

CHAPTER 1

Political Parties and Presidential Ambition

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According to political scientists of the last generation, party competition was an essential feature of any form of popular government. How dismayed they would be, therefore, to learn from contemporary students of American politics that our parties are “decomposing” and that our national electoral process is increasingly taking on the characteristics of nonpartisan competition. While the labels of the two traditional parties continue to exist, the institutions bearing these labels have lost many of their previous functions. Parties no longer structure the voting behavior of large numbers of citizens. They have ceased to play a major role in constraining presidential decision-making, and presidents now place little reliance on them in their efforts to generate public support for policy initiatives. Perhaps most important of all, party organizations have lost their influence in determining the outcome of presidential nominations. Under the “open” nominating process that has emerged since 1968, the races have for all practical purposes become plebiscitary contests among the individual contenders. Candidates create large personal campaign organizations and devise their own programs and electoral strategies, very much as if they were establishing national parties of their own. These personalistic features of the nomination contests continue into the final election stage, as the parties become the extensions of the organizations of the victorious nominees.

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What are the implications of this decline in the role of traditional parties for the presidential selection process and for the presidency itself? Is it a positive development, as many reformers argue, or does it pose a serious threat to moderate republican government, as many of their opponents contend? Addressing these questions today is of more than academic significance. The recent changes in the presidential selection process have resulted not primarily from forces beyond the control of political actors but from the decisions of practicing politicians in party commissions and state legislatures. These decisions have been made under the influence of a theory of the selection process that has yet to win general acceptance, and even some of its original proponents have now begun to have second thoughts.¹ Any clarification, therefore, of the basic purposes and functions of the selection process could influence prevailing theoretical views and thereby the direction of future institutional development.

The reform theory of selection on which the current open system is based was introduced to national politics at the 1968 Democratic Convention. In its original formulation, the theory attacked the legitimacy of the influence of the regular party organizations and called for “direct democracy” in the selection of presidential nominees.² As the theory evolved within the official reform commissions established by the party in 1968 and 1972, the ideal of “fairness” emerged as the single most important value for the nomination process. By fairness was meant procedural regularity and the placation in the selection of delegates of the expressed candidate preferences of the participants. While the reform commissions did not expressly call for direct democracy in the form of more primaries, the emphasis reformers placed on popular participation and the individual’s right to the expression of a candidate’s preference certainly encouraged the subsequent adoption of presidential primaries in many states.

The reform view of presidential selection should be compared with the very different perspective of the Founders and the originators of permanent party competition. For these statesmen the concern was not so much with the procedural goal of fairness as with the substantive results of how power was sought and exercised. After satisfying themselves of the compatibility of their systems with the basic requirements of popular government, they turned their attention to regulating the behavior of presidential aspirants with a view to preventing dangerous political divisions and leadership styles that might undermine the intended character of the presidency.

To speak of a single perspective on selection that includes the Founders with the originators of party competition might seem like a serious misreading of the historical record. The Founders, after all, were opponents of national parties and sought to establish a nonpartisan selection system. Yet if one focuses on their objectives rather than on the institutional forms they estab-

lished, it is plausible to argue that by the 1820s permanent party competition was the solution that was most compatible with their goals. The key to this last argument is an understanding of the theme of presidential ambition in the thought of each group.

For the Founders, a major objective in selection was to prevent the creation of factions that form around “different leaders ambitiously contending for pre-eminence and power.”³ By their electoral institutions the Founders sought to deflect the great force of presidential ambition from its possible manifestations in demagoguery or “image” appeals and to channel it into conduct that would promote the public good. This also was the goal of Martin Van Buren and his followers in the party school of the 1820s and 1830s. They held that the non-partisan system that emerged in 1824 encouraged the very kind of leadership appeals that the Founders wanted to avoid. Only by instituting party competition between two parties of moderate principle could leadership be circumscribed within safe limits. The answer to personal faction for Van Buren was party, though party of a different sort from that which the Founders had feared. Whatever differences exist between the views of the Founders and Van Buren—and these, as we shall see, are not insignificant—they both accepted the premise that the electoral process should be considered as an institution that controlled candidate behavior.

This premise went unchallenged until the rise of the Populist and Progressive movements at the turn of the century. According to Woodrow Wilson, the most thoughtful spokesman of the Progressive view, the selection system should be designed to elevate a dynamic leader above the political party and make the party serve his will. In Wilson’s thought, party is transformed from an institution that constrains leadership to an instrument that enhances it. “Leadership,” the central theme of Wilson’s proposed revision of the constitutional system, could best take root in an open nominating process in which each contender presented his program directly to the people. The winners would then earn the right to “own” their parties. Wilson accordingly proposed national primaries, making it clear that contenders might appeal beyond traditional partisan followings to form new constituencies. Wilson was satisfied that the problem of dangerous leadership appeals could be avoided in an open selection process: the wisdom of the people along with the self-restraint of the leaders obviated the need for any institutional guidance.

A balance of sorts existed throughout most of this century between institutional elements representing Van Buren’s theory of selection and those representing Wilsonian ideas. This system, known sometimes as the “mixed” system because of the presence of both candidate-oriented primaries and organization-dominated selection procedures, was overthrown after 1968.⁴ Although there are some differences between the Progressive and the reform views, the re-

formers have accepted the crucial Progressive premise about the safety of an open nominating system. The use of institutions to influence the character of what V. O. Key called the “echo chamber” has been abandoned in exchange for the right of the people to hear each aspirant shout what he pleases.⁵

THE FUNCTIONS OF THE PRESIDENTIAL SELECTION SYSTEM

To facilitate discussion of the theories of the electoral process noted above, it will be helpful first to identify four major objectives or “functions” of the selection system. By the selection system here we are referring to the nomination and the final election stages, since both are part of the same general process. The treatment that follows will be very general, as the purpose is not to resolve the issues that are raised but to indicate some of the major considerations that any legislator of the selection process should keep in mind.

