

## CHAPTER 6

### The Presidency

30

#### "The Power to Persuade," from *Presidential Power*

RICHARD NEUSTADT

*An enduring theme in analyses of the presidency is the gap between what the public expects of the office and the president's actual powers. Neustadt, who wrote the first edition of Presidential Power in 1960, offered a new way of looking at the office. His main point is that formal powers (the constitutional powers set out in Article II and the statutory powers that Congress grants) are not the president's most important resource. The president cannot, Neustadt concluded, expect to get his way by command—issuing orders to subordinates and other government officials with the expectation of immediate and unquestioning compliance. In a system of "separate institutions sharing power," other political actors have their own independent sources of power and therefore can refuse to comply with presidential orders. Nobody, Neustadt argues, sees things from the president's perspective (or "vantage point"). Legislators, judges, cabinet secretaries, all have their own responsibilities, constituencies, demands of office, and resources, and their interests and the president's will often differ. The key to presidential power is the power to persuade—to convince others that they should comply with the president's wishes because doing so is in their interest. Presidents persuade by bargaining: making deals, reaching compromise positions; in other words, the give and take that is part of politics.*

The limits on command suggest the structure of our government. The constitutional convention of 1787 is supposed to have created a government of "separated powers." It did nothing of the sort. Rather, it created a government of separated institutions *sharing* powers. "I am part of the legislative process," Eisenhower often said in 1959 as a reminder of his

veto. Congress, the dispenser of authority and funds, is no less part of the administrative process. Federalism adds another set of separated institutions. The Bill of Rights adds others. Many public purposes can only be achieved by voluntary acts of private institutions; the press, for one, in Douglass Cater's phrase, is a "fourth branch of government." And with the coming of alliances abroad, the separate institutions of a London, or a Bonn, share in the making of American public policy.

What the Constitution separates our political parties do not combine. The parties are themselves composed of separated organizations sharing public authority. The authority consists of nominating powers. Our national parties are confederations of state and local party institutions, with a headquarters that represents the White House, more or less, if the party has a President in office. These confederacies manage presidential nominations. All other public offices depend upon electorates confined within the states. All other nominations are controlled within the states. The President and congressmen who bear one party's label are divided by dependence upon different sets of voters. The differences are sharpest at the stage of nomination. The White House has too small a share in nominating congressmen, and Congress has too little weight in nominating Presidents for party to erase their constitutional separation. Party links are stronger than is frequently supposed, but nominating processes assure the separation.

The separateness of institutions and the sharing of authority prescribe the terms on which a President persuades. When one man shares authority with another, but does not gain or lose his job upon the other's whim, his willingness to act upon the urging of the other turns on whether he conceives the action right for him. The essence of a President's persuasive task is to convince such men that what the White House wants of them is what they ought to do for their sake and on their authority.

Persuasive power, thus defined, amounts to more than charm or reasoned argument. These have their uses for a president, but these are not the whole of his resources. For the men he would induce to do what he wants done on their own responsibility will need or fear some acts by him on his responsibility. If they share his authority, he has some share in theirs. Presidential "powers" may be inconclusive when a President commands, but always remain relevant as he persuades. The status and authority inherent in his office reinforce his logic and his charm.

\* \* \*

A president's authority and status give him great advantages in dealing with the men he would persuade. Each "power" is a vantage point for him in the degree that other men have use for his authority. From the veto to appointments, from publicity to budgeting, and so down a long list, the White House now controls the most encompassing array of vantage points in the American political system. With hardly an exception, the men who

share in governing this country are aware that at some time, in some degree, the doing of *their* jobs, the furthering of *their* ambitions, may depend upon the president of the United States. Their need for presidential action, or their fear of it, is bound to be recurrent if not actually continuous. Their need or fear is his advantage.

A president's advantages are greater than mere listing of his "powers" might suggest. The men with whom he deals must deal with him until the last day of his term. Because they have continuing relationships with him, his future, while it lasts, supports his present influence. Even though there is no need or fear of him today, what he could do tomorrow may supply today's advantage. Continuing relationships may convert any "power," any aspect of his status, into vantage points in almost any case. When he induces other men to do what he wants done, a president can trade on their dependence now *and* later.

