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Campaign 2008 and The Cult of the Presidency

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My new book is called *The Cult of the Presidency*, but lately I've been thinking that I should have called it *The Futility of Hope*.

I hope you're not here for a dose of sunny optimism about the state of the presidency and the future of our politics. Because if so, man, are you about to be disappointed.

Let's think about that phrase "the Audacity of Hope." What does it mean? I haven't read the book, but in listening to the speeches where Obama uses the phrase, it becomes clear that "the Audacity of Hope" is the belief in the promise of redemption through presidential politics. It's the idea that the president can save us. That when it comes to whatever it is that ails us—whether it's unemployment or hurricanes, divisiveness or spiritual malaise—the president has the cure. As Obama put it in a speech in South Carolina a couple of months back, with the right kind of leadership, we can "create a Kingdom right here on earth."



*Gene Healy is a vice president at the Cato Institute and the author of *The Cult of the Presidency: America's Dangerous Devotion to Executive Power*, recently described by George Will as "brilliant... the year's most pertinent and sobering public affairs book." This is an excerpt from a speech given at Cato University on July 24.*

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If that sounds partisan, then let me point out that many of the conservatives today who criticize the cult of Obama are the same people who made a flight-suited action figure hero out of George W. Bush. If there's one thing the book is, it's nonpartisan: it's relentlessly cynical about both ends of the conventional political spectrum.

And the fact is that both major candidates in this race subscribe to a messianic view of the presidency. John McCain worships Teddy Roosevelt, who is perhaps the most ridiculous and obnoxious figure ever to occupy the Oval Office. (That's a minority viewpoint, I'll grant you). But McCain says that Roosevelt was a great president because he expanded the powers of the office and "nourished the soul of a great nation." If soul-nourishing is the president's job, then I guess that's a good thing.

But more to the point, who do these guys think they are? What sort of job do they think they're applying for? Very few Americans even think to ask these questions. You listen to the candidates and you get a remarkable

of the president as the man who could solve all of your problems, let alone save your soul. They knew human nature too well to ever think of investing so much power and responsibility in the hands of any one person.

Thinking back on it, I can remember the exact moment I realized there was something horribly wrong with the way Americans view the presidency. It was October 16, 1992. I was in college, several beers into watching the presidential debates with some friends. This particular debate—with Bill Clinton, George H.W. Bush, and Ross Perot—was one of those awful Oprah-style town-hall formats. You know, where they get together an audience of supposedly normal Americans, and they have the candidates perched on stools, trying to look comfortable.

And up from the audience pops a guy who's a lefty right out of central casting—a social worker with a ponytail. A guy who we later learn is named Denton Walthall. And Denton asks the most appalling question, which I'm going to quote at some length:

The focus of my work as a domestic mediator is meeting the needs of the children that I work with . . . and not the wants of their parents. And I ask the three of you, how can we, as symbolically the children of the future president, expect the three of you to meet our needs, the needs in housing and in crime and you name it . . .

Looking back on this, I've thought about how presidents of old might have responded to a grown man burbling about national needs and comparing Americans to children. Andrew Jackson, who fought dozens of duels in his life, probably would have grabbed Denton by the ponytail and started pistol-whipping him right there on national television. Silent Cal Coolidge, one of our truly great presidents, would

“If we want to restore the constitutional presidency, it's going to take a whole lot more than just replacing George W. Bush.”

vision of the president. He's America's shrink and social worker and our national talk show host. He's your buddy and your life coach and he's also the Supreme Warlord of the Earth.

But that view of the presidency couldn't be further from the Framers' perspective. The Framers never thought

have taken a different approach. He would have just sat there, staring coldly at Denton and shaming him through the awkward, awful silence.

But what was really appalling was the response Denton Walthall's question got. None of the candidates felt comfortable suggesting—even politely—that, hey, buddy, the president is not your mommy or daddy. Instead, all of them accepted his premise. Ross Perot said he'd cross his heart and take the pledge. Bill Clinton, being Bill Clinton, pandered. And Bush 41's answer was just painful. He said:

... I mean I—I think, in general, let's talk about these—let's talk about these issues; let's talk about the programs, but in the Presidency a lot goes into it. Caring is—goes into it; that's not particularly specific; strength goes into it, that's not specific; standing up against aggression, that's not specific in terms of a program. So I, in principle, I'll take your point and think we ought to discuss child care, or whatever else it is.

Now clearly, difficulty with words runs in the family. But sad as it is to contemplate, President Bush and Denton Walthall accurately described what may be the dominant conception of the president's role in modern American life.