First, the selection system should promote the proper character of the presidential office in respect both to its powers and to the style of presidential leadership. This implies that, at least up to a certain point, the office should be thought of as the end and the selection process the means. Many today might take exception to this assumption. Two recent defenders of reform theory, John Saloma and Frederick Sontag, argue that the goal of the selection system should be increased participation, which they see as a means of building citizen virtue.⁶ Pre-reform theorists, though no less concerned about citizen virtue, looked elsewhere for its cultivation. They focused instead on more directly related issues such as the effect of the selection system on the presidency, realizing that the way in which power is sought will have a profound influence on how it is subsequently exercised. Many of the important historical debates on the role of parties in our system have centered on this issue. The Founders and John Quincy Adams opposed party competition because they thought it would compromise the president’s independence, while Woodrow Wilson sought to transform parties into candidate-centered organizations in order to increase the president’s power.

Second, the selection system should ensure an accession to power that is unproblematic and widely regarded as legitimate. By unproblematic we refer to the “mechanical” aspects of the process, most notably to those that relate to its capacity to determine a winner without confusion or delays. Legitimacy refers to whether the people accept the process as being in accord with their understanding of republican principles. A system that is widely regarded as corrupt or undemocratic imposes a heavy burden on its choice, whether at the nomination stage, as Taft learned in 1912, or for the final election, as John Quincy Adams discovered after 1824. It is important, therefore, for the selection system to conform to a well-established conception of republicanism. This must be distinguished, however, from calls for change in response to ephemeral inter-

pretations of republican principles which may be championed by some particular candidate or faction seeking a temporary advantage. Since the selection system is an important “teacher” of the meaning of republicanism, such changes present a danger that the regime will be altered without sufficient attention to long-term effects. These changes are most likely to occur at the nominating stage which lies outside the sphere of direct constitutional regulation.

Third, the selection system should help promote the choice of an able executive. What transforms this concern from a meaningless expression of hope to a legitimate institutional question is the reasonable assumption, backed by comparative research into selection in various liberal democracies, that different systems affect the type of person apt to compete and succeed. A plebiscitary nomination system would seem to place a greater premium on those qualities that appeal to a mass audience, such as vigor, appearance, and the aura of sanctimony; “closed” systems will value to a greater degree those qualities esteemed by the narrower group empowered to select, for example, “keeping one’s word” in the case of American politicians or trustworthiness in the case of British parliamentarians.⁷

Of course what constitutes an able and good person is, beyond broad agreement on certain basic qualities such as honesty and intelligence, a matter of great dispute. After a long period of neglect, some political scientists have returned to this kind of normative issue, especially since Watergate. The predominant contemporary school in the study of presidential character classifies character according to different “personality types” defined primarily by reference to psychological attributes. Apart from considerations of the adequacy of this approach for assessing political qualifications, there is the additional question of whether it can be of assistance in informing the debate over the institutions of presidential selection. One well-known scholar who recently made use of this approach seems implicitly to have conceded its irrelevance in this respect. In the article entitled “What Manner of Man?” Erwin Hargrove develops a profile of the ideal presidential personality, which he chooses to call a “democratic character.” Persons of this description, among other things, would “give every sign of so loving themselves in the biblical sense that they are free to have concern for others.” Unfortunately—and, one might add, paradoxically—Hargrove finds that the extremely democratic system now used to select the president does little to promote democratic characters. Indeed, the only institutional device by which to encourage this character type would be to establish a board of “elite gate keepers” to screen the candidates. But Hargrove recoils from a solution that is so obviously undemocratic, and the best he can offer is the noninstitutional recommendation that we “emphasize democratic styles of leadership in all organizations of our society . . . so that the selection of leaders, including presidents, will be implicitly guided by a search for ‘democratic char-

acters.”⁸ From the difficulties Hargrove encounters with this approach, it seems that in a popular regime no single personality type could ever be mandated by law or institutional arrangement. The most the selection system can do is to influence character choice by indirect means—by determining who has the power to select, and thereby which political and character attributes may be favored, and by certain general injunctions regulating candidate eligibility, such as the Constitution’s age requirement.

Finally, the selection system should prevent the harmful effects of the pursuit of office by highly ambitious contenders. Almost every major politician will at one time or another fix his attention on becoming president and adjust his behavior to improve his chances of being considered. For those who enter the select circle of legitimate contenders, the tendency will be to adopt whatever strategies are legal and acceptable—and even some that are not—if they promise results. It is reasonable to assume, therefore, that the ambition of contenders, if not properly guided, can lead to strategies and appeals that threaten the public good. Such in fact would seem to be the “natural” tendency of ambition, for the ambitious seek first that which is advantageous for themselves. It is this problem which led some of the past legislators of the selection process to look for institutional arrangements that could create a degree of harmony between personal ambition and behavior that promotes the public good. Every student of American politics recognizes this principle as it applies to office-holders, but it is surprising how many ignore it or deny its applicability in the case of office-seekers.

The problem that presidential ambition can create may be classified under two broad headings. The first is the disruption of the proper functioning of an office or institution: office-holders, using their positions to further their presidential aspirations, may perform in a way that conflicts with their intended constitutional role. One striking instance of this problem is discussed by James Sterling Young in his account of the effects of the caucus system of nomination in the early nineteenth century. Young shows how that system led cabinet members who were interested in becoming president to court favor with congressmen, with the consequence that the unity and independence of the executive branch were undermined. The failure in this case to structure presidential ambition in accord with the intended character of the Constitution very nearly led to a transformation of the entire political system.⁹

The second problem, by no means exclusive of the first, is the attempt of candidates to build a popular following by the “arts of popularity”—by empty “image” appeals, by flattery, or by the exploitation of dangerous passions.¹⁰ The general term for such appeals is demagoguery, although one often finds the term restricted today to harsh utterances that evoke anger and fear. It is a mistake, however, to fail to recognize the demagogic character of a “soft” flattery

that tells the people they can do no wrong or of seductive appeals that hide behind a veil of liberality, making promises that can never be kept or raising hopes that can never be satisfied.

