

## **Presidential Power and the Modern Presidents**

Richard E. Neustadt

The core foundation of Neustadt's book is the characterization of Presidents as agents distinct from the Presidency. The Presidents actually do not have that absolute authority as one may expect. This is the result of the original design of the government in the Constitution. Of course, under this circumstance, all depends on the Presidents and their personal characters. In other words, the quest is about what they bring to the Office. Neustadt does not address the Office, but the person in the Office. He considers the Presidents as one among a set of institutions. This means we have the Presidency and the Presidents as two distinct institutions. I used the term "agent" earlier, exclusively, in its philosophic standing. "An agent is a being with the capacity to act, and agency denotes the exercise or manifestation of this capacity."<sup>1</sup> I believe Neustadt considers the Presidents as agents, though he does not mention that.

The first question is about how to make the powers bestowed upon the President work for him the moment he is sworn in. The purpose here is to explore the power problem of the man inside the White House. The search for personal influence is at the center of the job of being President.

Neustadt argues that Presidents must think about their prospects for effectiveness as they make choices. They better think about power in

---

<sup>1</sup> Schlosser, Markus, "Agency", *The Stanford Encyclopedia of Philosophy* (Fall 2015 Edition), Edward N. Zalta (ed.), URL = <<http://plato.stanford.edu/archives/fall2015/entries/agency/>>.

prospective terms, they may increase their chances of success in implicating their policies.

Neustadt gets readers' attention on two concepts: Clerkship and Leadership. To illustrate the distinction between clerkship and leadership, the author mainly is focusing on Truman's and Eisenhower's administrations, respectively. In institutional terms, the Presidency (1990) includes two thousand men and women. If we treat the Presidency as President, we cannot measure him as though he were the government. This is Neustadt's reasoning in distinguishing the Presidency from the Presidents. He writes, "Not action as an outcome, but his impact on the outcome is the measure of the man." The President's strength or weakness turns on his personal capacity to influence the conduct of the men who make up the government. His influence becomes the mark of leadership.

In fact, the title "Presidential" means nothing more than the President. In this respect, power means influence. There are two ways to study "Presidential Power," writes Neustadt. One way is to focus on the tactics of influencing certain men in given situations, such as how to get a bill through Congress, how to settle strikes, how to quiet cabinet feuds. The other way is to step back from tactics on those "given" and to deal with influence in more strategic terms. For instance, what is its nature and what are its sources? What can this man accomplish to improve the prospect that he will have influence when he wants it? Strategically, the question is not how he masters Congress in a particular

instance, but what he does to boost his chance for mastery in any instance, looking toward tomorrow from today. Neustadt claims that he has chosen the second way of the President's conduct in his book.

Neustadt asks, "Why have our Presidents been honored with this clerkship?" The answer is that no one else's services suffice. A modern President is bound to face demands for aid and service from five more or less distinguishable sources: from executive officialdom, from Congress, from his partisans, from citizens at large, and from abroad. The Presidency's clerkship is expressive of these pressures. In effect, they are constituency pressures, and each President has five sets of constituents (Neustadt 8).

Neustadt writes about Truman's compassion towards Eisenhower. He quotes Truman: "He'll sit here, and he'll say, 'Do this! Do that!' *And nothing will happen*. Poor Ike – it won't be a bit like the Army. He'll find it very frustrating." Truman knew well how the Office works. It was not like the Army. Orders are not considered as commands, in the military exclusive term.

### **The Power to Persuade**

The limits on command point at the structure of our government. The Constitutional Convention of 1787 was supposed to have created a government of "separated powers." It did nothing of that sort, writes Neustadt. Rather it created a government of separated institutions sharing powers. The separateness of institutions and the sharing of authority prescribe the terms on which a President persuades, not commands. The essence of a President's

persuasion task is to convince such men under him that what the White House wants of them is what they ought to do for their sake and on their authority. The power to persuade is the power to bargain. Status and authority yield bargain advantages.

Congress and the Presidency share the power. Their formal powers are so intertwined that neither will accomplish very much, for very long, without the acquiescence of the other. Even in the White House a President does not monopolize effective power. Even their persuasion is akin to bargaining. A former Roosevelt aid once wrote of cabinet officers:

Half of a President's suggestions, which theoretically carry the weight of orders, can be safely forgotten by a Cabinet member. And if the President asks about a suggestion a second time, he can be told that it is being investigated. If he asks a third time, a wise Cabinet officer will give him at least part of what he suggests, but only occasionally, except about the most important matters, do Presidents ever get around to asking three times (Neustadt 36).

Truman exemplified his leadership in this way, "I sit here all day trying to persuade people to do the things they ought to have sense enough to do without my persuading them.... That's all the powers of the President amount to."

