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The Divider: Trump in the White House

By Peter Baker and Susan Glasser

Part I: American Carnage

Chapter One: Ready, Set, Tweet

Baker and Glasser report that from the moment President Trump set foot in the Oval Office, he did things differently. His first comment was not on the weight of the position he now held, but on the lighting in the office. Trump was obsessed with his image and spent a substantial amount of his time fixing his hair, attending photo ops, and berating journalists who published unflattering photos of him. He immediately redecorated the White House and installed a massive TV, where he would watch Fox News praise him and hate-watch CNN denounce him for up to eight hours a day. He invited many visitors into his home to show off his prestigious office and impress his rich friends. He spent very little in intellectual discussions with his staff on national issues, and even less time reading the briefs prepared by experts.

Trump's presidency was marked by a hatred of the elites. No matter how rich he was, they had never accepted him and had laughed at his run for president. Now that he was president, he was determined to punish them. Trump's constant stream of tweets barraged the elites, his Republican allies, and the press. His inauguration speech did not call on America to work together and overcome challenges, instead it condemned the elites and heralded Trump as the savior of the forgotten people.

Chapter Two: Team of Amateurs

Baker and Glasser report that Trump's administration, much like his campaign, was chaotic from the start. He appointed people based not on their qualifications, but instead on personal ties or the image they would project. Even though Trump claimed to hate the elites, he seemed to respected generals, Ivy League graduates, and rich people and think that everyone else was a loser. This meant that almost all his high-ranking staff had no experience in Washington. The chain of commands and procedures were very unclear.

Trump only encouraged this confusion. He liked the infighting from his team as he felt they were competing for his attention, and it allowed him to take the reins with little resistance. From the beginning, Trump decided to follow through on his campaign promises with no deference to norms, processes, or even legality. Trump issued his travel ban, the manifestation of his promise to keep Muslims out of America, with no approval from the Justice Department, no notice to the agencies and airlines that would be affected by this order, and changes penciled into the final document minutes before it was signed. His administration was full of inexperienced staff all competing for power and fame and scrambling to keep up with his impulsive commands.

Chapter Three: Never Put Rupert Murdoch on Hold!

Baker and Glasser claim that, as much as Trump condemned "fake news", he longed and begged for the approval of mainstream media. When he didn't get their approval, he would lash out. During his campaign, Trump berated the media that opposed him, and quickly whipped Fox

into submission. He developed a personal relationship with Murdoch, the head of Fox News. They would talk on the phone weekly. Trump always watched it, often appeared on their shows, and tweeted praises. Sometimes, when Congress members wanted to send a message to Trump, they found it better received if they appeared on a Fox News show than if they told it to him in a meeting.

Trump also used his power to oppose media outlets that did not praise him. He went so far as to solicit the help of bureaucracies in preventing the merging of AT&T and Warner Bros (which owned CNN). He also tried to attack Jeff Bezos (owner of the Washington Post), and his company Amazon at every turn, claiming they didn't pay taxes and were killing the United States Postal Service.

Chapter Four: Allies and Adversaries

Baker and Glasser show how Trump's presidency rattled the international world as much as it did America. America's close allies, such as Canada and Germany, scrambled to find ways to appeal to Trump and maintain their friendship. They quickly found that flattery was most effective, although it was not at all guaranteed to sway Trump's opinions. Trump did nothing to soothe the concerns of the United States' established allies. Jared Kushner, Trump's son in law, told Germany that historical ties had very little value in their administration. Trump also quickly formed unlikely alliances. His first official foreign visit was to Saudi Arabia, not Canada or Mexico as was customary. This was likely due to a business connection he had to a friend of the Saudi Arabian Prince.

Trump quickly denounced existing deals. He threatened many times to pull out of NAFTA and one day set out to follow through with it. Upon hearing this, his top advisors worked very hard to talk him down, and said that was the most narrowly avoided disaster of his presidency. Trump also did not see the benefit of NATO membership. He felt that the U.S. was shouldering far too much of the cost for other countries and did not want the U.S. to have to go to war to protect other nations. His advisors worked to prepare a very short speech at the NATO convention in Brussels to assure other countries that the U.S. was committed to NATO's Article Five, by which any attack against one NATO member requires a pledge to defend from all other members. Trump went entirely off script and did not refer to the Article Five commitment, leaving his advisors to clean up his international mess once again. The message was clear: "America is not a reliable ally anymore."

Chapter Five: The Ghost of Roy

According to Baker and Glasser, Trump was no stranger to lawsuits, but he was distressed by the investigations he faced even before he entered the office. Trump's lawyers edited, but approved of, Trump's letter that announced the firing of FBI Director Comey, who was investigating Russia's interference in the election and Trump's campaign. However, this did not end the investigation as Trump had hoped. Firing Comey was interpreted as an obstruction of justice as the FBI was usually left alone by the president. Rod Rosenstein, the US deputy attorney general, had no choice but to open a special counsel investigation on Trump himself. The situation was made worse when, even though denying it was over the election, the content of

the meeting between Trump's son, Don Jr., and Russian officials during the election was leaked. Trump was furious at Jeff Sessions, the U.S. attorney general, for allowing the appointment of a special counsel and demanded that he resign.

When Trump faced legal trouble while in office, he lamented he did not have a loyal lawyer like Roy Cohn -- his shady personal lawyer and "best friend" who had worked for Senator Joseph McCarthy – who would defend him no matter what. Instead, he had lawyers who were often caught in the crossfire between Trump's directions and the Constitution. Trump's administration was utterly unequipped to handle these controversies and its members often had to choose between their integrity and their loyalty to Trump. Much to Trump's chagrin, many of them were not willing to go to the lengths Roy Cohn had done to protect their boss.

