (New York: Greenwood Press, 1992), 64.
- <sup>135</sup> Maxwell, 6.
- <sup>136</sup> Greenbaum, Fred. *Robert Marion La Follette* (Boston: Twayne Publishers, 1975), 42-43.
- <sup>137</sup> Maxwell, 29.
- <sup>138</sup> Unger, 109.
- <sup>139</sup> Lovejoy, 72.
- <sup>140</sup> McDonald, Forrest. *The American Presidency: An Intellectual History* (Lawrence: University of Kansas Press, 1994), 359-360. Emphasis original.
- <sup>141</sup> Thelen, 35.
- <sup>142</sup> Greenbaum, 53.
- <sup>143</sup> Unger, 123.
- <sup>144</sup> Burgchardt, 62.
- <sup>145</sup> Unger, 121-122.
- <sup>146</sup> Ibid, 307.
- <sup>147</sup> Hartz, Louis. *The Liberal Tradition in America: An Interpretation of American Political Thought Since the Revolution* (San Diego: Harcourt Brace and Company, 1991), 209.
- <sup>148</sup> Maxwell, 5.
- <sup>149</sup> McWilliams, Carey. *California: The Great Exception* (Berkeley: University of California Press), 1999.
- <sup>150</sup> Olin, Spencer C. *California's Prodigal Sons: Hiram Johnson and the Progressives, 1911-1917* (Berkeley: University of California Press, 1968), 27.
- <sup>151</sup> Ibid, 27-28.
- <sup>152</sup> Mowry, George E. *The California Progressives* (Berkeley: University of California Press, 1951), 9.
- <sup>153</sup> Trachtenberg, Alan. *The Incorporation of America: Culture and Society in the Gilded Age* (New York: Hill and Wang, 1986), 76-77.
- <sup>154</sup> Olin, 3.
- <sup>155</sup> Lower, Richard Coke. *A Bloc of One: The Political Career of Hiram W. Johnson* (Stanford: Stanford University Press, 1993), 17.
- <sup>156</sup> The very young (and armed) Hiram Johnson once confronted Sacramento boss Frank Rhodes with both his father and brother in a saloon. The elder Grove would one day campaign against Hiram. See Weatherson, Michael A. and Hal Bochin. *Hiram Johnson: A Bio-Bibliography* (New York: Greenwood Press, 1988), 4-7.
- <sup>157</sup> Mowry, 7.
- <sup>158</sup> Weatherson, 9.
- <sup>159</sup> Lower, 27.
- <sup>160</sup> Weatherson, 9.
- <sup>161</sup> Mowry, 140.
- <sup>162</sup> Ibid, 149.
- <sup>163</sup> See Olin's critique of Croly's executive predisposition in Olin, 43.
- <sup>164</sup> Cannon, 162.
- <sup>165</sup> Ibid, 370.
- <sup>166</sup> Mowry, 135.
- <sup>167</sup> Ibid, 138.
- <sup>168</sup> Weatherson, 12.
- <sup>169</sup> Lower, 37.
- <sup>170</sup> Milkis, Sidney M. *The President and the Parties: The Transformation of the American Party System since the New Deal* (New York: Oxford University Press, 1993), 38.

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### Chapter 3, pages 67-99

- <sup>171</sup> Croly, Herbert. *Progressive Democracy* (New York: The Macmillan Company, 1914), 296.
- <sup>172</sup> Cited in Gary L. Gregg II's *The Presidential Republic: Executive Representation and Deliberative Democracy* (Boston: Rowman and Littlefield, 1997), 4.
- <sup>173</sup> Croly, 12.
- <sup>174</sup> Ibid, 297.
- <sup>175</sup> Ibid, 296.
- <sup>176</sup> Ibid, 297-298.
- <sup>177</sup> Ibid, 301.
- <sup>178</sup> Ibid, 314.
- <sup>179</sup> Croly, Herbert. *The Promise of American Life* (New York: BiblioBazaar, 2006), 172.
- <sup>180</sup> Ibid, 328.
- <sup>181</sup> Ibid, 322.
- <sup>182</sup> Sabato, Larry. *Goodbye to Goodtime Charlie: The American Governorship Transformed* (Washington, D.C.: CQ Press, 1983), 4.
- <sup>183</sup> Crockett, David A. *The Opposition Presidency: Leadership and the Constraints of History* (College Station: Texas A&M University Press, 2002), 99-100.
- <sup>184</sup> See The American Presidency Project (<http://www.presidency.ucsb.edu/index.php>), Gerhard Peters and John Woolley, 1999-2005, University of California, Santa Barbara.
- <sup>185</sup> See Thomas E. Cronin's *The State of the Presidency* (Little, Brown: Boston, 1980). Gary L. Gregg II also uses the term in his *The Presidential Republic: Executive Representation and Deliberative Democracy* (New York: Rowan and Littlefield, 1997).
- <sup>186</sup> Young, James P. *Reconsidering American Liberalism: The Troubled Odyssey of the Liberal Idea* (Boulder, CO: Westview Press, 1996), 151.
- <sup>187</sup> Sabato, 6.
- <sup>188</sup> Thorsen, Niels Aage. *The Political Thought of Woodrow Wilson, 1875-1910* (Princeton: Princeton University Press, 1988), 50.
- <sup>189</sup> Wiebe Robert H. *The Search for Order, 1877-1920* (New York: Hill and Wang, 1967), 133.
- <sup>190</sup> Cited in Alan Trachtenberg's *The Incorporation of America: Culture and Society in the Gilded Age* (New York: Hill and Wang, 1982), 70.
- <sup>191</sup> See Sidney M. Milkis and "The Roots of New Deal Reform," in *The Presidents and the Parties* (Oxford: New York), 1993.
- <sup>192</sup> From Woodrow Wilson's *The State* (1889), quoted in Martin J. Sklar's *The Corporate Reconstruction of American Capitalism, 1890-1916* (New York: Cambridge University, 1988), 405.
- <sup>193</sup> Lurie, Maxine N. and Marc Mappen (eds.) *Encyclopedia of New Jersey* (New Brunswick: Rutgers University Press, 2004), 327.
- <sup>194</sup> Lewis, Tom. *The Hudson: A History* (New Haven: Yale University Press, 2005), 236.
- <sup>195</sup> See Charles Thach on the historic strength of the New York governorship since the colonial era. Thach, Charles. *The Creation of the Presidency, 1775-1789* (New York: Da Capo Press, 1922).
- <sup>196</sup> "The Reform Work at Albany," *New York Times*, February 1, 1899.
- <sup>197</sup> Skowronek, Stephen. *Building A New American State: The Expansion of National Administrative Capacities, 1877-1920* (New York: Cambridge University Press, 1982), 59-61.
- <sup>198</sup> Milkis, Sidney M. and Michael Nelson. *The American Presidency: Origins and Development, 1776-2002* (Washington, D.C.: CQ Press, 2003), 210.
- <sup>199</sup> Gerring, John. *Party Ideologies in America, 1828-1996* (Cambridge: Cambridge University Press, 1998), 190.
- <sup>200</sup> Letter to Adolph Brandeis. Urofsky, Melvin I. and David W. Levy (eds.) *Letters of Louis D. Brandeis, Volume I (1870-1907)* (Albany: State University of New York Press, 1971), 387.
- <sup>201</sup> Lewis, 248.
- <sup>202</sup> Croly, *The Promise of American Life*, 330.
- <sup>203</sup> See Edmund Morris on Roosevelt and the weaving of a national reputation, especially chapters 13 and 24. Morris, Edmund. *The Rise of Theodore Roosevelt* (New York: The Modern Library: New York, 1979).