The president's advantages are checked by the advantages of others. Continuing relationships will pull in both directions. These are relationships of mutual dependence. A president depends upon the men he would persuade; he has to reckon with his need or fear of them. They too will possess status, or authority, or both, else they would be of little use to him. Their vantage points confront his own; their power tempers his.

\* \* \*

The power to persuade is the power to bargain. Status and authority yield bargaining advantages. But in a government of "separated institutions sharing powers," they yield them to all sides. With the array of vantage points at his disposal, a President may be far more persuasive than his logic or his charm could make him. But outcomes are not guaranteed by his advantages. There remain the counter pressures those whom he would influence can bring to bear on him from vantage points at their disposal. Command has limited utility; persuasion becomes give-and-take. It is well that the White House holds the vantage points it does. In such a business any president may need them all—and more.

\* \* \*

This view of power as akin to bargaining is one we commonly accept in the sphere of congressional relations. Every textbook states and every legislative session demonstrates that save in times like the extraordinary Hundred Days of 1933—times virtually ruled out by definition at mid-century—a president will often be unable to obtain congressional action on his terms or even to halt action he opposes. The reverse is equally accepted: Congress often is frustrated by the president. Their formal powers are so intertwined that neither will accomplish very much, for very long, without the acquiescence of the other. By the same token, though, what one demands the other can resist. The stage is set for that great game, much like collective bargaining, in which each seeks to profit from

the other's needs and fears. It is a game played catch-as-catch-can, case by case. And everybody knows the game, observers and participants alike.

\* \* \*

Like our governmental structure as a whole, the executive establishment consists of separated institutions sharing powers. The president heads one of these; Cabinet officers, agency administrators, and military commanders head others. Below the departmental level, virtually independent bureau chiefs head many more. Under mid-century conditions, Federal operations spill across dividing lines on organization charts; almost every policy entangles many agencies; almost every program calls for interagency collaboration. Everything somehow involves the president. But operating agencies owe their existence least of all to one another—and only in some part to him. Each has a separate statutory base; each has its statutes to administer; each deals with a different set of subcommittees at the Capitol. Each has its own peculiar set of clients, friends, and enemies outside the formal government. Each has a different set of specialized careerists inside its own bailiwick. Our Constitution gives the president the "take-care" clause and the appointive power. Our statutes give him central budgeting and a degree of personnel control. All agency administrators are responsible to him. But they *also* are responsible to Congress, to their clients, to their staffs, and to themselves. In short, they have five masters. Only after all of those do they owe any loyalty to each other.

"The members of the Cabinet," Charles G. Dawes used to remark, "are a President's natural enemies." Dawes had been Harding's Budget Director, Coolidge's Vice-President, and Hoover's Ambassador to London; he also had been General Pershing's chief assistant for supply in the First World War. The words are highly colored, but Dawes knew whereof he spoke. The men who have to serve so many masters cannot help but be somewhat the "enemy" of any one of them. By the same token, any master wanting service is in some degree the "enemy" of such a servant. A President is likely to want loyal support but not to relish trouble on his doorstep. Yet the more his Cabinet members cleave to him, the more they may need help from him in fending off the wrath of rival masters. Help, though, is synonymous with trouble. Many a Cabinet officer, with loyalty ill-rewarded by his lights and help withheld, has come to view the White House as innately hostile to department heads. Dawes's dictum can be turned around.

\* \* \*

The more an officeholder's status and his "powers" stem from sources independent of the president, the stronger will be his potential pressure on the President. Department heads in general have more bargaining power than do most members of the White House staff; but bureau chiefs

may have still more, and specialists at upper levels of established career services may have almost unlimited reserves of the enormous power which consists of sitting still. As Franklin Roosevelt once remarked:

The Treasury is so large and far-flung and ingrained in its practices that I find it almost impossible to get the action and results I want—even with Henry [Morgenthau] there. But the Treasury is not to be compared with the State Department. You should go through the experience of trying to get any changes in the thinking, policy, and action of the career diplomats and then you'd know what a real problem was. But the Treasury and the State Department put together are nothing compared with the Na-a-vy. The admirals are really something to cope with—and I should know. To change anything in the Na-a-vy is like punching a feather bed. You punch it with your right and you punch it with your left until you are finally exhausted, and then you find the damn bed just as it was before you started punching.