Chapter Six: My Generals

Baker and Glasser show how President Trump repeatedly clashed with the generals he had appointed, particularly, his secretary of defense Jim Mattis, his national security advisor H.R. McMaster, his secretary of state Rex Tillerson, and his Joint Chiefs chairman Joseph Dunford. Trump wanted generals to respond to his will and direction, even though he lacked any sophisticated understanding about military affairs. The generals regularly resisted his commands, as they were committed to sound policy and military integrity. Trump wanted to pull out of Afghanistan entirely, but the advisors knew that would not end well and worked to convince him otherwise. Attention focused on Trump's unprompted declaration that he would unleash "fire and fury" on North Korea was distracted only when Trump condoned the white supremacist rally in Charlottesville by claiming there were good people on both sides. Later, when Trump wanted to throw a military parade, one general bluntly told him that such shows of force were the mark of a dictator.

The resistance was not without brutal in-fighting. Trump's national security advisor, H.R. McMaster, felt isolated from the other appointed generals. He felt a democratic duty to present all information and options to the president, while the others thought that was foolish and actively withheld information. Trump's chief of staff, Reince Priebus, also got caught up in the infighting and discovered, through a tweet, he had been fired. Another general, John Kelly, took his place and attempted to create order in the White House. He forced Steve Bannon, the White House chief strategist, to step down after he had gotten on the wrong side of many important White House staffers. Although these generals worked hard to keep Trump from doing anything disastrous, they were all ultimately subject to the President's bizarre ideas that would suddenly appear and disappear.

Chapter Seven: The Adhocracy

Baker and Glasser report that the administration continued to be a mess throughout the term, and even John Kelly could not control it, despite his best efforts. His best efforts involved decreeing that every executive order, news article, and meeting had to go through him. Kelly tried to reduce the special influence that the president's daughter Ivanka Trump and son-in-law Jared Kushner held, despite neither having worked before in government. Kelly declared tweets were not a policy declaration, only ones signed by the president, the Justice Department, and the

Office of Legal Counsel. To enforce this, he enlisted Rob Porter, the White House staff secretary.

Still, according to Baker and Glasser, chaos continued. Trump got a second, secret phone. He invited aides to come to his office directly and tweeted regularly. One round of tweets was directed at Senate Majority Leader Mitch McConnell. However, Kelly got them to work out their differences and they presented themselves to the public as a united front. Congress was successfully able to pass the tax cut bill, which was one of the Trump administrations greatest accomplishments and a bill Trump had almost nothing to do with. Scandals also contributed to the chaos. Trump's hush money to porn star Stormy Daniels was revealed, although Trump continued to deny it. The #MeToo movement began, and Trump was accused by many women of sexually assaulting them. Rob Porter, Kelly's right hand man, was also accused by both of his ex-wives of being physically abusive and forced to resign. It was thoroughly an adhocracy, a term coined by Rob Porter's father.

Part II: You are Fired

Chapter Eight: I Like Conflict

Baker and Glasser report that March 2018 saw an unprecedented number of departures from the administration. First to go was Gary Cohn, Trump's economic advisor, who resigned after Trump announced tariffs on U.S. allies. A week later, Trump fired secretary of state Rex Tillerson. Tillerson's quote that Trump was a "f***ing moron" was the final straw for Trump, but he knew he had to delay the firing so as to not seem to be retaliating to the comment. Tillerson knew he was going to be fired but refused to quit. For a long time Tillerson had anticipated this as he had come to realize his job was not to do something, but to prevent things from happening. He had also isolated himself from most of his agency and often went head-to-head with Jared Kushner. The job of secretary of state eventually went to Mike Pompeo, the CIA director. Tillerson found out through a tweet.

H.R. McMaster was next to go as he had been on the outskirts for a long time. McMaster had never mastered interactions with Trump. He made no attempt to make Trump believe he agreed with him before offering up concerns and he talked more than listened, a trait Trump hated. Trump was mad at him for the leaked document instructing him not to congratulate Putin on his fourth election (which he did anyway). McMaster had also instructed Trump not to go easy on the Turkish president, but Trump had a strange affection for him. Mattis and Tillerson had worked hard to slow roll Trump's plan to evacuate all American citizens from South Korea, but Trump blamed it on McMaster. Lastly, McMaster had yelled at Trump when Trump brought up the ridiculous plan to privatize the Afghanistan war once again. McMaster had spent his whole career preventing Trump from withdrawing from Afghanistan entirely. McMaster was replaced by John Bolton.

Chapter Nine: Heat Seeking Missile

Baker and Glasser report that Trump's fascination with North Korea came to a head as Mike Pompeo took office as secretary of state. Even though Pompeo had denounced Trump during his campaign, he, like many other Republicans, realized the best strategy was to get on Trump's good side. He used his connections in the White House to become appointed CIA director and then secretary of state. As CIA director, Pompeo had the unique ability to spend a lot of time with Trump without getting into fights.

Nonetheless, even Pompeo was not able to convince Trump not to pull out of the Iran nuclear deal. He was also greatly skeptical of Trump's plan to host a summit with North Korea. Pompeo, Mattis, and Bolton had no choice but to go along with it, although they made a pact to never leave Trump alone with Kim Jong Un. There was a lot of uncertainty over whether the summit would actually occur, but in June the two finally met. There was little progress made, other than Trump conceding to stop military exercises in South Korea with no bargaining or notice to the Department of Defense. However, Trump returned to the U.S. declaring it was the greatest step towards non nuclearization of North Korea and that he had made America much safer than it was when he took office. His administration had no choice but to publicly agree with Trump. In private, they all agreed it did practically nothing and there was no chance of success.