- <sup>204</sup> Tulis, Jeffrey. *The Rhetorical Presidency* (Princeton: Princeton University Press, 1987), 19-20.
- <sup>205</sup> Chessman, G. Wallace. *Governor Theodore Roosevelt: The Albany Apprenticeship, 1898-1900* (Cambridge: Harvard University Press, 1965), 153.
- <sup>206</sup> Roosevelt, Theodore. *An Autobiography* (United Kingdom: Dodo Press, 2006), 235.
- <sup>207</sup> Sidney M. Milkis sees this as a new incarnation of Hamilton, as “the development of industrial capitalism had led to the formation of a national economy and concentration of ‘private economic power,’ requiring strong countervailing action to ameliorate unacceptable political and economic inequality.” See Milkis’ “The Presidency, Democratic Reform, and Constitutional Change,” *Political Science*, 20, N0.3, (Summer 1987), 630.
- <sup>208</sup> See Tilden, Cleveland, and TR’s influence on FDR’s progressive governorship in Frank Freidel’s *Franklin D. Roosevelt: A Rendezvous With Destiny* (Boston: Little, Brown and Company, 1990) 18-19.
- <sup>209</sup> Chessman, G. Wallace. *Governor Theodore Roosevelt: The Albany Apprenticeship, 1898-1900* (Cambridge: Harvard University Press, 1965), 4.
- <sup>210</sup> Cooper, John Milton Cooper. *The Warrior and the Priest: Woodrow Wilson and Theodore Roosevelt* (Cambridge: Harvard University Press, 1983), 39.
- <sup>211</sup> Morris, 728-29.
- <sup>212</sup> Miller, Nathan. *Theodore Roosevelt: A Life* (New York: William Morrow, 1992), 327.
- <sup>213</sup> “A Day With Gov. Roosevelt,” *New York Times*, April 23, 1899.
- <sup>214</sup> DiNunzio, Mario R. *Theodore Roosevelt* (Washington, D.C.: CQ Press, 2003), 214.
- <sup>215</sup> Miller, 326.
- <sup>216</sup> Roosevelt, 233.
- <sup>217</sup> Ponder, Stephen. *Managing the Press: Origins of the Media Presidency, 1897-1933* (New York: St. Martin’s Press, 1999), 21.
- <sup>218</sup> Morris, 731.
- <sup>219</sup> Cooper, 162.
- <sup>220</sup> From Roosevelt’s speech, “The Menace of the Demagogue,” Chicago, October 15, 1896. See DiNunzio, Mario R. (ed.) *Theodore Roosevelt: An American Mind* (New York: St. Martin’s Press, 1994), 116.
- <sup>221</sup> Chessman, 15.
- <sup>222</sup> Miller, 322.
- <sup>223</sup> Tulis, 112.
- <sup>224</sup> Roosevelt, Theodore. *State Papers as Governor and President, 1899-1909* (New York: Charles Scribner’s Sons, 1926), 21.
- <sup>225</sup> Croly, *The Promise of American Life*, 324.
- <sup>226</sup> Roosevelt, *Autobiography*, 235.
- <sup>227</sup> “Expected Defeat of the Ford Franchise Bill,” *New York Times*, April 15, 1899.
- <sup>228</sup> Bishop, Joseph Bucklin. *Theodore Roosevelt and His Time: Shown in His Own Letters, Vol. I* (New York: Charles Scribner’s Sons, 1920), 121-22.
- <sup>229</sup> See Roosevelt biographer, William Draper Lewis’ *The Life of Theodore Roosevelt* (Philadelphia: The John C. Winston Company, 1919), 161.
- <sup>230</sup> Roosevelt, Theodore (Louis Auchincloss, ed.). “Letter to Henry Cabot Lodge,” May 27, 1899, in *Letters and Speeches* (New York: The Library of America, 2004), 176.
- <sup>231</sup> Miller, 322.
- <sup>232</sup> “Review of the Session About to Close,” *New York Times*, April 28, 1899.
- <sup>233</sup> See Sven Beckert’s “Democracy in the Age of Capital: Contesting Suffrage Rights in Gilded Age New York,” in *The Democratic Experiment*, Jacobs, Novak, Zelizer, eds. (Princeton: Princeton University Press, 2003).
- <sup>234</sup> Ponder, 21.
- <sup>235</sup> “Governor Roosevelt is Inaugurated,” *New York Times*, January 3, 1899.
- <sup>236</sup> Ibid.
- <sup>237</sup> “Citizens Dine Roosevelt,” *New York Times*, March 25, 1899.
- <sup>238</sup> Corry, John A. *A Rough Ride to Albany: Teddy Runs for Governor* (New York: Fordham University Press, 2000) 27.
- <sup>239</sup> “Franchises to be Taxed,” *New York Times*, April 29, 1899.
- <sup>240</sup> Corry, 278.