That role contains multitudes: it's "not specific"; it's "strength," "caring," "housing," "crime," "standing up against aggression," "child care"—or, indeed, "whatever else it is." Of course, the president has practically no constitutional responsibility in the area of "crime," none at all in housing or child care, and you're not going to find "caring" in the Constitution, which is one of the great things about that document. Nonetheless, these issues are the bread and butter of every modern presidential campaign.

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But contrary to John McCain, the Framers didn't think it was the president's job to “nourish” the national soul, whatever that is. As Hamilton pointed out in *Federalist* No. 69, the president has “no particle of spiritual jurisdiction.”

It's common these days, especially after 9/11, to hear people call the president “our commander in chief”—as if he's the leader of society as a whole, rather than just the chief general of the U.S. military. Back in April, Hillary Clinton even said that the president needs to be “ready on day one to be commander in chief of the U.S. economy.”

It's the season of giving.

It's that time of year again—when we think about giving, and about

our end-of-the-year tax and financial situation. We hope you'll take a moment to think about the Cato Institute's mission to advance liberty and limited government in the United States and around the world.

Please send your tax-deductible contribution in the detachable business reply envelope, or make a gift online at www.cato.org.

Your holiday gift strengthens Cato's efforts to uphold and advance the cause of liberty during the coming year.



But George Washington didn't go around calling himself everybody's commander in chief; most often he referred to himself as merely the "chief magistrate"—a pretty humble title.

And contrary to the *modern* George W., Washington didn't think his authority as commander in chief meant he could break whatever laws he liked so long as he did it in the name of "national security." George W. Bush thinks he can start a war with Iran without so much as a permission slip from Congress. But Washington didn't even think he had the power on his own to launch offensive action against hostile Indian tribes. As he put it in 1793, "The constitution vests the power of declaring war in Congress; therefore no offensive expedition of importance can be undertaken until after they shall have deliberated upon the subject and authorized such a measure."

For the past six years, the conservative movement has supported every single increase in executive power that the Bush administration has proposed: the power to launch wars at will, to tap phones and read e-mail without a warrant, and to seize American citizens on American soil and hold them for the duration of the war on terror—in other words, perhaps forever—without ever having to answer to a judge.

How we got here from there is a fascinating story, and I trace that story in the book. But right now, I'd like to focus on how the modern conservative movement has abandoned its heritage of skepticism toward presidential power.

The right-wing intellectuals who coalesced around William F. Buckley's *National Review* associated powerful presidents with activist liberalism: the New Deal, the New Frontier, the Great Society. Barry Goldwater, who represented conservatives' greatest hope for political success, wrote in 1964 that

some of the current worship of powerful executives may come from those who admire strength and accomplishment of any sort. Others hail the display of Presidential strength . . . simply because they approve of the result reached by the use of power. This is nothing less than the totalitarian philosophy that the end justifies the means. . . . If ever there was a philosophy of government totally at war with that of the Founding Fathers, it is this one.



Ronald Reagan gave a famous televised speech in support of Goldwater's candidacy. In it, the Gipper attacked Senator Fulbright of Arkansas, who just a few weeks before had

"referred to the president as our moral teacher and our leader, and he said he is hobbled in his task by the restrictions in power imposed on him by this antiquated document. He must be freed [Fulbright said] so that he can do for us what he knows is best." Reagan treated that idea with total contempt, identifying it as the kind of sentiment that would lead us "down to the ant-heap of totalitarianism," as he put it. Well, that's the kind of talk that would lead Rush Limbaugh and Sean Hannity to accuse you of treason today, because the conservative movement looks at executive power issues

very differently now. After the '70s and '80s brought the "emerging Republican majority" in the electoral college, the Right fell prey to "situational constitutionalism" and adopted a view of the office previously associated with FDR, JFK, and LBJ.

Our problems with the presidency aren't going away for two reasons:

First, the record of past Democratic administrations—including the one where the president's last name was Clinton—gives us very little reason to believe that Democrats are going to hesitate to expand the powers of the office. The Democrats are at least as susceptible to situational constitutionalism as are the Republicans. And this ought to worry us, because the record of unrestrained surveillance throughout the 20th century FISA shows that presidents of both parties regularly used their wiretapping powers to spy on their political enemies.