Chapter Ten: Russia, Russia, Russia

Baker and Glasser argue that Trump's national security strategy with Russia and U.S. allies was just as confusing as was his policy toward North Korea, if not more so. When Trump met with Putin in Helsinki in July 2018, he showed a great deal of affection for him. Afterwards, when asked if he believed Russia had interfered in the 2016 election, Trump acknowledged that although all his intelligence agencies believed Putin had, he did not because Putin strongly denied it and Trump had no reason not to believe him. Instead of Russia, Trump fixated on his dislike of NATO, and Germany in particular. At a NATO summit, Trump ranted about how the U.S. was carrying all of NATO's defense on its back, and he threatened to leave NATO altogether. This statement stunned world leaders and his national security advisor, and no one knew how to react or what he would say next.

All this created a lot of public backlash that allowed National Security Advisor John Bolton to force Trump to take some concessionary measures, such as officially declaring the U.S. would not recognize Russia's annexation of Crimea. Moreover, Bolton decided to undermine the president wherever he could. He kept the president at arm's length and instead met with White House allies and Republican Senators to brainstorm ways they could prevent the president from advancing his interests.

Chapter Eleven: The Eighty-Five Percenter

Baker and Glasser report that Trump referred to Senator Lindsey Graham as the "eighty-five percenter", meaning Graham would back him 85% of the time. This was, however, a staunch flip from his harsh criticism of Trump during the campaign and the beginning of his presidency. Trump won Graham over with games of golf, flattery, and the access to power he provided. This drove a deep wedge between the once strong friends and political allies Senator

Graham and Senator McCain, who was a respected conservative senator who opposed Trump until his death.

Graham's loyalty to Trump was proven during the confirmation process of Brett Kavanaugh for the Supreme Court. Kavanaugh had not been Trump's first choice, but Trump went along with the appointment and Senate majority leader Mitch McConnel was unwavering in his support. During the hearings, Democrats called a character witness to testify against the Kavanaugh confirmation. Christine Blasey Ford, a professor at Palo Alto University, spoke up about being sexually assaulted by Kavanaugh in high school. Kavanaugh responded brimming with resentment and accusing Democrats of fabricating the story. Graham followed with a similar, unexpected, theatrical outburst. This helped seal the issue as a partisan fight, get Kavanaugh confirmed, launch Graham's political relevance, and tie him closely to Trump.

Chapter Twelve: Shut It Down

Baker and Glasser argue that leading up to the midterm election, Trump became exceptionally unhinged. He took up the Fox News narrative of an invasion by a migrant caravan slowly heading north towards the U.S. border. He knew immigration issues had helped him get elected in the first place and was eager to create an enemy against which he could unite the electorate. Trump demanded his secretary of homeland security, Kirstjen Nielsen, shut down the border. Nielsen tried to explain this was not possible. Trump regularly ordered her to do unconstitutional or immoral things in the name of being tough on immigration. Nielsen was unsuccessful in resisting much of Trump's policy though, and eventually, she became the face of separating kids from their parents. When there was bipartisan backlash against pictures circulating of kids in cages, she mechanically called on Congress to fix it instead of showing remorse. Although Trump repealed this policy, he did not stop trying to be harsh on immigration to appeal to his base.

Ultimately, Trump's efforts were not successful in preventing the midterm elections from benefiting the Democrats. Republicans continued to have control of the Senate, but in the House, Democrats won 40 seats, double what was historically common for a midterm election. Trump tried to focus on the Senate and argue it was a successful midterm election, but journalists pressed him on the issue, which he did not tolerate. One way that Trump did benefit from the elections though, is although there were less Republicans now, almost all those who were not reelected were Republicans who opposed Trump.

Chapter Thirteen: The Adults Have Left the Building

Baker and Glasser report that Trump did not take the loss of the midterm elections as a sign to be more bipartisan and less divisive, he did the opposite. The midterm elections signaled the end of Jeff Sessions, the U.S. Attorney General, as he had opened investigations of two Republican congressmen for corruption. In his place, he nominated William Barr, whose memo condemning the Mueller report had gotten Trump's attention. Next to go was Dunford, chairman of the Joint Chiefs, who also expected to be fired soon. In his place, he appointed Mark Milley. Trump knew very little about Milley except that Jim Mattis did not like him, and that Milley said he would follow the president's orders.

The same day Trump tweeted that he was replacing his chief of staff, John Kelly, who finally resigned after Trump showed remarkable disrespect towards soldiers during a visit to France. Trump was unable to find a qualified person willing to replace Kelly though. Finally, he settled on Mick Mulvaney to be acting chief of staff. Last to go was Mattis, who had planned to resign by the end of the year anyway. Trump's announcement that he would pull all troops out of Syria undermined all the assurances Mattis had just given to America's allies. Mattis printed and circulated his prepared resignation letter, indirectly criticizing Trump's national security decisions. The adults in the White House were officially gone; Trump was surrounded by unqualified yes-men.

Part III: Catch Me If You Can

Chapter Fourteen: Going Full Napoleon

Baker and Glasser show how Trump continued to push on the issue of immigration with full force. Stephen Miller was determined to encourage the most radical version of Trump, and Mick Mulvaney, his new acting chief of staff, would not get in the way. Shortly after the Democrats took control of the House, Speaker Nancy Pelosi found herself in a standoff with Trump. Trump refused to approve the budget bill unless it included funding for his wall. Pelosi refused to fund the wall, which she found to be immoral. The government shutdown lasted through Christmas and into the new year. Eventually, Trump and his son-in-law Jared Kushner, who Trump charged with working with Congress, realized they were being blamed for the shutdown and it could not continue. They finally signed the original bill, which did not include funding for the border wall. Less than two weeks later, though, Trump declared a national emergency and used that emergency to funnel money towards the border.

Trump's immigration stance also led to continued friction with Kirstjen Nielsen. She sustained more criticism from Trump than any other secretary, save Jeff Sessions, because she refused to execute his illegal orders. Miller often sought to work around her by contacting her undersecretaries, as he had done before. Trump pushed to reinstate family separation policies, which had gone so poorly the first time. Finally, it became clear the president was insisting she leave, and she resigned. Trump never replaced her; he just appointed acting secretaries until the end of his term so he would not face the same resistance as Nielsen had given him.