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- <sup>241</sup> “Gov. Roosevelt’s Views,” *New York Times*, January 5, 1899.
- <sup>242</sup> Lowi, Theodore J. *The Personal President: Power Invested, Promise Unfulfilled* (Ithaca: Cornell University Press, 1985), 38, 41.
- <sup>243</sup> Roosevelt, *Autobiography*, 264.
- <sup>244</sup> *Ibid.*, 301-02.
- <sup>245</sup> Miller, 326.
- <sup>246</sup> Chessman, 166.
- <sup>247</sup> Croly, *Progressive Democracy*, 347.
- <sup>248</sup> As Sid Milkis notes, “Theodore Roosevelt and Woodrow Wilson had begun the construction of a new political order; the task of the New Deal was to consolidate the gains of FDR’s progressive predecessors.” See Milkis, Sidney M. *The President and the Parties: The Transformation of the American Party System Since the New Deal* (New York: Oxford University Press, 1993), 43.
- <sup>249</sup> Wiebe, 197.
- <sup>250</sup> Milkis, 26.
- <sup>251</sup> Kallenbach, 381-82.
- <sup>252</sup> Skowronek, 82.
- <sup>253</sup> See Daniel P. Carpenter’s *The Forging of Bureaucratic Autonomy: Reputations, Networks, and Policy Innovation in Executive Agencies, 1862-1928* (Princeton: Princeton University Press, 2001), for discussion on “The Clerical State.”
- <sup>254</sup> Skowronek, 67.
- <sup>255</sup> Skowronek, 172.
- <sup>256</sup> Chessman, 304-05.
- <sup>257</sup> Cooper, 41.
- <sup>258</sup> Milkis, *Political Science*, 635.
- <sup>259</sup> Gould, Lewis L. *The Presidency of Theodore Roosevelt* (Lawrence: University of Kansas Press, 1991), 300-301.
- <sup>260</sup> Rosenthal, Alan. *Governors and Legislators: Contending Powers* (Washington, D.C.: CQ Press, 1990) 25.
- <sup>261</sup> “A Role Model [Woodrow Wilson] for Governor Corzine,” *Trenton Times* editorial, November 10, 2005
- <sup>262</sup> Kallenbach, Joseph E. *The American Chief Executive: The Presidency and the Governorship* (New York: Harper and Row Publishers, 1966), 567.
- <sup>263</sup> Kraig, 117.
- <sup>264</sup> Young, 155, 159-60.
- <sup>265</sup> Lowi, x.

## Chapter 4, pages 100-129

- <sup>266</sup> Address delivered January 5, 1911. Kallenbach, Joseph E. *The American Chief Executive: The Presidency and the Governorship* (New York: Harper and Row, 1966) 174.
- <sup>267</sup> Wilson, Woodrow. “The Law and the Facts: Presidential Address, Seventh Annual Meeting of the American Political Science Association,” *The American Political Science Review*, Vol. 5, No. 1 (February, 1911), 10.
- <sup>268</sup> The first Conference was held to address the specifics of TR’s conservation plan. See Edmund Morris’ *Theodore Rex* (New York: Random House, 2001), 514-518.
- <sup>269</sup> “Governors Clash on the Referendum,” *New York Times*, September 13, 1911.
- <sup>270</sup> See John Gerring’s *Party Ideologies in America, 1828-1996* (Cambridge: Cambridge University Press, 1998), for a summary on the Progressive Era’s assault on parties and the rise of presidential campaigning. (Boulder, CO.: Westview Press, 2002), 190-93.
- <sup>271</sup> “Governors Clash on Referendum,” *New York Times*, September 13, 1911.
- <sup>272</sup> *Ibid.*
- <sup>273</sup> Wilson had just been extolling the virtues of the British system. *Ibid.*
- <sup>274</sup> “The House of Governors,” *New York Times*, January 19, 1910.
- <sup>275</sup> “Dr. Wilson Speaks to Many Governors,” *New York Times*, November 30, 1910.