The approach usually relied upon today to control candidate abuses is the imposition of legal restrictions. This approach was used in the campaign finance legislation of 1972 and 1974, which was designed to protect the public interest from candidates' granting special privileges or favors to large contributors. Thus while one arm of the modern reform movement makes the selection process more open, the other attempts to prevent certain excesses, in some cases encouraged by that very openness, by means of new legal limitations and regulatory procedures. But whatever the merits of this legal approach for curbing certain kinds of abuses, it cannot reach those which by their very nature cannot be classified as criminal or proscribed by statute. Into this category fall most of the abuses discussed above.

If ambition in these instances cannot be checked by law, it might nevertheless be controlled by the institutional arrangements of the selection system. Institutional regulation of behavior consists in establishing certain constraints and incentives—not criminal penalties—that promote desired habits and actions and discourage unwanted behavior. The selection system, conceived in this sense, is the institution that structures the conduct of presidential aspirants and their supporters. By marking out a certain path to the presidency, it influences the behavior of the nation's leading politicians and, by their example, the style of politics in the regime as a whole. Regulation of presidential ambition is likely to work most effectively where it relies on the candidates' own strongest impulse: if matters can be arranged such that undesirable behavior will detract from the chance of success, candidates will turn "voluntarily" to other strategies. Properly channeled, ambition can be used to curb its own excesses.

THE FOUNDERS

The Founders' two main objectives for presidential selection were to help secure the executive independence from Congress and to prevent the kind of campaign that would undermine the constitutional character of the office. The first objective, which has been identified by nearly every scholar of the Founders' thought, was to be accomplished by giving the president an electoral base outside of the legislature. The second objective, which has been almost entirely overlooked in the literature on the founding, can only be understood after treating the more general question of constitutional authority and the threat posed to it by the claim to popular leadership.

One of the distinguished features of constitutional government for the

Founders was rule based on institutional authority. Officeholders, in their view, were to rest their claim to govern on the legally defined rights and prerogatives of their offices. This kind of authority was threatened by claims to rule on informal grounds, such as personal heroic standing or assertions of embodying the will of the people. The latter claim was particularly dangerous to constitutional government in a popular regime. The people were already recognized as the source of ultimate authority for the system as a whole, and it would involve but one small step for an enterprising leader to activate the principle of popular sovereignty and make it the immediate basis of political rule. Popular authority was thus identified by the Founders as the likeliest grounds on which attempts would be made to throw off constitutional restraints and to concentrate power in the hands of one person. It was the most probable source for what the Founders called “encroachment” or “usurpation” and for what we refer to today as institutional “imperialism.”

The Founders’ analysis of the problem of popular authority appears in *The Federalist* in the context of their discussion of the House. Here Publius warns against the danger that the House, urged on by some of its “leaders,” might seek to “draw all power into its impetuous vortex.” But it is crucial to observe that it is not the House itself that the Founders fear, but the claim to informal popular authority. Any institution asserting power on the basis of “its supposed influence over the people” is properly suspect on the Founders’ grounds. Although the Founders did not emphasize this problem in the case of the executive—probably because their opponents, fearing only the monarchic tendency of the presidency, never made an issue of it—their concern is evident from their discussions of the possibility of an executive “demagogue” at the Convention and from their occasional references to the danger of a presidential “favorite” in *The Federalist*.¹¹ The prospect that the president might emerge as a leader in this sense was especially alarming to the Founders, for they intended the executive in particular to check any tendency to popular authority and protect the constitutional tone of the government.

The general name we have given to this kind of noninstitutional rule is “popular leadership.” “Popular” refers to the source of the authority and “leadership” to its informal character. Although the Founders conceded the need for leadership in establishing the regime—twice they speak approvingly of “leaders” of the revolution—elsewhere the term is used disparagingly. The establishment of the Constitution, they doubtless thought, obviated the need for leaders, as authority would henceforth rest on the institutional foundation. This foundation was also understood to protect the possibility for the exercise of statesmanship by providing the president with a margin of discretion free from the immediate constraints of public opinion. Though leadership on rare occasions could be statesmanlike, as at the time of the Revolution, the

Founders held that admitting it as the normal means of seeking and exercising power would promote demagoguery. Where authority rests on the leader's supposed representation of the popular will, competition for public favor ensues and with it the tendency to cultivate whatever currents of opinion that can provide a following. Power that is generated in this fashion might well be formidable, but its scope and discretion are apt to be circumscribed. The popular leader follows public opinion rather than directs it, and it is in this sense that popular leadership is antithetical to statesmanship.

Besides serving as a claim to authority, popular leadership is a way of soliciting power. The Founders refer to it in this context as "the popular arts." Where the popular arts are employed in seeking office, the danger increases that informal authority will be claimed as the basis for governing. The popular arts accustom the people to the style of popular leadership and train aspirants to generate support and power by this means. To protect the constitutional character of the presidency, the Founders accordingly thought it essential to discourage the use of the popular arts in the selection process.

The Founders identified two basic forms of the popular arts. The first was issue arousal. From their experience with elections for state legislatures after the Revolutionary War, the Founders became deeply concerned about demagogic issue appeals directed against property and merit.¹² These same prejudices, they feared could be tapped at the level of national politics, either directly or through attacks on the allegedly undemocratic branches of the government. The other form of the popular arts was the use of appeals that played upon certain passions relating to the personal qualities of the leader, what we might call today "image" appeals. Of course the Founders wanted the voters to focus on character qualifications, but they drew a distinction between character assessments based on a calm consideration of the candidates' merits and those influenced by strong emotions or flattery. Madison called attention to the danger of factions forming around "persons whose fortunes have been interesting to human passions," while Jay stressed the importance of closing the door to "those brilliant appearances of genius and patriotism, which, like the transient meteors, sometimes mislead as well as dazzle."¹³