Chapter Fifteen: Split Screens in Hanoi

Baker and Glasser report that Trump's new advisors scrambled to keep Trump in check. Dunford, serving out the last months of his office, tried desperately to dissuade Trump from pulling all troops out of Syria. John Bolton and Steve Biegun, head of the negotiating team for North Korea, fought Trump and each other over the second North Korea summit. Both feared that Trump would strike a bad deal, but they did not work together to prevent it. Bolton's efforts consisted of several sessions outlining the ways Kim would try to trick Trump into a bad deal. After very anxiety-inducing meetings, Trump showed he had internalized Bolton's messages and

did not agree to Kim's performative shutdown of a nuclear factory in exchange for lifting all sanctions.

Trump's advisors and members of Congress were relieved that no deal had been made. Trump on the other hand, was very unhappy about it. This unhappiness was compounded by the fact that Michael Cohen, his longtime lawyer and "fixer", testified to Congress while Trump was in North Korea. Cohen admitted to blindly following Trump and covering up many of his crimes, and he warned others against doing the same.

Chapter Sixteen: King Kong Always Wins

The Mueller investigations into Russian interference in the 2016 election hung over Trump's head for much of his presidency. The investigation had three parts: exploring the ties between Russia and Trump's campaign; investigating Paul Manafort, Trump's campaign chairman; and determining if Trump had engaged in obstruction of justice. Trump had developed an obsession over the investigation and tried many ways to prevent the investigation from happening. Trump tweeted about the "hoax" and "witch-hunt" that was the investigation and attacked the lawyers assigned to the investigation. He also appointed Cobb and Dowd to defend him, working closely with White House Counsel Donald McGahn. Though Trump wanted McGahn to act as a defense lawyer, he instead spent many hours each week responding to requests from Robert Mueller. Mueller ignored all of Trump's attacks, determined not to be partisan in his team's investigation.

Trump ultimately declared victory when the report concluded. Mueller proceeded very carefully with the report. He did not call Trump or his son Donald Jr. to testify, and the language used in the final report did not conclude that Trump had committed any crimes – though it also was clear in saying that it did not exonerate Trump. The report itself stated that Russia had interfered in the election, including through in-person scouting of swing states and many social media posts through fake organizations. The report also listed ten charges of possible obstruction but did not make a conclusion about whether Trump had committed a crime, as Mueller argued that a sitting president could not be charged with a crime. Attorney General Barr released a summary ahead of the report that was charitable to Trump and not a full reflection of the report's content.

Chapter Seventeen: John Bolton's War

Baker and Glasser report that John Bolton, Trump's national security advisor, increasingly distanced himself from Trump. One of his goals was to get the U.S. military to support overthrowing the current Venezuelan dictator. This goal received little support as it may have been illegal. His other big goal was to retaliate against Iran, after it had shot down a U.S. drone. Pompeo shared this goal with Bolton, even if at this point they had become internal rivals. Trump was prepared to launch a retaliatory strike against Iran until about ten minutes before, when he realized the strike would not help his reelection as he promised to put a stop to the endless wars.

The real national security conflict revolved around Ukraine. Bolton believed that he was not accurately informed about it. Congress and the president had agreed to provide military

assistance to Ukraine in the spring of 2019, which was about to be transmitted. Suddenly, Rudy Guiliani, Trump's personal lawyer, insisted that the ambassador to Ukraine be fired. Mark Esper was appointed defense secretary in this period. He and Bolton were equally shocked as Giuliani and Trump's interactions with Ukraine increasingly came to light. It was becoming clear that Trump was withholding the aid unless and until the Ukrainian president, Volodymyr Zelenskyy, promised to investigate Hunter Biden, son of Trump's most likely 2020 election opponent. Pompeo and Bolton did not act on this information.

Chapter Eighteen: The Summer of Crazy

Baker and Glasser characterize speculations about Trump's mental fitness to be president as having begun as soon as he announced his candidacy. As time went on, his behavior became more erratic, and the concerns became more justified. There were several books published from insiders and psychiatrists diagnosing the president as a narcissist and declaring him constitutionally unfit to hold the position. His staff internally debated whether he was actually crazy and believed his own lies, or if it was calculated behavior and mistruths. The stress and strain of the job only made his "craziness" worse. By August 2019, he was tweeting at a much higher frequency and volume than initially. His tweets regularly contained insults, "fake news" accusations, and outright lies.

He was paranoid and zeroed in on very specific people. His biggest enemy was "Sleepy Joe" Biden, but he also frequently launched assaults on specific reporters and news sites. He also regularly attacked Jerome Powell, his appointed Federal Reserve Chairman, demanding he make interest rates negative in hopes that the economy could look good for his reelection. This violated a historic norm of keeping the Fed an entity separate from the president. Trump also fixated on specific problems. He spent a whole week arguing with the national weather service over a mistaken tweet saying that a hurricane would hit Alabama. He also was determined to buy Greenland for America. At one point, he suggested trading Puerto Rico for Greenland. John Bolton, to quell Trump's demands, was attempting to negotiate an enhanced security arrangement with Greenland. These negotiations ground to a half when Trump tweeted a picture of a gilded Trump Tower in a seaside village captioned "I promise not to do this to Greenland.". But these bizarre and almost laughable demands also distracted from more concerning behaviors such as a peace deal with the Taliban and finally replacing John Bolton with a highly inexperienced lawyer, Robert O'Brien.