- <sup>276</sup> The veto power was particularly salient in this regard. See Frank W. Prescott's "The Executive Veto in American States," *Western Political Quarterly*, 3.1 (March, 1950).
- <sup>277</sup> "Governor Wilson Takes Office in New Jersey," *New York Times*, January 18, 1911.
- <sup>278</sup> See Ray Stannard Baker on U'Ren's meeting with Wilson and his influence on his thinking in *Woodrow Wilson: Life and Letters, Governor, 1910-1913* (New York: Charles Scribner's Sons, 1931), 130-131.
- <sup>279</sup> "There is a close analogy between him [the President] and a Governor of New York," assures Publius in Federalist 69.
- <sup>280</sup> Link, Arthur S. *Wilson: The Road to the White House* (Princeton: Princeton University Press, 1947), 269.
- <sup>281</sup> Salmore, Barbara G. and Stephen A. Salmore. *New Jersey Politics and Government: Suburban Politics Comes of Age* (Lincoln, NB: University of Nebraska Press, 1998), 127.
- <sup>282</sup> Ibid, 128.
- <sup>283</sup> Charles Thach notes that New Jersey was the only state for a time with no restrictions regarding reeligibility for office. Thach, Charles C. *The Creation of the Presidency, 1775-1780* (New York: Da Capo Press), 28. This changed in 1844. but the governor was now popularly elected.
- <sup>284</sup> Wilson actually appropriated the phrase from a conversation with a "prominent" but unnamed public figure in New Jersey. See David W. Hirst's *Woodrow Wilson: Reform Governor: A Documentary Narrative* (Princeton: D. Van Nostrand Company, Inc., 1965), 146.
- <sup>285</sup> Kendrick, Clement A. *Woodrow Wilson: World Statesman* (Chicago: Ivan R. Dee, 1999), 73.
- <sup>286</sup> Diary citation found in Thorsen, Niels Aage. *The Political Thought of Woodrow Wilson, 1875-1910* (Princeton: Princeton University Press, 1988), 11.
- <sup>287</sup> "Wilson – A Tilden, But a Tilden Up to Date," *New York Times*, September 25, 1910.
- <sup>288</sup> This was no intellectual chore for Wilson. Arthur Link argues that Wilson in fact derived his American political philosophy from Tilden and Grover Cleveland. See Arthur S. Link's "Woodrow Wilson: The American as Southerner," *The Journal of Southern History*, Vol. 36, No. 1 (February, 1970), 11.
- <sup>289</sup> If Wilson was billed as a "Tilden up to date," he was also billed as a "safer" version of La Follette. See Robert A. Kraig's *Woodrow Wilson and the Lost World of the Oratorical Statesman* (College Station: Texas A&M University Press, 2004), 122.
- <sup>290</sup> Link, 271-72.
- <sup>291</sup> Wilson, Woodrow. *Constitutional Government in the United States* (New York: Columbia University Press, 1908), 63.
- <sup>292</sup> Wilson, Woodrow. "Mr. Cleveland as President," *The Atlantic Monthly* (Vol. 79, No. 478), March, 1897.
- <sup>293</sup> Ibid, 289.
- <sup>294</sup> Ibid, 296.
- <sup>295</sup> Ibid, 289.
- <sup>296</sup> Ibid, 294.
- <sup>297</sup> Ibid, 293.
- <sup>298</sup> Hirst, 132.
- <sup>299</sup> See Thorsen, 50.
- <sup>300</sup> Wilson, *The Atlantic Monthly*, 300.
- <sup>301</sup> DiNunzio, Mario. (ed.) *Woodrow Wilson: Essential Writings and Speeches of the Scholar-President* (New York: New York University Press, 2006), 298.
- <sup>302</sup> Pestritto, Ronald J. *Woodrow Wilson and the Roots of Modern Liberalism* (Lanham, MD.: Rowman and Littlefield, 2005), 8.
- <sup>303</sup> The phrase is from Hegel's *Philosophy of History*.
- <sup>304</sup> Pestritto, 14.
- <sup>305</sup> See Gary L. Gregg II's *The Presidential Republic: Executive Representation and Deliberative Democracy* (Lanham, MD.: Rowman and Littlefield, 1997), 101.
- <sup>306</sup> DiNunzio, 90.
- <sup>307</sup> Ibid, 90.
- <sup>308</sup> Tulis, Jeffrey. *The Rhetorical Presidency* (Princeton: Princeton University Press, 1987), 122.
- <sup>309</sup> See Pestritto, 167-172.