The general principle the Founders followed in attempting to discourage the use of the popular arts was to make the election turn on personal reputation, not issue appeals. Personal reputation, the Founders believed, would serve as a rough approximation for merit: those who became well known at the national level would most likely have had to earn a reputation by distinguished service to the state.¹⁴ The institutional means for favoring reputation over issue appeals was sought in the first instance by creating large electoral districts, a principle referred to by Hamilton as "the extension of the spheres of election."¹⁵ The Founders reasoned that since all elections pose the problem of

name recognition for the candidates, persons with established reputations begin with a decided advantage. The larger the size of the district, the more difficult it becomes for one using issue arousal to overcome this advantage—an assessment that might need to be reversed today in light of modern communications and of the extended campaign which gives a greater chance to the “outsider.” As Madison observed in a note made to himself at the Convention: “Large districts are manifestly favorable to the election of persons of general respectability and probable attachment to the rights of property over competitors depending on personal solicitation in a contracted theatre.”¹⁶ Applied to the case of the largest possible district, a nationwide constituency, there was all the more reason to expect a safe result. As Gouverneur Morris argued, “If the people should elect, they will never fail to prefer some man of distinguished character or services, some man, if [one] might so speak, of continental reputation.”¹⁷

The Founders were thus not the inveterate foes of direct popular election that some of their democratic critics have charged. But it is equally important to observe that their qualified approval of this method was based on the belief that it would normally produce a “conservative” result. Their position can thus in no way be construed as an endorsement of the concept of a “people’s president” brandishing the sword of a popular electoral mandate. The selection process, in their view, was to be neutral with respect to presidential power, neither detracting from the independence of the executive branch nor providing it with an added source of extra-constitutional authority.

The proposal for direct election failed to gain the support of most delegates at the Convention. The opposition came from a number of quarters, including some who objected on the “practical” grounds that there would not normally be persons with a sufficient national reputation to command the votes of the people in the face of competition from strong regional candidates. This opposition obliged the direct election advocates to search for another plan, and they readily shifted their support to the proposal of an election by specially chosen electors. Along with providing the same guarantee of presidential independence, this plan increased the likelihood of selecting a continental figure, as the electors would be more knowledgeable about national affairs and could practically be given two votes for the presidential contest. The system also had the advantage of allowing for a certain degree of indirectness in the choice of the president. It therefore provided further insurance that the election would turn on reputation rather than the use of the popular arts. The electors, it was thought, would be less likely than the people to be swayed by popular appeals and might even resent them, even as—to cite an analogy that is only partly apt—convention delegates who formerly had discretion resented attempts by candidates to go over their heads to the people. By making the use of the pop-

ular arts unnecessary and perhaps counterproductive, the Founders sought to close the door to direct popular appeals and induce the ablest candidates to “campaign” by establishing a record of distinguished public service that might earn them a reputation for virtue.

From a cursory reading of the one paper in *The Federalist* that is devoted to presidential selection (number 68), one might receive the impression that the Founders viewed the pursuit of the presidency as a gentlemanly affair conducted among reluctant participants. Yet nothing could be further from the truth. There was a sense, of course, in which they expected that the immediate campaign would appear in this light, just as it was formerly the practice for aspirants to wait for their party to confer the nomination upon them. But this kind of campaign would conceal, even as it controlled, the powerful ambitions of the candidates. No more “realistic” analysis of political motivation exists in American thought than that which Hamilton provides in *The Federalist*. Hamilton begins with politicians as we find them: high-spirited, ambitious, and in some cases committed to achieving a noble fame. Hamilton’s aim is not to make politicians into “democratic characters”—an objective he doubtless would have considered as undesirable as it was utopian—but to make them serve popular government. Ambition, the dominant force that drives most major politicians, is a neutral quality that leads them to seek out the path to success. Properly channeled it can divert politicians from destructive behavior and lead them to act for the public good, even to take risks and incur momentary displeasure for the sake of long-term glory. Hamilton’s understanding of virtue admits and allows for the desire for reward: it can best be described as conduct on behalf of the public, even if that conduct is undertaken for self-interested reasons. The office of the presidency was designed by the Founders to attract persons of the highest ambition or virtue, and the selection system was meant to point their ambition in the proper direction.

MARTIN VAN BUREN

Martin Van Buren began his national political career as a senator from New York in 1821, during the Era of Good Feelings. Competition between parties had ceased at the national level, and the dominant opinion in Washington was hostile to any manifestations of partisanship. President Monroe called parties the “curse of the country” and his successor, John Quincy Adams, pledged to “break up the [last] remnant of party distinction.”¹⁸ Van Buren quickly became the leading opponent of this view, calling immediately on his arrival at the capitol for a “resuscitation of the old Democratic Party” and later, after the election of 1824, for a renewal of two-party competition.¹⁹ To promote his unorthodox position, Van Buren first had to convince others that permanent

party competition was not the evil that most believed, but a positive constitutional doctrine that would promote the well being of the regime. Beyond this, he had to show the way to an actual partisan division in the nation, a step he undertook by re-establishing the Democratic party and forcing its opponents to organize in response. Van Buren was thus acting at one level as a disinterested legislator and at another as a committed partisan. Despite the appearance of a tension between these two postures, they were in fact perfect complements for effecting the same goal: the doctrine of party competition was necessary to justify a partisan stance, and a partisan stance was necessary to create party competition.

Van Buren's justification for the doctrine of permanent party competition is very different from the kind of defense one is likely to hear today. Van Buren developed his case for parties in response to an impending crisis in the presidential selection process. His objectives were to ensure the legitimacy of the choice of the president by keeping the election from the House of Representatives and to prevent a dangerous politics of personal factionalism caused by non-partisan competition. These objectives are a far cry from the abstract defense of competition of the modern responsible party government school in which the need for parties is adduced from a general theory of democracy. In contrast, Van Buren begins from the particular and subordinates the question of party competition to the concrete problems of presidential selection. Yet before one dismisses Van Buren's views as mundane and untheoretical, one would have to ask whether the current thinking about party competition has not overlooked an important aspect of the entire question by divorcing the study of parties from the issues of candidate selection.