Chapter Nineteen: Fucking Ukraine

In the fall of 2019, the news of Trump's Ukraine deal began to leak. Democrats in the House had already been pushing Pelosi to launch an impeachment based on the obstruction of justice documented in the Mueller report and other violations Trump had made. Pelosi was hoping to avoid an impeachment trial unless there was a bipartisan initiative. When Trump heard of the leak, he released the phone call transcript himself to clear his name. Instead, it did the exact opposite and confirmed exactly what he was accused of, withholding aid in exchange for a political favor. Despite Trump's lawyers denying this, Chief of Staff Mulvaney later accidentally confirmed this in a press briefing.

The impeachment was launched. Trump's administration declared they would not cooperate at all and labeled it a partisan witch hunt. Despite Trump's orders, many current and former officials came forward to testify, and shared documents and texts affirming the charges. After a rushed investigation was conducted, Democrats fought over what articles to include in the impeachment. The final published articles included just Ukraine and an "abuse of power" accusation. Ultimately, in the Senate trial, Trump was successful in generating a partisan split. Many moderate Republicans were not willing to praise Trump but were willing to vote along their party lines to condemn the rushed and politically motivated trials put on by Democrats. Trump had proven his party was not willing to hold him accountable. Nevertheless, he became the third president to be impeached.

Chapter Twenty: The Age of Impeachment

Baker and Glasser show how the Senate impeachment trial followed party lines. Before the trial began, Trump called two moderate Republican Senators into his office to convince them he was innocent. Mitch McConnell and Trump coordinated their approach to his defense. Trump was very nervous though. Just before it began, he followed the path of other presidents about to be impeached and ordered military action to distract from the fact. He sent a drone strike to kill Major General Qasem Suleimani of Iran.

The big fight during the trial was whether to call witnesses or not. John Bolton has announced he himself would testify if subpoenaed. The Democrats pushed hard for witnesses, hoping to at least convince the public even if they could not win the trial. Eventually, the vote came down to Senator Lamar Alexander, a moderate Republican, who decided that he did not need more convincing to know that the accusations were true. Alexander took up the argument though, along with many other old school Republicans, that although Trump's actions were inappropriate, they were not impeachable. In the end, there were no witnesses and Trump was acquitted 52-48. Senator Mitt Romney was the only Republican to vote against Trump.

Part Three: Divided We Fall

Chapter Twenty One: Love Your Enemies

Baker and Glasser argue that Trump's acquittal empowered him even more. He felt that he was no longer accountable to anyone and made it his mission to punish those who had not supported him in the impeachment. He fired many of his officials who played a role in the impeachment, even if it was just a minor role such as being related to someone who testified against him. In their place, he appointed loyalists. He also rewarded others who had spoken up for him with a wave of presidential pardons for many supporters awaiting trial or already in jail. During the national prayer convention, Trump stated he did not agree with loving your enemies. Trump had also decided he was no longer going to be dissuaded by experts and announced he had made a deal with the Taliban and was going to pull the remaining troops out of Afghanistan.

In the background of all this, the coronavirus was beginning to cause trouble. The initial warnings by his experts were ignored. When Trump finally realized it was a problem, his

administration decided they did not want the public to see it as a threat. Mike Pence, who until now had been largely irrelevant, was made the head of the taskforce. Some people speculated that Pence was given this role so that he could be blamed for any troubles COVID caused. Trump had publicly speculated about replacing him for the 2020 election, but eventually decided against it. Trump continued to focus on other things and on punishing his enemies, even as the first American death occurred.

Chapter Twenty Two: Game Changer

Baker and Glasser report that even as the pandemic progressed, the administration's response to it did not. A party thrown for Kimberly Gilfoyle, Donald Trump Jr.'s girlfriend, in Mar-A-Lago ended up being a hotspot for COVID. As the administration tried to respond to the rapid spread of COVID across the US, there was much conflict. There was internal disagreement as to whether to impose a travel ban or shut down the US, although eventually Trump was convinced it was a good idea. According to Baker and Glasser, Trump blamed the virus on everyone but himself, from the Democrats to China, from testing itself to Obama's administration not leaving them enough masks. Trump put Kushner in charge of compiling supplies and so Kushner assembled a COVID task force of his own.

Trump was primarily determined to not let this hinder his reelection. Baker and Glasser report that he was not going to let Mike Pence or Anthony Fauci, chief medical advisor to the President who was quickly becoming a celebrity, have the spotlight. Trump began appearing for hours each day in the press briefing room, downplaying the rumors, contradicting himself, praising his team's response, and blaming others. He constantly switched back and forth between claiming the federal government was in complete control and having all the power and stating that it was entirely the state's responsibility to respond to the virus. There was no cohesive response or clear responsibility for the pandemic.

Chapter Twenty Three: You're Blowing This

Baker and Glasser report that as the death toll climbed, more and more of Trump's closest friends encouraged him to take it seriously. Melania Trump warned Trump he was "blowing this" and called Chris Christie to convince Trump of this. Tucker Carlson from FOX also tried to tell Trump he should take it seriously. In his administration, there was much infighting: Meadows was staunchly opposed to masks, Fauci and several other doctors had begun meeting separately and formed a suicide pact, and Pence and Alex Azar, the Health and Human Services secretary, got caught in crossfire while trying to remain neutral. Even masks became a political argument inside (and outside) the White House.

Trump was worried that the strong economy he hoped would carry him into reelection would collapse. Others assured him that the measures were absolutely necessary, but they were only temporary. After the US had closed for a while, Trump became restless. He announced that he intended to open the US up by Easter, even as death tolls climbed, and the virus had entered the White House itself. Trump fixated on hydroxychloroquine as the miracle drug that would carry America out of the pandemic, despite no evidence to support that. When the death toll

reached 100,000, churches and newspapers across the US mourned the pandemic; Trump was noticeably silent on that day.