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- <sup>310</sup> Milkis, Sidney M. and Michael Nelson. *The American Presidency: Origins and Development, 1776-2002* (Washington, D.C.: CQ Press, 2003), 232-33.
- <sup>311</sup> "Dr. Wilson Says He is Owned by No One," *New York Times*, October 4, 1910
- <sup>312</sup> See Ray Stannard Baker, 134. Baker called New Jersey's constitution "one of the most antiquated in the Union, following the French revolutionary model." Importantly, the document nonetheless held significant implied powers, and Wilson exploited them.
- <sup>313</sup> "Dr. Wilson Says He is Owned by No One," *New York Times*, October 4, 1910.
- <sup>314</sup> Baker, 155.
- <sup>315</sup> Wilson, *Constitutional Government*, 4.
- <sup>316</sup> *Ibid*, 4.
- <sup>317</sup> *Ibid*, 11.
- <sup>318</sup> *Ibid*, 55-6.
- <sup>319</sup> *Ibid*, 64.
- <sup>320</sup> Gould, Lewis L. *The Modern American Presidency* (Lawrence: University of Kansas, 2003), 54.
- <sup>321</sup> "The Exponent of the New Stateism," *New York Times*, November 14, 1910.
- <sup>322</sup> The quotation is from *Congressional Government*, cited in Alan Ehrenhalt's paper prepared for the Woodrow Wilson School of Public and International Affairs Colloquium, Princeton University: "Woodrow Wilson in the Nation's Service." The paper is entitled, "Woodrow Wilson and the Modern American Governorship," Princeton University, April 28, 2006,3. [http://region.princeton.edu/media/pub/pub\\_main\\_39.pdf](http://region.princeton.edu/media/pub/pub_main_39.pdf)
- <sup>323</sup> "Bow to Wilson as Party Leader," *New York Times*, July 5, 1912.
- <sup>324</sup> Milkis, Sidney M. *The President and the Parties: The Transformation of the American Party System since the New Deal* (New York: Oxford University Press, 1993), 5.
- <sup>325</sup> "Bow to Wilson as Party Leader," *New York Times*, July 5, 1912.
- <sup>326</sup> Startt, James D. *Woodrow Wilson and the Press: Prelude to the Presidency* (New York: Palgrave Macmillan, 2004), 67.
- <sup>327</sup> *Ibid*, 68.
- <sup>328</sup> As Robert A. Kraig notes, "New Jersey's proximity to the most influential newspapers and magazines, had kept a constant national spotlight on [Wilson's] state battles," 120.
- <sup>329</sup> Roosevelt averaged 204 annual citations in the *Times*, while Wilson averaged over 322.
- <sup>330</sup> Startt, 75-6.
- <sup>331</sup> *Ibid*, 101.
- <sup>332</sup> Gould, 45.
- <sup>333</sup> Baker, 458.
- <sup>334</sup> Kraig, 137.
- <sup>335</sup> Hirst, 140.
- <sup>336</sup> Clements, 61.
- <sup>337</sup> *Ibid*, 61-62.
- <sup>338</sup> "Wilson Acclaimed in Attack on Smith," *New York Times*, January 6, 1911.
- <sup>339</sup> For his part Nugent referred to Wilson as "an ingrate and a liar." "Governor Wilson Opens Attack on Nugent," *New York Times*, September 16, 1912.
- <sup>340</sup> "Wilson Tells Smith He Will Fight Him," *New York Times*, November 29, 1910.
- <sup>341</sup> "Predicting Defeat for Gov. Wilson," *New York Times*, October 30, 1911.
- <sup>342</sup> Wilson, 215.
- <sup>343</sup> Croly, Herbert. *Progressive Democracy* (New York, The Macmillan Company, 1914), 344.
- <sup>344</sup> Hofstadter, Richard. *The Age of Reform: From Bryan to FDR* (New York: Vintage Books, 1955), 176.
- <sup>345</sup> Clements, 69.
- <sup>346</sup> Burgchardt, Carl R. *Robert La Follette, Sr.: The Voice of Conscience* (New York: Greenwood Press, 1992), 62.
- <sup>347</sup> Greenstein, Fred I. *The Presidential Difference: Leadership Style from FDR to Clinton* (New York: The Free Press, 2000), 28.
- <sup>348</sup> Stuckey, Mary E. "The Domain of Public Conscience: Woodrow Wilson and the Establishment of a Transcendent Political Order," *Rhetoric and Public Affairs*, 6.1 (2003)
- <sup>349</sup> Kallenbach, 335.

- <sup>350</sup> See Kraig, 131, and notes, 209.
- <sup>351</sup> Sobel, Robert and John Raimo. *Biographical Directory of the Governors of the United States, 1789-1978, Volume 3* (Westport, CT: Meckler Books, 1978).
- <sup>352</sup> Blanchard, Newton C., John Franklin Fort, et.al. (eds.) *Proceedings of a Conference of Governors: In the White House, Washington, D.C., May 13-15, 1908* (Washington, D.C.: Government Printing Office, 1909), 119-123.
- <sup>353</sup> See Tulis on Wilson's break with tradition, 133, 134.
- <sup>354</sup> Pestritto, Ronald J. *Woodrow Wilson and the Roots of Modern Liberalism* (Lanham: Rowman and Littlefield, 2005), 6.
- <sup>355</sup> Ibid, 255.
- <sup>356</sup> *Federalist* 51.
- <sup>357</sup> Thorsen, 60.
- <sup>358</sup> See Alexander and Juliette George. *Woodrow Wilson and Colonel House: A Personality Study* (New York: Dover Publications, 1964), 66.
- <sup>359</sup> Ibid, 67.
- <sup>360</sup> Baker, 141.
- <sup>361</sup> Ibid, 193.
- <sup>362</sup> Pestritto, 170.
- <sup>363</sup> Hirst, 131.
- <sup>364</sup> "Woodrow Wilson's Victory," *New York Times*, January 26, 1911.
- <sup>365</sup> Ibid.
- <sup>366</sup> "New Jersey Carried by Republicans," *New York Times*, November 8, 1911.
- <sup>367</sup> Moses cites Wilson here in his 1913 Columbia University dissertation, "The Civil Service of Great Britain." See Robert Caro, *The Power Broker: Robert Moses and the Fall of New York* (New York: Vintage Books, 1974), 55.
- <sup>368</sup> Cooper, Jr., John Milton. *The Warrior and the Priest: Woodrow Wilson and Theodore Roosevelt* (Cambridge: Harvard University Press, 1983), 170.
- <sup>369</sup> Lowi, Theodore J. *The Personal President: Power Invested, Promise Unfulfilled* (Ithaca: Cornell University Press, 1985), 57.
- <sup>370</sup> See Wilson's "The Historian," referenced here in DiNunzio, 153.
- <sup>371</sup> Gibbon, Edward. (Edited by Hans-Friedrich Mueller), *The Decline and Fall of the Roman Empire* (New York: The Modern Library, 2003), 39.
- <sup>372</sup> Ibid, 44.
- <sup>373</sup> Along with the *Declaration* and Adam Smith's *The Wealth of Nations*, Gibbon's work was published in 1776.

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- <sup>374</sup> Cited in J.B.S. Hardman's *Rendezvous With Destiny: Addresses and Opinions of Franklin Delano Roosevelt* (New York: The Dryden Press, 1944), 27.
- <sup>375</sup> "Roosevelt's View of the Big Job," *New York Times*, September 11, 1932.
- <sup>376</sup> The latter was the preference of the Times' coverage of FDR's fall Midwestern campaign tour. "Roosevelt Hailed by Chicago Throng," *New York Times*, October 1, 1932.
- <sup>377</sup> Burgchardt, Carl R. *Robert La Follette, Sr.: The Voice of Conscience* (New York: Greenwood Press, 1992), 62.
- <sup>378</sup> "Governor Roosevelt's Address in Milwaukee," *New York Times*, October 1, 1932.
- <sup>379</sup> "Roosevelt Hailed by Chicago Throng," *New York Times*, October 1, 1932.
- <sup>380</sup> Schlesinger, Arthur M. Jr. *The Crisis of the Old Order, 1919-1933* (Boston: Houghton Mifflin Company, 1957), 45.
- <sup>381</sup> Moley, Raymond. *After Seven Years* (Lincoln: University of Nebraska Press, 1939), 14.
- <sup>382</sup> Freidel, Frank. *Franklin D. Roosevelt: A Rendezvous with Destiny* (Boston: Little, Brown, and Company, 1990), 16.
- <sup>383</sup> Ibid, 18.
- <sup>384</sup> Smith, Jean Edwards. *FDR* (New York: Random House, 2007), 97-98.