To understand the difficulties connected with the House election plan, a word must be said about the development of this part of the selection system. The advocates of a strong, independent executive at the Constitutional Convention fought the idea of selection by Congress on the grounds that it would make the president, in Morris's words, "the tool of a faction of some leading demagogue in the Legislature."²⁰ They won their main point with the adoption of the system of electors, but an auxiliary election by the House, voting by states, was also included for the purpose of breaking a tie or making the choice where no candidate received the required minimum of electoral votes. Madison strongly opposed this plan, fearing that the undemocratic method of voting by states would conflict with the people's understanding of republican legitimacy. Moreover by the end of the convention, he began to have doubts, along with Hamilton, about the existence of a steady supply of candidates with continental reputations.²¹ Thus while the authors of *The Federalist* were on record as opposing regular selection by the House, they were in fact worried that their plan might produce this very result.

The likelihood of an election by the House increased with the adoption of the Twelfth Amendment in 1804. Designed to eliminate intrigue between the electors of the defeated party and the vice-presidential candidate of the victorious party, the amendment also made it less likely that a final decision could be made at the electoral stage by reducing the number of presidential votes of each elector from two to one while maintaining the same requirement for election. As long as the Republican party continued to coalesce behind one candidate, the tendency of the new amendment was obscured. But with the collapse of the Republican caucus in 1824, it became evident that under nonpartisan competition a House election would be the normal result. The outcome of the election of 1824 demonstrated this at the same time that it confirmed some of the worst fears about the House system—its tendency to promote confusion and intrigue and its inability to gain full public confidence.

Van Buren and his followers argued that party competition could ensure that the election was determined at the electoral stage by providing the candidates with broad national followings. If there were no continental figures in the nation, the reputations of the parties would take their place; if there were too many continental figures, the parties would limit the field. Party competition thus offered an institutional solution to a problem that the Founders had relied on chance to resolve.

The defense of parties on this ground became a major issue in the election campaign of 1836. The Whigs, hoping to defeat the Democrats by winning a different candidate in each section of the country, launched an attack against the legitimacy of partisan activity. This attack was answered by the Democratic campaign committee, which reflected the views of its candidate, Martin Van Buren. "Is it not a thousand times better," the committee asked, "that the evils of a [party] convention . . . should be borne than that we should be exposed to the calamities of an election by the House?" The committee went on to argue that since no constitutional amendment could be agreed upon, party competition thus offered the only existing means to overcome the contradiction between the Founders' intention to keep the election from the House and the actual tendency of the existing electoral process.²²

Van Buren's second defense of party competition was that it was the best device under existing circumstances for controlling presidential ambition. In proposing party competition to solve a problem at the Founders had wanted to solve by nonpartisanship, Van Buren was not necessarily challenging the Founders' plan, for nonpartisan competition in the 1820s bore little resemblance to what the Founders had envisioned. Direct popular appeals by the candidates had become an accepted element of the campaign, a change that resulted from the precedent of the election of 1800 and from the transformation of the elector from a discretionary trustee to a bound agent. Given this new cir-

cumstance, a different solution to the problem of controlling the popular arts was required. If popular leadership was now legitimate, the challenge was somehow to distinguish its healthy from its unhealthy expressions and to devise some institutional means to admit the former and exclude the latter.

Nonpartisan competition, according to Van Buren, was no longer an answer to this problem. On the contrary, it was the very cause of personal factionalism and dangerous leadership appeals. It allowed a large number of candidates to enter the contest without doing anything to channel the direction of their ambition. In his analysis of the presidential campaign of 1824, Van Buren charged that the contenders treated questions of public policy as mere “shuttle-cocks.” Issues were seized by the candidates long before the election year and kept “unsettled . . . as it was expedient to presidential aspirants that they should be.”²³ The length of the campaign had no limitation, with the consequence that politics continually interfered with governing. Van Buren summed up his views of the effects of nonpartisan competition as follows:

In the place of two great parties arrayed against each other in a fair and open contest for the establishment of principles in the administration of government [there were] personal factions . . . having few higher motives for the selection of their candidates or stronger incentives to action than individual preference or antipathies. . . . [These] moved the bitter waters of political agitation to their lowest depths.²⁴

Van Buren presented his case against nonpartisanship to a large number of his contemporaries, including the influential Thomas Ritchie, editor of the *Virginia Enquirer*. In a letter to Ritchie in 1827, Van Buren identified the two leadership styles he feared from a nonpartisan campaign: a personalistic image appeal devoid of all principle—he had Jackson specifically in mind—and demagogic issue arousal, particularly as it might play on sectional prejudices. Ritchie had already become an adherent of Van Buren’s pro-partisan ideas and had argued the case for restraint on political ambition in a series of editorials in 1824: “Ambitious struggles for power, with the bitter uncontrollable passions which they inevitably engender, are the most formidable evils which threaten free governments.” Ritchie hoped he would never see “the spectacle of five or six candidates for the Presidency . . . traveling through the country, courting support . . . and assiduously practicing all the low arts of popularity.”²⁵

According to Van Buren and Ritchie, party competition would prevent candidates from devising their own appeals and compel them to adhere to the safer principles on which they planned to establish the major parties. The character of leadership appeals would be controlled by institutions rather than left subject to accident and personal candidate strategies. Nominations would be

made by party leaders knowledgeable about national politics and in a position to deliberate about which candidate could best maintain a delicately balanced party coalition. Issue appeals in the name of one or another of the parties would be admitted, but appeals independent of parties would be discouraged. The system would remain formally open to challenges by new parties, as two-party competition was a doctrine founded on opinion, not law. But the bias of the electoral process was against openness in the modern sense of eliminating all institutional controls designed to discourage certain kinds of appeals. It was the task of those founding the new parties to establish their credibility and enlist public support behind them on a long-term basis. Party in this respect would be made “prior” to political leadership. Leadership would not formulate new principles or create new electoral alignments but articulate the established principles and maintain existing coalitions. If this implied a loss in the dynamic character of leadership, it also promised a greater degree of safety and moderation.