Chapter Twenty Four: The Battle at Lafayette Square

Baker and Glasser report that amidst the pandemic, there also erupted protests against racial injustice, stemming from the death of George Floyd at the hand of Officer Derek Chauvin. Trump repeatedly called on the National Guard and US military to put a stop to the protests. Milley, the chairman of the Joint Chief of Staffs, and Esper, the secretary of defense, were determined to resist him. They toyed with the idea of resigning but decided instead to fight him from the inside. That did not stop them, however, from getting tricked into appearing in the controversial photo-op at Lafayette Square. Protestors had been cleared out with tear gas to make way for Trump to stand outside a church holding a bible. This photo-op, along with other statements from Milley and Esper and Trump's calls for law and order, gave the American public the impression that the military had been politicized, something Trump had been pushing for since the beginning. Milley and Esper immediately knew that they had made a huge mistake, publicly and privately apologized, and doubled down on their efforts to stop the president.

In addition to domestic politics, Trump was also using the military to get back at his international opponents. He was still determined to withdraw completely from Afghanistan. He also ordered that all American troops be pulled out of Germany in retaliation after the head of Germany told Trump she would not travel to Washington in the middle of the pandemic. Milley and Esper were able to talk him into a compromise, but it was still leaked to the press and to Germany and Russia. Milley decided his four goals for the remainder of his time was to stop Trump from starting unnecessary wars, keep the US military from getting involved in domestic issues to advance Trump's goals, protect the US integrity, and protect his own. His goal was to last until January 20, when Trump may be called to a transition of power.

Chapter Twenty Five: The Divider

Baker and Glasser report that Trump repeatedly labeled himself "the least racist man on earth" but his words and actions indicated differently. Before he became president, Baker and Glasser chronicle how Trump said and did many racist things in the business world, such as ordering that no black construction workers built the Trump Tower and his public campaign that Obama was not born in America. As Trump's campaign was floundering and even Tucker Carlson was criticizing him, Trump decided to use the Black Lives Matter protests as a way to boost his campaign.

Trump became the president of law and order. He attacked Joe Biden, arguing that no one would be safe under him. He sent federal troops in unmarked vans to snatch protestors off the streets and he tweeted "when the looting starts the shooting starts." Instead of trying to appeal to moderates, as his advisors begged him to, Trump ran a repeat campaign of his 2016 election and appealed exclusively to his base. The Republican National Convention featured eight Trump speakers on the lawn of the White House and no formal Republican agenda, just a promise to back the president.

Chapter Twenty Six: Secretary of Everything

This chapter outlines the role of Jared Kushner, Trump's son-in-law, who was often called secretary of everything. He had a calm demeanor, had his hand in many aspects of the campaign and administration, and was able to influence Trump by being very selective on the issues he brought up. One of the issues he was determined to resolve was an Israel-Palestine peace agreement. Trump's campaign had run on this issue, arguing it "was not as hard as past presidents had made it seem."

Although it wasn't a peace agreement, Kushner was able to successfully coordinate the first formal agreement between Israel and an Arab state. After many negotiations by Kusher, Israel and United Arab Emirates struck a deal: Israel would suspend its annexation efforts of Jerusalem for the next three years in exchange for official recognition from Emirates. Although Kushner had done all the negotiations, Trump took credit for facilitating "the dawn of a New Middle East" and had a major signing celebration in the South Lawn for the agreements, referred to as Abraham Accords.

Chapter Twenty Seven: The Altar of Trump

Baker and Glasser report that as the election drew closer, Trump latched onto hopes of a warp speed production of a vaccine and attacks on Hunter Biden to save his reelection chances. He personally made calls to the FDA and others to beg them to approve a vaccine before November 2 and continued promoting "miracle" drugs. Stephen Hahn, head of the FDA, refused to be pressured into anything. During the first debate, Trump tried to distract from COVID, the economy, and Russia by interrupting Biden and the moderator 70 times. Just days before the second debate, Trump announced he had COVID. Even though he fell seriously ill, he had access to highly trained staff and so he made a full recovery. This fueled his rhetoric that COVID was not a big deal and safety measures were unnecessary.

Baker and Glasser show how, in preparation for a potential loss, Trump had begun declaring that the election was going to be rigged (unless he won). As the election drew closer, and his ratings continued to drop, Trump pushed this narrative even more. He chose mail-in ballots as his target, which were going to be much more popular during the pandemic. When the results started coming in, and FOX news announced he had lost the traditionally Republican state Arizona, Trump immediately started tweeting about how rigged the election was.

Part Five: Trumperdammerung

Chapter Twenty Eight: Art of the Steal

Baker and Glasser report that Jared Kushner and some of Trump's more restrained advisors thought that Trump would push the narrative of fraud, file a few lawsuits, and then eventually see that Biden had clearly won and go grumbling into the night when his lawsuits fell through. They convinced the Republican Senators and pressured FOX news into holding off confirming the election. Baker and Glasser argue that they failed to recognize how many people Trump had fired and replaced with conspiracists and how skilled he was at pushing lies. In the

first few days, it seemed that Trump might even acknowledge he lost, but Giuliani, Navarro, and Meadows pushed him to continue to fight.

Trump was determined to win no matter what and had surrounded himself with people willing to support him in that aim. They filed lawsuits in all fifty states, making up claims about dead, underage, and undocumented people voting. They pressured the media, Republican governors, general attorneys, and their own justice department to overturn the election and declare Trump the winner. They had failed to legally acquire the votes, so they hoped to send Trump electorates from certain states instead. If that did not work, they intended to make it so that the decision was up to the House on January 6. All the while, they were filing unfounded claims of fraud, hoping those worked their way up the Trump-stacked Supreme Court.

Chapter Twenty Nine: Can Anyone Land This Plane?