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- <sup>385</sup> Freidel, 25.
- <sup>386</sup> Ibid, 25.
- <sup>387</sup> Smith, 229-230.
- <sup>388</sup> Cited in Richard Hofstadter's *The Age of Reform: From Bryan to FDR* (New York: Vintage Books, 1955), 300-301.
- <sup>389</sup> Greer, Thomas H. *What Roosevelt Thought: The Social and Political Ideas of Franklin Roosevelt* (East Lansing: Michigan State University Press, 1958), 90-91.
- <sup>390</sup> The quotation is found in Leonard D. White's 1939 *Introduction to the Study of Public Administration*. The citation is from Bernard Bellush's *Franklin D. Roosevelt as Governor of New York* (New York: Columbia University Press, 1955), 38.
- <sup>391</sup> Burns, James MacGregor. *Roosevelt: The Lion and the Fox* (New York: Harcourt, Brace, and World, Inc., 1956) 122.
- <sup>392</sup> The aside was delivered to Rex Tugwell. Schlesinger, Jr., 504.
- <sup>393</sup> Black, Conrad. *Franklin Delano Roosevelt: Champion of Freedom* (New York: Public Affairs, 2003), 180.
- <sup>394</sup> Bellush, Bernard. *Franklin D. Roosevelt as Governor of New York* (New York: Columbia University Press, 1955), 282.
- <sup>395</sup> Schlesinger, Jr., 386.
- <sup>396</sup> Ibid, 386.
- <sup>397</sup> In actuality the power extended to the governor was finalized under an amendment to the state constitution. See Bellush, 38-40.
- <sup>398</sup> Burns, 111.
- <sup>399</sup> Ibid, 112.
- <sup>400</sup> Bellush, 42.
- <sup>401</sup> Ibid, 47-48.
- <sup>402</sup> Ibid, 55.
- <sup>403</sup> Ibid, 57.
- <sup>404</sup> Greer, 88.
- <sup>405</sup> Ibid, 95.
- <sup>406</sup> Leuchtenburg, William E. *The FDR Years: On Roosevelt and His Legacy* (New York: Columbia University Press, 1995), 18.
- <sup>407</sup> Bellush, 210.
- <sup>408</sup> "Gov. Roosevelt Puts in a Long Workday," *New York Times*, March 24, 1929.
- <sup>409</sup> "Roosevelt Calls Power Main Issue," *New York Times*, June 21, 1929.
- <sup>410</sup> Freidel, 58.
- <sup>411</sup> Black, 192.
- <sup>412</sup> Ibid, 190.
- <sup>413</sup> Winfield, Betty Houchin. *FDR and the News Media* (Urbana: University of Illinois Press, 1990), 17.
- <sup>414</sup> "Roosevelt Hails Democratic Unity," *New York Times*, October 16, 1931.
- <sup>415</sup> "Roosevelt Wants State-Aided Press," *New York Times*, June 5, 1931
- <sup>416</sup> Roosevelt in fact starred in the first talking movie about a politician, the 1930 film, "The Roosevelt Record."
- <sup>417</sup> Letter to Columbia University Professor James C. Bonbright, March 11, 1930 in Roosevelt, Eleanor (ed.) *FDR: His Personal Letters* (New York: Duell, Sloan and Pearce, 1950), 98.
- <sup>418</sup> Black, 204.
- <sup>419</sup> Burns, 117.
- <sup>420</sup> Freidel, 61.
- <sup>421</sup> Smith, 251.
- <sup>422</sup> Bellush, 140.
- <sup>423</sup> Roosevelt, Franklin D. *Public Papers of Governor, 1930* (Albany: J.B. Lyon Company, 1930), 774.
- <sup>424</sup> Roosevelt, Franklin D. *The Public Papers and Addresses, Volume One: The Genesis of the New Deal, 1928-1932* (New York: Random House, 1938), 8.
- <sup>425</sup> Ibid, 619.
- <sup>426</sup> "Grover Cleveland Lectures," *New York Times*, April 10, 1900.

<sup>427</sup> Hofstadter, 303.

<sup>428</sup> Burns, 114.

<sup>429</sup> Freidel, 77.

<sup>430</sup> Moley, 13.

<sup>431</sup> To reconsider a phase, these were executive-nationalists, more than national executives. The distinction, however minor is embodied in their executive action and leadership. This manifests in seeing Madison as an admirable but not revered statesman. See "Foundation principles of Jefferson and their relation to the social and political structure of the Republic, at Jefferson Day Dinner, St. Paul, Minnesota, April 18, 1932," in Roosevelt's *Public Papers of Governor of New York, 1932* (Albany: J.B. Lyon Company, 1939), 577-83.

<sup>432</sup> See Thomas Greer's account of the confrontation between FDR and Staley in Greer, 76-77.

<sup>433</sup> Bellush, 278.

<sup>434</sup> "Text of Gov. Roosevelt's Message on Unemployment Relief," *New York Times*, August 29, 1931.

<sup>435</sup> Smith, 251.

<sup>436</sup> Gerring, John. *Party Ideologies in America, 1828-1996* (Cambridge: Cambridge University Press, 1998), 228.