Having made the theoretical case for renewed party competition, Van Buren turned to his partisan task of creating the Democratic party. Although one should not doubt the sincerity of his frequently expressed commitment to “old republican” principles, there was nevertheless a strong element of pragmatism in his search for a partisan division. To Ritchie he wrote, “It would take longer than our lives (even if this were practicable) to create new party feelings to keep these masses together.”²⁶ The old electoral divisions would do, and Van Buren found in John Quincy Adams’ program for national improvements the perfect opportunity for rallying the old forces together against the neo-Federalism of the Administration. Van Buren sought to show his fellow partisans that the same doctrine of party competition that promoted the general good also contributed to the advantage of their own party. Disguised Federalists would be denied the luxury of being considered safe Republicans. Moreover, nonpartisan politics, though appearing fair on the surface, in fact benefited those elements in society which could more easily concert their activities without parties—the same criticism one often hears today against primaries and nonpartisan elections. Van Buren argued that it was the wealthy who derived the advantage from nonpartisan politics. The people, being easily divided, needed a recognizable label and a trusted organization around which to rally.²⁷

While Van Buren wanted to retain the same basic electoral alignment that existed under the first party division, he sought to establish a different kind of partisanship. The contest over first principles of the regime would be replaced by a more moderate division over the scope of federal power. Parties dividing on this question could exist together without each feeling the need to destroy a seditious rival. To go along with this more restrained partisanship, Van Buren proposed a new ethic of tolerance. The original partisans, Jefferson once wrote,

“cross the streets and turn their heads the other way, lest they should be obliged to touch their hats.”²⁸ Van Buren offered a different model. He proclaimed his pride in not being “rancorous in my party prejudices” and in maintaining friendly personal relations with many political opponents.²⁹

From Van Buren’s argument about the need for party principles, one might conclude that he favored what some scholars refer to as “Burkean” parties, i.e., parties that are divided by significant differences of principle but which nevertheless share a commitment to the existing political system. But Van Buren’s parties were criticized at the time as they would be again at the turn of the century—for avoiding real divisions and for promoting the self-interest of their job-seeking members. There was some basis for this criticism. Van Buren acknowledged that the principles of the parties would be very general, in part so that each party could accommodate a broad coalition of interests. Moreover, Van Buren recognized the need for patronage, no doubt in the belief that with a partisan division based on secondary issues, it was necessary, in order to sustain party organizations, to supplement the motivation of purpose with that of interest. His position seemed to be that pure Burkean parties are not viable as mass electoral institutions: the real choice is between dangerous parties of first principles and those that blend principle and interest. Although the modern “amateur” conception of party finds the slightest touch of interest unacceptable, it remains an unanswered question whether an ideal equilibrium point can be found and maintained at which the division over principle is sufficiently serious to sustain partisan organizations yet not so great as to threaten the underlying consensus in the regime.

While there is much in Van Buren’s plan for party competition that is consistent with the views of the Founders, it nonetheless served to modify the regime in some very important ways. First, party competition recognized and institutionalized a more active role for the voice of the majority in determining national policy. Elections were no longer understood merely as a way of elevating a worthy individual; they were also contests between competing groups in which the victorious party could claim authority for carrying out its program.

Second, party competition implied a different conception of executive leadership. The Founders had wanted illustrious “continental figures” whose freedom from control by any electoral group would enable them to stand above the conflict of factions. By recognizing the need for parties of a broad coalitional character under an umbrella of general principle, Van Buren was required to accept a less elevated kind of leadership. His model was what we might call the “politician,” one skilled at brokering among various groups. Executive leadership would have to be partisan in character, although the broad principles on which the parties stood would still leave room for considerable discretion. Many have seen a connection between Van Buren’s concept of par-

ties and the so-called “Madisonian system” of the Founders, for in both one finds encouragement for the formation of coalitional majorities. But it is also important to observe the differences. Madison intended the system of competing factions and coalitions to take place in the House and to be balanced by an executive standing above factions. Van Buren, on the other hand, extended the influence of the “Madisonian system” to the executive by introducing a coalitional concept of leadership into the choice of the president.

Finally, in emphasizing the restraint of ambition, Van Buren, in contrast to the Founders, may not have given sufficient scope to it. One finds a continual concern in Van Buren’s thought with preventing the potential abuse of power, but little appreciation of its positive uses. It was the absence of a doctrine of the positive executive power, much more than the self-interested character of the parties, that troubled Woodrow Wilson.

WOODROW WILSON

The Progressives inaugurated the modern idea of presidential selection—a plebiscitary nomination race in which the candidates build their own constituencies within the electorate and in which the victorious candidate “captures” his party label. Along with this idea came a rejection of the view that the electoral process should control presidential ambition. The new purpose of the selection process was to build a base of popular support for the victorious candidate and help establish the concept of leadership as the central feature of the regime.

The Progressives are perhaps best remembered for their efforts to rid the political process of rampant self-interest. The plebiscitary selection process can in this respect be seen as a device to work around the corrupt party organizations and restore a measure of principle to political life. But one underestimates the full scope of the change sought by many Progressives if only these “negative” objectives are cited. A number of Progressive spokesmen articulated a new conception of how to attain the public good that rejected entirely the pluralist concept of adding together various interests to make a coalitional majority. The public good, in the view of these Progressives, could only be known directly and as a whole. The connection between this conception of politics and the new institutional roles for the presidency and presidential selection is most clearly formulated in the thought of Woodrow Wilson.