\* \* \*

There is a widely held belief in the United States that were it not for folly or for knavery, a reasonable president would need no power other than the logic of his argument. No less a personage than Eisenhower has subscribed to that belief in many a campaign speech and press conference remark. But faulty reasoning and bad intentions do not cause all quarrels with presidents. The best of reasoning and of intent cannot compose them all. For in the first place, what the president wants will rarely seem a trifle to the men he wants it from. And in the second place, they will be bound to judge it by the standard of their own responsibilities, not his. However logical his argument according to his lights, their judgment may not bring them to his view.

The men who share in governing this country frequently appear to act as though they were in business for themselves. So, in a real though not entire sense, they are and have to be. When Truman and MacArthur fell to quarreling, for example, the stakes were no less than the substance of American foreign policy, the risks of greater war or military stalemate, the prerogatives of presidents and field commanders, the pride of a pro-consul and his place in history. Intertwined, inevitably, were other stakes, as well: political stakes for men and factions of both parties; power stakes for interest groups with which they were or wished to be affiliated. And every stake was raised by the apparent discontent in the American public mood. There is no reason to suppose that in such circumstances men of large but differing responsibilities will see all things through the same glasses. On the contrary, it is to be expected that their views of what ought to be done and what they then should do will vary with the differing perspectives their particular responsibilities evoke. Since their duties are not vested in a "team" or a "collegium" but in themselves, as individuals, one must expect that they will see things *for* themselves. Moreover, when they are responsible to many masters and when an event or policy turns loyalty against loyalty—a day-by-day occurrence in the nature of the case—

one must assume that those who have the duties to perform will choose the terms of reconciliation. This is the essence of their personal responsibility. When their own duties pull in opposite directions, who else but they can choose what they will do?

\* \* \*

Outside the Executive Branch the situation is the same, except that loyalty to the President may often matter *less*. . . . And when one comes to congressmen who can do nothing for themselves (or their constituents) save as they are elected, term by term, in districts and through party structures *differing* from those on which a president depends, the case is very clear. An able Eisenhower aide with long congressional experience remarked to me in 1958: "The people on the Hill don't do what they might *like* to do, they do what they think they *have* to do in their own interest as *they* see it. . . ." This states the case precisely.

The essence of a president's persuasive task with congressmen and everybody else, *is to induce them to believe that what he wants of them is what their own appraisal of their own responsibilities requires them to do in their interest, not his*. Because men may differ in their views on public policy, because differences in outlook stem from differences in duty—duty to one's office, one's constituents, oneself—that task is bound to be more like collective bargaining than like a reasoned argument among philosopher kings. Overtly or implicitly, hard bargaining has characterized all illustrations offered up to now. This is the reason why: persuasion deals in the coin of self-interest with men who have some freedom to reject what they find counterfeit.

Let me introduce a case . . . : the European Recovery Program of 1948, the so-called Marshall Plan. This is perhaps the greatest exercise in policy *agreement* since the cold war began. When the then Secretary of State, George Catlett Marshall, spoke at the Harvard commencement in June of 1947, he launched one of the most creative, most imaginative ventures in the history of American foreign relations. What makes this policy most notable for present purposes, however, is that it became effective upon action by the 80th Congress, at the behest of Harry Truman, in the election year of 1948.