<sup>437</sup> "Text of Governor Roosevelt's Message Urging State Action on Economic Measures," *New York Times*, January 7, 1932.

<sup>438</sup> Milkis, Sidney M. "Franklin D. Roosevelt and the Transcendence of Partisan Politics," *Political Science Quarterly*, Volume 100, No.3 (Autumn, 1985), 502.

<sup>439</sup> Bismarck began to put Germany on a welfare state path in the early 1880s. Schwarz, Jordan A. *Liberal: Adolf A. Berle and the Vision of an American Era* (New York: The Free Press, 1987), 78.

<sup>440</sup> Hardman, 27.

<sup>441</sup> Roosevelt, *PP: 1928-1932*, 744.

<sup>442</sup> *Ibid*, 746.

<sup>443</sup> *Ibid*, 749.

<sup>444</sup> *Ibid*, 750.

<sup>445</sup> *Ibid*, 753.

<sup>446</sup> Schlesinger, Jr., 426.

<sup>447</sup> Leuchtenburg, 7.

<sup>448</sup> See

[http://millercenter.virginia.edu/scripps/digitalarchive/speeches/spe\\_1887\\_1206\\_cleveland](http://millercenter.virginia.edu/scripps/digitalarchive/speeches/spe_1887_1206_cleveland).

<sup>449</sup> Milkis, 484.

<sup>450</sup> "Progressives Start a Roosevelt League," *New York Times*, September 26, 1932.

<sup>451</sup> Out of more than 4 million votes cast, Roosevelt's margin of victory was 25,608. Smith, 228.

<sup>452</sup> "Roosevelt Started Fighting Tammany," *New York Times*, November 9, 1932.

<sup>453</sup> Lowi, Theodore J. *The Personal President: Power Invested, Promise Unfulfilled* (Ithaca: Cornell University Press, 1985), 59-60.

<sup>454</sup> The indictment was launched by one J.M. Dixon. See "Doubts Roosevelt Ever Voted for T.R.," *New York Times*, September 26, 1932. Dixon went so far as to accuse FDR of shamelessly appropriating TR's famous "dee-lighted." See Dixon again in "Asserts Roosevelt is Imitating 'T.R.,"' *New York Times*, September 22, 1932.

<sup>455</sup> Greer, 115.

<sup>456</sup> Roosevelt, Franklin D. *Our Democracy in Action: The Philosophy of President Franklin D. Roosevelt* (Washington, D.C.: National Home Library Foundation, 1940), 161-62.

## Chapter 6, pages 162-184

<sup>457</sup> De Tocqueville, Alexis. *Democracy in America and Two Essays on America* (London: Penguin Books, 2003), 469.

<sup>458</sup> Shakespeare, William. *William Shakespeare: The Complete Works* (New York: Dorset Press, 1988), 877.

<sup>459</sup> The presumption of legislative power was so entrenched in the minds of the Framers that countervailing executive power was a reaction to legislative supremacy, not an isolated initiative.

With this in mind, the legislative branch was to be the only one armed with what Garry Wills has referred to as “shoot-out” power – the ability to overcome the initiatives of either of the other two branches of government. See Garry Wills’ *Explaining America: The Federalist* (New York: Penguin Books, 2001), 128.

<sup>460</sup> As Stephen Skowronek notes, “By the time of Andrew Jackson, the presidency had become in [Henry Jones] Ford’s famous phrase, ‘the work of the people breaking through the constitutional form.’” Skowronek, Stephen. *Presidential Leadership in Political Time: Reprise and Reappraisal* (Lawrence: University of Kansas Press, 2008), 156.

<sup>461</sup> DiNunzio, Mario R. (ed.) *Woodrow Wilson: Essential Writings and Speeches of the Scholar-President* (New York: New York University Press, 2006), 298-99.

<sup>462</sup> Wilson was particularly fond of Cleveland’s executive acumen, noting his tendency to defy his own party and the legislature as both Mayor and Governor. See Wilson, Woodrow. “Mr. Cleveland as President,” *The Atlantic Monthly* (Vol. 79, No. 478), March, 1897.

<sup>463</sup> The “shadow” cast by FDR suggests Roosevelt was as much a culminating executive figure as he was a purely iconoclastic one. See Leuchtenburg, William E. *In the Shadow of FDR: From Harry Truman to George W. Bush* (Ithaca: Cornell University Press, 2001).

<sup>464</sup> In February of 2008, the last viable gubernatorial candidate dropped out of the presidential race, leaving it all but certain that the two parties would nominate sitting senators at the head of their respective tickets – a first in modern presidential elections. Whether or not this portends the demise of this regime of executive presidents remains to be seen.

<sup>465</sup> None have for instance called for the “building down” of the presidency, as has Theodore Lowi for example. The “middle way” advocated by President Bill Clinton was about policy direction and political compromise, not the rechanneling of presidential authority to Congress.

<sup>466</sup> For an analysis of the presidency as more in line with order-preserving projects, see Russell Riley’s *The Presidency and the Politics of Racial Inequality: Nation-Keeping from 1831-1965* (New York: Columbia University Press, 1999).

<sup>467</sup> Such attitudes toward Congress persist. See John R. Hibbing and Elizabeth Thiess-Morse’s *Congress as Public Enemy: Public Attitudes Toward American Political Institutions* (Cambridge: Cambridge University Press, 1999).

<sup>468</sup> Croly, Herbert. *Progressive Democracy* (New York: The Macmillan Company, 1914), 296.

<sup>469</sup> Mowry, George E. *The California Progressives* (Berkeley: University of California Press, 1951), 149.

<sup>470</sup> Wilson, Woodrow. *Constitutional Government in the United States* (New York: Columbia University Press, 1908), 11.