Wilson began with nothing less than a full-scale attack on the old basis of constitutional government. The public good, in his view, could not be realized through the operation of formal institutions working within the confines of legally delegated and separated powers. It had to be forged in a “life” relationship between a leader and the people. The task for what Wilson called a “pop-

ular leader” or a “popular statesman” was to overcome the inertia of institutional rule and “interpret” for the people the truly progressive principles of the era.³⁰

The most striking aspect of this concept of leadership is its informal or noninstitutional character. Wilson called for the rule of those who would lead “not by reason of legal authority, but by reason of their contact and amendability to public opinion.”³¹ In justifying a much greater role for the presidency, which was to be the source of leadership, Wilson claimed that the “greatest power lies with that part of the government that is in most direct communication with the nation.”³² This kind of sanction for popular leadership contrasts directly with the Founders’ idea of executive authority. Wilson argued that this new basis for the presidency was necessary in order to reestablish the possibility of presidential statesmanship, an objective for which he claimed the sanction of Alexander Hamilton.³³ But while Wilson sought to give great scope to executive power—more, in many respects, than Hamilton might have countenanced—he did so by draining the office of its formal constitutional authority and by transforming the premise of statesmanship from one that was understood to require a substantial degree of freedom from public opinion to one that operated entirely on the plane of public opinion. The seemingly contradictory criticisms of the presidency that one finds in contemporary political science—that the executive is an “imperial” institution, and that it is too closely constrained by public opinion³⁴—are understandable in light of the Wilsonian underpinning of the modern executive: popular support, which is claimed as the active source of presidential authority, is also the very factor that limits the president’s discretion.

With this understanding of leadership it is clear why Wilson objected to the nineteenth-century view of the role of political parties. For Van Buren party was designed to tie down leadership and restrict its appeals. Wilson, however, wanted to encourage leaders to introduce new programs and ideas and to develop new electoral bases to support them. His plan for presidential selection, which he outlined before the Congress in 1913, was to hold national party primaries, with the party conventions to meet after the nominees had been chosen. This plan was plainly designed to give the widest latitude to popular leadership and to encourage constant “growth” or change in American politics.

Although Wilson is known today as the father of the party government school in America, it is necessary to understand that he conceived of party in an entirely different sense than Van Buren. A party is a body of people that forms around and serves a particular leader. “No leaders, no principles; no principles, no parties.”³⁵ But as Herbert Croly pointed out, the concepts of party and leadership are in tension, and it was only by means of rhetorical legdemain that Wilson could keep the two together.³⁶ Wilson makes parties ap-

pear and be strong when they can assist the leader but transforms them into empty shells where they might restrict the leader's freedom. One finds the same confusion in many treatments of party today—an insistence on the one hand on strong parties, yet an unwillingness on the other to interfere with the right of each aspirant to go to the people with his own program and appeal.

The transformation Wilson sought can best be understood by contrasting two different proposed methods for effecting major change in American politics. One is to set forth the new program and win the political power to enact it. This may be done by an extraordinary kind of leadership that brings into being a new party or reconstitutes an existing one. The other method, proposed among others by the party government school, is to change the constitutional system. Here the problem is said to be the way in which power is distributed under the Constitution. Particular political crises are but recurring manifestations of the same underlying structural inadequacy and cannot be solved until the institutional arrangement of power is altered. Wilson defined the existing problem of American politics in the latter sense, contending that the root of the national crisis was “leaderless government.”³⁷ Wilson's objective, at least while a scholar, was not to delineate the principles of a new partisan division—indeed he was always vague about what programs the parties should adopt—but to alter the traditional relationship between party and leader in order to institutionalize dynamic leadership.

Every regime, it is clear, needs to be “renewed” at moments of crisis by extraordinary acts of political leadership. Given this fact, it might be said that the constraints that the Founders and Van Buren imposed on leadership were too severe. Yet one must bear in mind that they were speaking at the level of analysis of institutional structures, and institutions operating “as usual” may not be able to meet every situation or challenge. Seen from this perspective, they might not have wanted to prevent absolutely a recourse to popular leadership, but only to erect a bias against it, such that it would have to “prove” itself in the face of institutional deterrents. A bias of this kind would normally prevent the dangers of popular leadership yet still not prevent change and renewal when needed. Wilson took the opposite view and argued that a bias in favor of change in the electoral process was desirable and that under such a system leaders of high quality would continually emerge. Whereas Madison cautioned that statesmen could not always be at the helm, Wilson seemed to be devising a system in which they had to be, in which the people would constantly look for political and even moral regeneration from a dynamic leader who spoke to the conscience of the nation.

A fundamental question is whether in opening the selection system to continual change Wilson did not also open it to dangerous or demeaning leadership appeals. Wilson himself was aware that his concept of leadership was not

easy to separate from demagoguery. Both were popular, both rested on awakening the people's feeling and building new issue constituencies, and both implied a concentration of power in the hands of the leader. How then might one distinguish between them? Wilson answered as follows:

This function of interpretation, this careful exclusion of individual origination it is that makes it difficult for the impatient original mind to distinguish the popular statesman from the demagogue. The demagogue sees and seeks self-interest in an acquiescent reading of that part of the public thought upon which he depends for votes; the statesman, also reading the common inclination, also, when he reads aright, obtains the votes that keep him in power. But if you will justly observe the two, you will find the one trimming to the inclinations of the moment, the other obedient to the permanent purposes of the public mind. . . . The one ministers to himself, the other to the race.³⁸

Wilson's reliance on the nature of the issue to distinguish between the two kinds of leaders is, to say the least, vague; and his reference to intent can hardly suffice as a practical means of identification. The earlier theorists sought to identify dangerous leadership by a clear external criterion, even if that criterion was only an approximation of the leadership they sought to prevent. For the Founders, it had been popular leadership, for Van Buren, personal leadership independent of a party. Only after such a visible standard had been devised could one begin to inculcate an effective norm against demagoguery and build institutional barriers against it.