Baker and Glasser report that Trump continued his purging disloyal members of his administration. Next to go was Esper, the secretary of defense. In his place Trump appointed a little known and inexperienced man named Christopher Miller as acting secretary of defense. Milley was furious and he and Pompeo began working together with Meadow to "land the plane" of Trump's presidency. Pompeo, who had always defended Trump, was genuinely concerned, but Meadows was playing both sides, assuring them that Trump was beginning to see the reality while stoking Trump's fantasies. Milley's concern of a military coup was becoming less far-fetched.

Giuliani spent the days leading up to December 14, the day the electoral votes were officially counted, calling governors in Biden states and begging them to send alternate, Trump-supporting electorates. When the electoral votes were counted, and Biden had won by a wide margin, everyone breathed a sigh of relief. McConnell officially recognized Biden as president elect and Barr announced he would resign by Christmas. Unfortunately, the plane had not yet landed. There were at least a few House members planning to object, and if any Senator joined them, the results would go to a debate on January 6.

Chapter Thirty: All Hell is Going to Break Loose

Baker and Glasser report that even as Giuliani and others who had at first stood by Trump conceded the loss, Trump turned to even more unhinged theories and plans. He appointed Jeffrey Rosen as his acting attorney general, in place of Barr, as Trump believed Rosen would comply with his orders. But when Rosen got a letter instructing him to declare there was evidence of corruption, he refused as there was no corruption whatsoever. Instead, Peter Navarro, Michael Flynn, and Sidney Powell stepped up to support Trump and, going behind Meadow's back, met with Trump to propose he send the military to seize and publicly recount votes in the swing states. When others realized this meeting was happening, they rushed to the White House. After an unprecedented five-hour meeting, they finally talked Trump down from this plan.

Now, from Trump's perspective, all hope for a second term rested on Mike Pence. Up until now, he had not denounced or supported Trump's claims of fraud, merely encouraging Trump to turn his attention to the Georgia Senate runoff elections. He was being pressured into using a very vague clause of the Constitution to either send votes back to the states for a recount,

or nullify them all together on January 6. Senator Ted Cruz and others had agreed to support the effort.

Baker and Glasser report that others found themselves also talking Trump down from international military plans. Milley intercepted an executive order heading to the Pentagon ordering the immediate withdrawal of all Afghanistan troops. When nobody knew about the order, Milley discovered that a FOX news employee had drafted the order and gone directly to Trump with it. Milley also found himself fighting Miller who was proposing increasingly outlandish and illegal measures against Iran that even Trump's most hawkish appointees did not approve of.

Chapter Thirty One: Trial by Combat

Baker and Glasser report that Trump had tweeted that the protest on January 6 would be "wild", which extremist groups such as the Proud Boys took as a rallying cry. On that day, Mike Pence released his statement that he had no constitutional authority to override the states, and he convened with the Senate to count the electoral votes. Outside the Capitol, Trump and his family delivered speeches to the crowd that had gathered to "stop the steal" and called on Pence to "do the right thing."

Baker and Glasser remind us that just as the Senate was about to begin its proceeding, the protestors overpowered the Capitol Police and began scaling the wall and breaking windows to storm the Capitol. Mike Pence and Congress members were rushed out of the building, just seconds away from the rioters seeking them out. Once in a safe location, they began calling Meadows and Ivanka and others begging them to make Trump send out a tweet condemning the rioters. Trump refused, barely complying by calling for people to remain peaceful. They also made calls to Milley and Miller who coordinated to send the National Guard to put an end to it. While in hiding, Democrats began drafting impeachment articles with each other and their lawyers.

Finally, the Capitol was cleared. Five people were already dead, and over 100 injured, with more deaths to come. The Senate was finally able to reconvene and fulfill their constitutional duty. McConnell opened with a scathing speech, and the group of thirteen Senators who planned to oppose the votes had shrunk down to six. Over two-thirds of Republican members of the House supported the objections though. Nonetheless, Mike Pence led the count and declared Biden the next president of the US.

Chapter Thirty Two: This Uncivil War

The last two weeks of Trump's presidency were by no means uneventful. All of his aides were unsure what he would do. Trump did finally announce he would leave the White House on January 20, but he tweeted he would not be attending President Biden's inauguration. Milley was working on making sure it would be safe. He and other cabinet members were privately discussing the 25th amendment, but Pence said he would not participate in removing Trump from office.

Baker and Glasser recount how the House compiled the impeachment charges. One week after January 6, they charged him with inciting an insurrection. At the time, the outcome of the

impeachment trial in the Senate was not certain. The Senators were all witnesses themselves and the event was still raw in their mind. After a short trial with no witnesses and lots of raw video footage from the event, the votes did not reach the 67 vote threshold needed to convict, but the final tally did include seven Republicans. While McConnell did not vote to impeach Trump, he openly condemned his actions. Trump had escaped accountability once again, but now he was a twice-impeached president who had been voted out and stripped of his Twitter account. Many Republicans did not cut ties with him though, much of his base believed his lies, and since he was acquitted of the impeachment charges, he could run again in 2024.chrii

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The Living Presidency: An Originalist Argument Against Its Ever-Expanding Powers

By Sai Prakash

Introduction

Prakash argues that presidents are able to informally amend the Constitution by repeatedly ignoring and breaking laws. The presidency is a constantly expanding role, as presidents always seek to maintain the powers that previous presidents have acquired, and to grab new ones. This is not, however, an unstoppable phenomenon; Congress can hold onto and reclaim their constitutional rights and courts can begin enforcing the legislation itself, not just reinforcing how the legislation has been carried out in practice.

Chapter One: The Living Presidency

When the Constitution was drafted, the presidency was intended to be a form of limited monarchy. The president had vast powers, powers comparable to monarchies at the time, but they were limited in scope and in grandeur. In particular, the president clearly lacked the authority to amend the Constitution or to make, amend, or unmake statutory law. The president's influence over the text of the law was slight. The Constitution should be interpreted and cemented as it was intended when the founders wrote it; any powers not explicitly spelled out in the Constitution, such as the president's ability to influence laws beyond veto power, are not legal. However, the presidency has evolved and adapted over time and the Constitution itself has changed in informal ways outside the structures of Article I and V to further empower the executive branch.