Eight months before Marshall spoke at Harvard, the Democrats had lost control of both Houses of Congress for the first time in fourteen years. Truman, whom the Secretary represented, had just finished his second troubled year as president-by-succession. Truman was regarded with so little warmth in his own party that in 1946 he had been urged *not* to participate in the congressional campaign. At the opening of Congress in January 1947, Senator Robert A. Taft, "Mr. Republican," had somewhat the attitude of a president-elect. This was a vision widely shared in Washington, with Truman relegated, thereby, to the role of caretaker-on-term. Moreover, within just two weeks of Marshall's commencement address,

Truman was to veto two prized accomplishments of Taft's congressional majority: the Taft-Hartley Act and tax reduction. Yet scarcely ten months later the Marshall Plan was under way on terms to satisfy its sponsors, its authorization completed, its first-year funds in sight, its administering agency in being: all managed by as thorough a display of executive-congressional cooperation as any we have seen since the Second World War. For any president at any time this would have been a great accomplishment. In years before mid-century it would have been enough to make the future reputation of his term. And for a Truman, at this time, enactment of the Marshall Plan appears almost miraculous.

How was the miracle accomplished? How did a President so situated bring it off? In answer, the first thing to note is that he did not do it by himself. Truman had help of a sort no less extraordinary than the outcome. Although each stands for something more complex, the names of Marshall, Vandenberg, . . . Bevin, Stalin, tell the story of that help.

In 1947, two years after V-J Day, General Marshall was something more than Secretary of State. He was a man venerated by the president as "the greatest living American," literally an embodiment of Truman's ideals. He was honored at the Pentagon as an architect of victory. He was thoroughly respected by the Secretary of the Navy, James V. Forrestal, who that year became the first Secretary of Defense. On Capitol Hill Marshall had an enormous fund of respect stemming from his war record as Army Chief of Staff, and in the country generally no officer had come out of the war with a higher reputation for judgment, intellect, and probity. Besides, as Secretary of State, he had behind him the first generation of matured, foreign service officers produced by the reforms of the 1920s, and mingled with them, in the departmental service, were some of the ablest of the men drawn by the war from private life to Washington.

\* \* \*

Taken together, these are exceptional resources for a Secretary of State. In the circumstances, they were quite as necessary as they obviously are relevant. The Marshall Plan was launched by a "lame duck" administration "scheduled" to leave office in eighteen months. Marshall's program faced a congressional leadership traditionally isolationist and currently intent upon economy. European aid was viewed with envy by a Pentagon distressed and virtually disarmed through budget cuts, and by domestic agencies intent on enlarged welfare programs. It was not viewed with liking by a Treasury intent on budget surpluses. The plan had need of every asset that could be extracted from the personal position of its nominal author and from the skills of his assistants.

Without the equally remarkable position of the senior Senator from Michigan, Arthur H. Vandenberg, it is hard to see how Marshall's assets could have been enough. Vandenberg was chairman of the Senate Foreign Relations Committee. Actually, he was much more than that. Twenty

years a senator, he was the senior member of his party in the Chamber. Assiduously cultivated by F.D.R. and Truman, he was a chief Republican proponent of "bipartisanship" in foreign policy, and consciously conceived himself its living symbol to his party, to the country, and abroad. Moreover, by informal but entirely operative agreement with his colleague Taft, Vandenberg held the acknowledged lead among Senate Republicans in the whole field of international affairs. This acknowledgment meant more in 1947 than it might have meant at any other time. With confidence in the advent of a Republican administration two years hence, most of the gentlemen were in a mood to be responsive and responsible. The war was over, Roosevelt dead, Truman a caretaker, theirs the trust. That the Senator from Michigan saw matters in this light, his diaries make clear. And this was not the outlook from the Senate side alone; the attitudes of House Republicans associated with the Herter Committee and its tours abroad suggest the same mood of responsibility. Vandenberg was not the only source of help on Capitol Hill. But relatively speaking, his position there was as exceptional as Marshall's was downtown.