<sup>471</sup> The term was a favorite of Roosevelt’s (he introduced it in his First Annual Message as Governor) and was used on occasion by Progressive executives. Roosevelt, Theodore. *State Papers as Governor and President, 1899-1909* (New York: Charles Scribner’s Sons, 1926), 21.

<sup>472</sup> “Bow to Wilson as Party Leader,” *New York Times*, July 5, 1912.

<sup>473</sup> Sidney M. Milkis describes Van Buren’s efforts to “republicanize” the executive for example. See Milkis, Sidney M. *The President and the Parties: The Transformation of the American Party System Since the New Deal* (Oxford: Oxford University Press, 1993), 102-3. See also, Marc Landy and Sidney Milkis’ *Presidential Greatness* (Lawrence: University of Kansas Press, 2000), 88-94.

<sup>474</sup> “Wilson – A Tilden – But a Tilden Up to Date,” *New York Times*, September 25, 1910.

<sup>475</sup> Theodore Lowi has described the administrative nature of modern government in America as a product of popular capitulation to personalist leadership and the “plebiscitary presidency.” See Lowi, Theodore J. *The Personal President: Power Invested, Promise Unfulfilled* (Ithaca: Cornell University Press), 1985.

<sup>476</sup> See Sean Wilentz for example, on early republican governance in America. *The Rise of American Democracy: Jefferson to Lincoln* (New York: W.W. Norton and Company), 15, 29.

<sup>477</sup> Thach, Charles. *The Creation of the Presidency, 1775-1789: A Study in Constitutional History* (New York: Da Capo Press, 1969), 172-3.

<sup>478</sup> Mansfield, Harvey C. *Taming the Prince: The Ambivalence of Modern Executive Power* (Baltimore: Johns Hopkins University Press, 1993), 17.

<sup>479</sup> Charles Thach notes that such a revolt against New York City's doctors, of all people, – the so-called "Doctor's Riots" – was the impetus behind that State's drive toward the erection of a powerful executive. Thach, 38.

<sup>480</sup> See Haynes Johnson's *The Age of Anxiety: McCarthyism to Terrorism* (Orlando: Harcourt, Inc, 2005).

<sup>481</sup> Mansfield. The line can be found after the author's dedication page.

<sup>482</sup> Sinclair, T.A. *Aristotle: The Politics* (London: Penguin Books, 1981), 310-11.

<sup>483</sup> See Sidney M. Milkis' "Executive Power and Political Parties: The Dilemmas of Scale in American Democracy," in Joel D. Aberbach and Mark A. Peterson's (eds.) *The Executive Branch, Institutions of American Democracy Series* (Oxford: Oxford University Press, 2005), 386.

<sup>484</sup> This debate was over Washington's Proclamation of Neutrality in 1793.

<sup>485</sup> Skowronek, 156.

<sup>486</sup> Schlesinger, Arthur M. Jr. *The Imperial Presidency* (New York: Popular Library, 1973), 206-07.

<sup>487</sup> Rudalevige, Andrew. *The New Imperial Presidency: Renewing Presidential Power after Watergate* (Ann Arbor: University of Michigan Press, 2005), 15.

<sup>488</sup> *Ibid*, 396-97.

<sup>489</sup> Wolin, Sheldon. *Politics and Vision: Continuity and Innovation in Western Political Thought* (Princeton: Princeton University Press, 2004), 429.

<sup>490</sup> Tocqueville, 807.

<sup>491</sup> Storing, Herbert J. *The Anti-Federalist: An Abridgement by Murray Dry, of the Complete Anti-Federalist* (Chicago: University of Chicago Press, 1985), 310.

<sup>492</sup> Kallenbach, Joseph E. *The American Chief Executive: The Presidency and the Governorship* (New York: Harper and Row, Publishers, 1966), 27-8.

<sup>493</sup> The exchange can be found in "Governors Clash on Referendum," *New York Times*, September 13, 1911.

<sup>494</sup> Croly, Herbert. *Progressive Democracy* (New York: The Macmillan Company, 1914), 301.

<sup>495</sup> Young, James P. *Reconsidering American Liberalism: The Troubled Odyssey of the Liberal Idea* (Boulder: Westview Press, 1996), 159-60.

<sup>496</sup> Wolin, 593-4.

<sup>497</sup> Schwarz, Jordan A. *Liberal: Adolf A. Berle and the Vision of an American Era* (New York: The Free Press, 1987), 78.

<sup>498</sup> Kloppenberg, James T. *Uncertain Victory: Social Democracy and Progressivism in European and American Thought, 1870-1920* (Oxford: Oxford University Press, 1986) 167-8.

<sup>499</sup> Schlesinger, 210.

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## CURRICULUM VITA

**Saladin M. Ambar**

### EDUCATION

**Rutgers University**

Ph.D., Political Science, May 2008

**New School for Social Research**

Masters in Political Science, May 1994

**Georgetown University**

Bachelors of Science of Foreign Service, May 1990

### PROFESSIONAL EXPERIENCE

**Rutgers University Instructor:** New Brunswick, New Jersey, Fall 2005-Spring 2007

**Princeton High School:** Princeton, NJ, Social Studies Department, 1998-2008

**National Board for Professional Teaching Standards,** Princeton, NJ, 1999-2002

**Prentice Hall:** Free Lance Correlator, Princeton, New Jersey, 2001-2003

**New York City Board of Education:** O.E.S. High School, Queens, NY, 1991-1998

**Lyndon B. Johnson Public School 223:** Queens, NY, 1990-1991

### PUBLICATIONS

“Leadership or Liberty? The Modern American Presidency Since FDR,” in *The U.S. Political System: An Interdisciplinary Encyclopedia of American Political Development*, (eds. Richard Harris and Daniel Tichenor), ABC-CLIO (forthcoming, 2008)