Second, there are going to be enormous pressures to revert to the Bush theory of executive power if and when there are future terrorist attacks on the United States. No president can terror-proof the entire country, and no president should be expected to. But if the public imposes political punishment for a president's failure to do the impossible, it's only natural that the president will seek power commensurate with that responsibility. That dynamic is only enhanced by the views of the presidency on display in this year's campaign, where the Democratic candidate believes he's capable of stopping the oceans' rise, and the Republican keynote speaker, Rudy Giuliani, tells the public that "we can trust [John McCain] to deal with anything that nature throws our way, anything that terrorists do to us . . . and we will be safe in his hands and our children will be safe in his hands."

“If we need heroes in our lives, we shouldn't go looking for them among professional politicians, for God's sake.”

Perhaps you've heard this formulation: the "Mommy Party" versus the "Daddy Party." It perfectly sums up the sad state of the debate over presidential power. Which do you want in a president: a national mommy or a national daddy? You don't have to choose. If experience is any guide, you usually get both. You get a touchy-feely militarism that represents the worst of both worlds. When he passed the torch to his former rival in March, President Bush declared that John McCain "will bring determination to defeat an enemy and a heart big enough to love those who hurt."

But there's an alternative to the Mommy Party/Daddy Party paradigm. It requires taking a *grown-up* view of the presidency.

If we need heroes in our lives, we shouldn't go looking for them among professional politicians, for God's sake. Because in politics, wherever there's a promise, there's an unspoken threat. And when a presidential candidate promises to save the world and solve all your problems, it's not going to be free.

A healthier political culture would follow the Framers not just in their skepticism toward power, but in their sense that the federal government was one of limited responsibilities and limited powers. Until we restore that sense of limits, I'm afraid that we're going to get more of the same, no matter who becomes president.



Cato Scholar Profile: PATRICK J. MICHAELS

PATRICK J. MICHAELS is a senior fellow in environmental studies at the Cato Institute. He is also a research professor of environmental sciences at the University of Virginia and a past president of the American Association of State Climatologists. His writing has been published in *Nature*, *Science*, *Climate Research*, *Climatic Change*, *Geophysical Research Letters*, *Journal of Climate*, the *Washington Post*, the *Washington Times*, the *Los Angeles Times*, and *USA Today*. Michaels holds A.B. and S.M. degrees in biological sciences and plant ecology from the University of Chicago, and he received a Ph.D. in ecological climatology from the University of Wisconsin at Madison in 1979.

According to *Nature* magazine, you are among the most popular academic lecturers on global warming in the nation. When you speak to audiences across America, what is the single most important point you try to get across about the state of our climate?

The earth surface temperature has risen about 1°C in the last 100 years. About half of that rise occurred early in the 20th century, before the carbon dioxide concentration of the atmosphere had changed appreciably. A second warming began around 1975, reaching a peak in 1998 because a very strong El Niño event and a very active sun added to the warming trend associated with elevated carbon dioxide. There has been no warming since then, showing that the internal variability of the climate system is still of sufficient magnitude to temporarily stop the carbon dioxide-induced warming. One of the implications of this is that we have almost certainly overestimated the sensitivity of surface temperature to carbon dioxide. Another is that warming of the 21st century is likely to be modest—around 1.5-1.75°C. This is the figure one arrives at by adjusting computer model projections for observed warming—in other words moving them from the world of the theoretical to the real one.

There has been much debate on the credibility of climate science. In your opinion, is the science credible?

There are several lines of economic and social

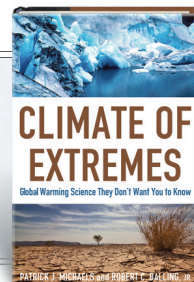
thought that argue that large-scale issues that confront society tend to be exaggerated once they enter the political sphere. Global warming is not immune to this. Consequently, lurid and scary scenarios with little or no justification, such as the notion that Greenland will suddenly shed its ice and the sea-level will rise 20 feet by 2100, receive a lot of attention. More moderate points of view, such as the fact that tuning our climate projections with reality leads to a modest warming, are rarely heard. That's the most credible science on global warming.

Both presidential candidates want to do more to address the threat of climate change. In your opinion, what is the best way to tackle climate change from a public policy standpoint?

Do the politically incorrect and seemingly impossible thing: nothing right now. No carbon tax. No cap-and-trade hidden tax. No emissions cap. Why? First, the rate of warming is very modest, meaning that there is plenty of time to develop new or modified forms of energy production that will emit less carbon dioxide. If those are desired goods (and efficient products generally are), preserving the capital for investment in them (by individuals) rather than taking it away for government to invest (with taxes) is a more efficient way to get to a more efficient future.

Mark your calendars!

In January, Pat Michaels's new book *Climate of Extremes: Global Warming Science They Don't Want You to Know* will be released by the Cato Institute.