\* \* \*

At Harvard, Marshall had voiced an idea in general terms. That this was turned into a hard program susceptible of presentation and support is due, in major part, to Ernest Bevin, the British Foreign Secretary. He well deserves the credit he has sometimes been assigned as, in effect, co-author of the Marshall Plan. For Bevin seized on Marshall's Harvard speech and organized a European response with promptness and concreteness beyond the State Department's expectations. What had been virtually a trial balloon to test reactions on both sides of the Atlantic was hailed in London as an invitation to the Europeans to send Washington a bill of particulars. This they promptly organized to do, and the American Administration then organized in turn for its reception without further argument internally about the pros and cons of issuing the "invitation" in the first place. But for Bevin there might have been trouble from the Secretary of the Treasury and others besides.

If Bevin's help was useful at that early stage, Stalin's was vital from first to last. In a mood of self-deprecation Truman once remarked that without Moscow's "crazy" moves "we would never have had our foreign policy . . . we never could have got a thing from Congress." George Kennan, among others, had deplored the anti-Soviet overtone of the case made for the Marshall Plan in Congress and the country, but there is no doubt that this clinched the argument for many segments of American opinion. There also is no doubt that Moscow made the crucial contributions to the case.

\* \* \*

The crucial thing to note about this case is that despite compatibility of views on public policy, Truman got no help he did not pay for (except

Stalin's). Bevin scarcely could have seized on Marshall's words had Marshall not been plainly backed by Truman. Marshall's interest would not have comported with the exploitation of his prestige by a president who undercut him openly, or subtly, or even inadvertently, at any point. Vandenberg, presumably, could not have backed proposals by a White House which begrudged him deference and access gratifying to his fellow-partisans (and satisfying to himself). Prominent Republicans in private life would not have found it easy to promote a cause identified with Truman's claims on 1948—and neither would the prominent New Dealers then engaged in searching for a substitute.

Truman paid the price required for their services. So far as the record shows, the White House did not falter once in firm support for Marshall and the Marshall Plan. Truman backed his Secretary's gamble on an invitation to all Europe. He made the plan his own in a well-timed address to the Canadians. He lost no opportunity to widen the involvements of his own official family in the cause. Averell Harriman the Secretary of Commerce, Julius Krug the Secretary of the Interior, Edwin Nourse the Economic Council Chairman, James Webb the Director of the Budget—all were made responsible for studies and reports contributing directly to the legislative presentation. Thus these men were committed in advance. Besides, the president continually emphasized to everyone in reach that he did not have doubts, did not desire complications and would foreclose all he could. Reportedly, his emphasis was felt at the Treasury, with good effect. And Truman was at special pains to smooth the way for Vandenberg. The Senator insisted on "no politics" from the Administration side; there was none. He thought a survey of American resources and capacity essential; he got it in the Krug and Harriman reports. Vandenberg expected advance consultation; he received it, step by step, in frequent meetings with the president and weekly conferences with Marshall. He asked for an effective liaison between Congress and agencies concerned; Lovett and others gave him what he wanted. When the Senator decided on the need to change financing and administrative features of the legislation, Truman disregarded Budget Bureau grumbling and acquiesced with grace. When, finally, Vandenberg desired a Republican to head the new administering agency, his candidate, Paul Hoffman, was appointed despite the president's own preference for another. In all of these ways Truman employed the sparse advantages his "powers" and his status then accorded him to gain the sort of help he had to have.

\* \* \*

Had Truman lacked the personal advantages his "powers" and his status gave him, or if he had been maladroit in using them, there probably would not have been a massive European aid program in 1948. . . . The President's own share in this accomplishment was vital. He made his contribution by exploiting his advantages. Truman, in effect, lent Marshall

and the rest the perquisites and status of his office. In return they lent him their prestige and their own influence. The transfer multiplied *his* influence despite his limited authority in form and lack of strength politically. Without the wherewithal to make this bargain, Truman could not have contributed to European aid.

\* \* \*

#### DISCUSSION QUESTIONS

1. Considering recent presidents (Barack Obama and George W. Bush), identify and discuss some examples of Neustadt's argument that presidents cannot get their way by "command" but must bargain to get what they want.
2. Can you think of any recent examples when a president was able to get what he wanted by giving a command (that is, to someone not in the military)?
3. How should a president convince a member of Congress to pass a piece of legislation that the president favors?