In these words of a President, spoken on the job, one finds the essence of the problem before us: “powers” are no guarantee of power; clerkship is no guarantee of leadership. The President of the United States has an extraordinary range of formal powers, of authority in statute law and in the Constitution. Here is a testimony that despite his status, he does not act without argument. Presidential power is to persuade. However, Neustadt gives us three examples of incidents, which were resolved by the direct orders of the President: The dismissal of MacArthur, the seizure of the steel mills, and the dispatch of troops to Little Rock<sup>2</sup>. These are the three main cases that he uses many times in his book. He calls them self-executing of these orders. Neustadt believes there were somethings laid behind the execution of these orders. At least five common factors were at works. These five factors can be found in all these three instances. These are the factors that produce self-executing orders. Lacking any one of them the chances are that mere command will not produce compliance.

A first factor favoring compliance with a Presidential order is an assurance that the President has spoken. The three self-executing orders were given by the man. A second factor for compliance with a President’s request is clarity about his meaning. The Little Rock case was misunderstood by the governor of Arkansas about Eisenhower’s specific order. A third factor favoring

---

<sup>2</sup> The dismissal case of MacArthur by Truman was linked to his insubordination to the President in regards to the Korean War when Chinese government launched their assault on the UN forces to save the North Korean army and political structure. The seizure of steel mills by Truman’s direct order was the result of the failed negotiations with the labor union in the Steel industry, but the Court found his order unconstitutional, so the President withdrew. The Little Rock case is about the public school availability to colored students in Arkansas, which ended up in a confrontation of President Eisenhower with the state governor.

compliance with a President's directive is publicity. Even when there is no need for ambiguity, no possibility of imprecision, no real discretionary leeway, and nothing to misunderstand, compliance may depend not only on the respondent's awareness of what he is to do but also on the awareness of others that he has been told to do it. A fourth factor favoring compliance with a President's request is the actual ability to carry it out. It helps to have the order taker in possession of the necessary means. A fifth factor favoring compliance with a President's request is the sense that what he wants is his by right. Truman was quite right when he declared that Presidential power is the power to persuade. The command is, but a method of persuasion, not a substitute, and not a method suitable for everyday employment.

A President's persuasiveness with others in the government depends on something more than his advantages for bargaining. The men he would persuade must be convinced in their own minds that he has skills and will enough to use his advantages. Their judgment of him is a factor in his influence with them. The men who share in the governing this country are hardened observers of a President. They have the doing of whatever he wants to be done. They are the objects of his personal persuasion. They are also the most attentive members of his audience. These doers comprise what is spirit, not geography, might well be termed the "Washingtonian community." This community cuts across President's constituencies. Members of Congress and of his administration, governors of states, military commanders in the field, leading politicians in both parties, representatives of private organizations,

newsmen of assorted types and sizes, foreign diplomats all are these “Washingtonians” no matter what their physical locations.

A President’s prestige is a factor in his influence of roughly the same sort as his professional reputations: a factor that may not decide the outcome in a given case, but can affect the likelihoods in every case and therefore is strategically important to his power.

### **Main office**

“The President needs help” issued in Brownlow Committee 1936 on administrative management. Since then “help” has been arranged upon his office in the form of staff facilities of every sort. The visibility of this development has been so high that scholars have a name for it: “institutionalized Presidency.” Through Eisenhower’s six years of his Presidency, his powerful sense was blunt in almost the degree that FDR’s was sharp. As late as 1958 he had not quite got over “shocked surprise” that orders did not carry themselves out. Apparently, he could not absorb the notion that effective power had to be extracted out of other men’s self-interest; neither did he quite absorb the notion that nobody else’s interest could be wholly like his own.

In the absence of productive crises, and assuming that we manage to avoid destructive ones, nothing now foreseeable suggests that our next President will have assured support from any quarter. He needs a coalition to

build for each case. It will be available issue after issue. There is not a blank check to support the President in Washington for whatever he plans to do.

## **Conclusion**

Neustadt in his interesting book writes about the Presidents and their Presidencies. He distinguishes them as of two institutions. The reason for this condition is the design of power structure embedded within the Constitution. Therefore, it is inevitable. This structure limits the power of Presidents. They certainly are not and cannot be a tyrant. Congress shares power with the President. Therefore, it is required of the President to persuade others, particularly Congress. President Eisenhower confused the Office and the Army structure in regards to the chain of command and he got frustrated knowing the fact that sometimes his orders were ignored and did not get through. President Truman predicted his surprised disappointment. However, there is a possibility of the direct orders of the President to get through and that requires five conditions of favors, as Neustadt lists them. He calls them favoring the Presidents' requests: (1) assurance that the President has spoken; (2) clarity about his meaning; (3) Publicity; (4) ability to carry orders out; and (5) the sense that what he wants is his by right. Condensing these five favoring, it all depends on the President's agency and personality.