The Many Faces of Giving



While we always welcome annual contributions for our general operating fund, we recognize that folks sometimes like to designate dollars for a special purpose. For example, some Sponsors support our internship program while others choose to endow or support a “Center,” a specific area of scholarly research. Some Sponsors opt for underwriting conferences and events while others have designated funds for translating classic books on freedom and liberty.

The Bastiat Scholarship Fund, a fund providing scholarships to students attending Cato University, represents yet another unique giving opportunity. Since we don’t have the space to describe all of these special gifts in detail, we will use the Bastiat Scholarship Fund as an example of the “many faces of giving.”

Cato’s goal is always to draw a large and broad group of participants to Cato University, a weeklong, intensive, interdisciplinary educational event. Lecturers and participants readily come from around the globe; indeed, several participants attend year after year. The problem is that students, who can rarely come up with tuition dollars, desperately need exposure to the basics of liberty, limited government, and the rule of law. We all know that most of our U.S. schools pay scant attention to history or civics these days. And many of those educated abroad come from cultures where liberty is an alien concept.

Let me talk a little more about Cato University so you can understand the punch of this veritable libertarian happening. Participants receive suggested advance readings so that they can arrive as well prepared as possible. Each year’s conference is organized around a different theme. Undoubtedly, the fact that each conference has a unique and distinct flavor goes a long way toward explaining repeat attendees. Recent themes have included freedom, liberty, property rights, and economics. World-class lecturers offer organized, on-point information and each lecture is followed by an

ample discussion period. Last but not least, the logistics of Cato University are admirable, featuring Swiss punctuality and beautiful surroundings. The last few conferences have been held at the Rancho Bernardo Inn in San Diego.

In July 2008, 49 students from eleven countries, including Poland, Colombia, Azerbaijan, Brazil, Belarus, and Russia, joined Cato University. As Adina Cappell, a 2008 scholarship recipient from the U.S., said in a thank you letter:

My experiences at Cato University, from the lectures, reading materials, and the night-time chats with fellow students, provided me with the inspiration to solidify my libertarian viewpoints. I now hope to include advocacy for individual freedom as an integral component of my life’s work.

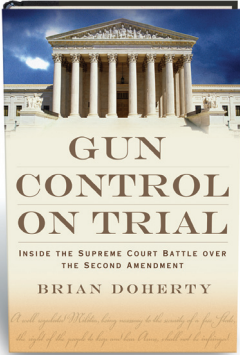
If you have not already done so, you should attend yourself. Your investment of time and money will pay off. And please consider making a contribution to Cato University’s Bastiat Scholarship Fund or to another program of your choice. Supporting scholarships, Centers, or translation costs are examples we’ve already mentioned, but the possibilities are really as broad as Cato’s activities.

If you need more information, please contact **Gayllis Ward at gward@cato.org or 202.218.4631**. Please also feel free to contact Gayllis with any questions about estate and gift planning.

The IRA Charitable Rollover is Back!

In our last issue we discussed the possibility that Congress might extend, for 2008 and 2009, the popular rollover. The provision allows individuals 70½ and older to make gifts of up to \$100,000 directly from their IRA to charity. As we go to press, we can report that the IRA rollover was part of the grab bag of tax goodies attached to the bailout bill that has now been signed into law. So it’s back!

Books from the

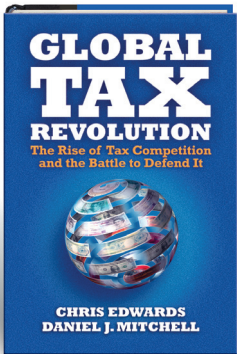


Gun Control on Trial: Inside the Supreme Court Battle Over the Second Amendment

By Brian Doherty

The Supreme Court recently decided a question at the heart of one of America's most impassioned debates, ruling that individual citizens have the constitutional right to possess guns. With exclusive behind-the-scenes access, the author delves into the monumental *D.C. v. Heller* case and provides a compelling look at the inside stories of the forces that fought for and against the Second Amendment.

\$16.95, hardback, 978-1-933995-25-0



Global Tax Revolution: The Rise of Tax Competition and the Battle to Defend It

By Chris Edwards and Daniel J. Mitchell

In the world's increasingly integrated economy, nations are battling to attract investment and skilled workers by overhauling their tax codes to create a more attractive business environment—a process known as tax competition. The authors challenge the U.S. government to re-tool the federal tax system to meet the challenges of the global marketplace.

\$21.95, hardback, 978-1-933995-18-2

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