MODERN REFORM

The Progressives' call for a plebiscitary selection system met with only partial success. The movement for universal state primaries got off to a promising start between 1911 and 1916, but then stalled with the decline of the Progressive movement after the First World War. In some states primary laws were repealed, while in others the party organizations were able to reassert control over the primary process. What resulted was a "mixed" system that contained elements deriving from the conflicting theories of Martin Van Buren and the Progressives. For the defenders of this system, each of these elements was seen as imposing a check on the potential excesses of its rival. The representation of the party organization served to thwart a demagogue, while the primaries enabled a popular candidate to challenge the insularity of the power brokers.³⁹ The new process was something less, however, than a system in the full sense of the word. Its two constituent elements continued to be reflected in two alter-

native nomination campaigns—the inside strategy of negotiation with party leaders and the outside strategy of direct appeals to the people. To the extent that the system gave rise to its own distinctive method of presidential solicitation, it was through a blending of these two strategies into what Hugh Hecl called an “entrepreneurial” leadership style.⁴⁰

Even before the recent reform movement, a slight shift had begun occur in the direction of a greater reliance on the outside strategy. But it was the reforms, and in particular the increase in primaries which they prompted, that decisively established the plebiscitary character of the current system. Though the intention of the reformers on the question of increasing the number of primaries remains a matter of dispute, there can be no doubt that their rhetoric encouraged this development. One can see this most clearly in the report of the Democratic party’s first reform commission, chaired by Governor Hughes. After accepting a widely held view of the late sixties that a movement politics of “issue-oriented individuals” had permanently replaced a politics based on organized groups, the Hughes commission went on to suggest that party organizations had lost all legitimacy: “whereas bargaining among representatives of party organizations once could be said to represent the interests and views of the mass constituency of the party, the decline of the interest groups behind the bosses had undercut that rationale.” The only way in which the new kind of citizen could be represented in the selection process was through the direct expression of a national candidate preference, and ensuring that right became the chief objective of the reforms. History was claimed as an ally of this new principle: “A confluence of historical forces had made the 1968 Democratic National Convention an occasion of great moment in the inexorable movement of presidential politics in America toward direct democracy.”⁴¹

The reform commissions rested their case on the grounds of reestablishing legitimacy. Without the reforms, it was said, not only the Democratic party but the two-party system itself would be threatened.⁴² Yet one might well ask whether the reformers did not concede too much of the populist sentiments of the moment. Reforming the internal rules of a party is one thing; undermining the role of party organizations in the name of direct democracy is something quite different. The reliance on “closed” nominating procedures by parties in other democratic nations seems to belie the claim that direct democracy in candidate selection is a requisite of republican legitimacy. As long as the electoral system remains open, meaning that the right of new parties to challenge is not denied or impaired, it would seem that the legitimacy of the system could be defended. Under the modern reform impulse, however, a very different conception of legitimacy has been propagated. The idea of an “open” selection process for the two major parties has in some respects been offered not as a supplement to, but as a substitute for, the idea of an open electoral process.

Third parties have been linked by reformers with activity that is outside of the political system; and the recent campaign finance legislation, itself a product of a reform impulse, has placed a serious obstacle in the path of creating a new party.

If the plebiscitary system is not required to assure the legitimacy of the selection process, neither, it seems, can it be justified in terms of its effects on the other three functions of presidential selection. Promoting “good character,” as we have seen, is a difficult function to assess, but there is no basis in theory and surely none in experience for concluding that a plebiscitary system guarantees candidates of greater competence or superior virtue. As regards the prevention of the harmful effects of the campaign, a number of serious problems have already become evident. By encouraging more candidates and an earlier start of the campaign, the new system introduces considerations of electoral politics into the process of governing at a much earlier date. Campaigns inevitably tend to drain normal legal authority and force an incumbent who is re-eligible to become absorbed, in Tocqueville’s words, “in the task of defending himself [rather than] ruling in the interest of the state.”⁴³ Moreover, the “openness” of the campaign to many contestants excites the ambitions of a large number of politicians and influences their conduct in the performance of their official duties. Observers of the Congress have already noted the effect of the new system in contributing to a decline of the Senate as a serious deliberative body. In accord with the need under the current system to build popular constituencies, senators having presidential aspirations have been more apt to emphasize “media coverage over legislative craftsmanship.”⁴⁴

Understanding how presidential aspirants now seek to build popular constituencies is one of the most important questions facing students of contemporary American politics. In seeking guidance on this question, some scholars have turned to V. O. Key’s analysis of candidate-centered politics in the era of one-party dominance in the South. Key, like Van Buren, identified two basic forms of what we have called popular leadership: issue arousal and image appeals.⁴⁵ After the Democratic nomination race of 1972, it was widely believed that the issue-based campaign was the most likely result of the new system, with the attendant consequence of bitter factional rivalries within the parties.⁴⁶ The triumph of Jimmy Carter in 1976, however, has called this analysis at least partly into question and has indicated that “image” politics may also have a role to play in future politics, at least in quieter times. Carter’s campaign, which deliberately played down hard issues and focused on moods and personality, was centrist in its ideological content and managed to hold the Democratic coalition together in a way that would have been the envy of any power-brokers. Yet there is no reason for believing that a system that replaces negotiation among party leaders with a popular election among a number of candidates will en-

courage moderate appeals or promote party consensus. Carter, it must be remembered, ran as an outsider attacking established institutions and traditional party leaders. His unique accomplishment was to have been an insurgent of the middle.⁴⁷

The effect of the plebiscitary selection system on presidential leadership and executive power is difficult to isolate, as so many other factors exert a simultaneous influence. But one should at least take seriously the charge that the personalistic campaign tends to encourage executive "imperialism" by removing a former source of direct restraint on the president.⁴⁸ The checks on presidential power in the American system have traditionally been formal as well as informal, deriving from the constitutional system of separated powers and from the power brokers within the parties whose support was required by candidates and incumbent presidents seeking reelection. Under the present system, however, the successful candidate "owns" his party and need not answer to specific persons who can hold him accountable. This ownership, it must be added, has come at a high price, for the decline of parties has taken away from the executive a valuable resource that could buy support from the public and from members of Congress. The president now stands directly before the bar of public opinion, and it therefore should not be surprising if presidents become more assertive in their claims to authority and more "popular" or demagogic in their methods of appeal, if only to compensate for their loss of partisan support. In light of these difficulties, it may be asked whether we should not reconsider the wisdom of the recent reforms, even if this implies resisting "the inexorable movement . . . toward direct democracy."