These informal amendments happen as such: the president does something that is (probably) unconstitutional. However, because nobody stops them, they, and future administrations, continue to violate the Constitution in the same way until the practice is normalized. Once people see that action as part of the president's powers, the president has essentially amended the Constitution such that the executive branch now contains the power to do this new thing.

Chapter Two: *Why* Presidents amend *the* Constitution

There are many reasons why presidents amend the Constitution by expanding their powers through informal processes. For one thing, presidents who don't use the office to its fullest extent, including using their power to expand their power, often fall into the "ash heap of history." There are heroic expectations placed upon the president. The president is the face of the country; the president is responsible for solving every crisis; the president is the party leader. It makes sense that, in order to meet these expectations, presidents are unable to resist the temptation of greater influence and prominence.

Presidents also amend the Constitution for more pragmatic reasons. Expanding the powers of the executive branch is often a necessary step to achieving concrete policy goals. The necessity of sometimes amending the Constitution to achieve policy goals becomes all the more clear when presidents have made promises to their constituents that they're struggling to keep.

Even if no individual president wants to expand the role of the executive, they all want to make good on their promises for moral or political reasons so they inevitably do expand the office. All of these reasons, however, stem from the fact that presidents are focused on their personal, short-term goals and not the long term health of the presidential position.

Chapter Three: *How* Presidents Amend *the* Constitution

Prakash argues that there are two factors that aid the chief executive in expanding its power: the unity and energy of the executive branch. The president is one person, and presidents sit at the top of a hierarchical power structure. This allows them to effectively organize around one goal in a way that our bicameral Congress, with its own internal party divisions, cannot. Additionally, the president is very active. It takes a long time for Congress to come to a consensus on an issue, but the president can make unilateral decisions and enforce them in a matter of hours. The general vagueness of Article II also limits how much the court can check the executive in this regard.

Furthermore, presidents are able to expand their powers because they have, for the past few hundred years, claimed to solely represent the "will of the people". They argue that they can break laws or informally amend the Constitution because, even if the founders might not have wanted it, "the people" want it today. Political parties fuel that claim as party loyalists may support presidents even after blatant disregard for the Constitution. Congress's allegiance to a political party has usurped their allegiance to their branch, meaning they will sacrifice congressional powers to advance a political platform. The eroding checks and the notion of a popular mandate has led the president to grow more powerful than the founders intended.

Chapter Four: *The* Living presidency *in* A Living Constitution

Both originalists and believers in a living constitution often apply inconsistent logic to the question of a living presidency. In theory, originalists should not support the president's extra constitutional increased powers. However, many support a number of changes brought about by "living" interpretations of the office. Many presidents have even claimed to be originalists, yet pushed the bounds of what they were able to do in office.

Some living constitutionalists face similar challenges. They support a theory of living constitutionalism, but dislike many of the changes that the executive branch has undergone. When it comes to issues relating to presidents, some of them invoke the founders even while disregarding them in other areas of Constitutional interpretation. Regardless, theories of living constitutionalism have been used by presidents to expand their powers.

Chapter Five: *From* Constitutional Defender to *Constitutional Amender*

The president takes an oath upon entering office. They swear to "protect and defend the Constitution of the United States." Early in our country's history, presidents routinely protected the Constitution from threats. From putting down rebellions to preventing Congress from usurping the role of the executive branch, presidents did a good job of upholding this oath. However, over the past few hundred years, presidents have used language of defending the Constitution to justify their informal amendments to the Constitution.

Prakash argues that modern presidents no longer uphold the oath found in the Constitution, instead they support a new version that states “I solemnly swear to preserve, protect, and defend the Constitution, except that I may amend it through the transformative practice of serial transgressions, and I may support others who attempts to change it via other informal means" (pg. 145). They often use a spurious reading of the Constitution to justify their actions until people come to accept their reading of the document. While acting as a constitutional amender is unacceptable, it is understandable. In the current political climate, half the public demands it of the president while the other half decries it and the president's counter-parts, the legislative and executive branches, also regularly informally amend the Constitution.

Chapter Six: *From* First General *to* Declarer of Wars

The Constitution makes it clear that the president is the Commander in Chief. At first, that meant that the president had control over the tactical/strategic elements of a war. However, president's have expanded their reach in the area of war more than anywhere else and Congress has largely let them. When Congress does try to assert their powers, presidents argue that Congress is blocking them from fulfilling their duty as Commander in Chief. This argument is illogical as it would necessitate applying it to the appropriation of funds for war which would fundamentally undermine the Congress’s power of the purse, a core constitutional principle.

An example helps to make it clear how presidents have taken much of Congress’s war power. The Constitution states that Congress alone has the power to declare war. At the time, the act of declaring war was a formal affair meant to inform the world that you were in combat with another country or group. However, since the 1700s, that practice has faded. Now, instead of declaring war, wars begin with a first strike or invasion. Because the president now effectively has the power to initiate wars against foreign adversaries, just not through an official announcement, they have taken a very serious power away from Congress. The president’s military powers have grown far beyond what the founders intended.

Chapter Seven: *From* Chief Diplomat to Sole Master of Foreign Affairs

The president has always been seen as having extensive foreign affairs powers because they have more expertise and focus on international issues. However, even with this substantial power, presidents have continued to push the boundaries. There have still been three major changes that expanded the president’s foreign affairs powers significantly. First, even though the Constitution explicitly states the Senate must approve all treaties, the nature of international agreements today means there are many ways the president can get around the Senate. Second, the president can basically ignore laws passed by Congress regarding foreign affairs by exploiting loopholes. Third, Congress has grown complacent and delegated significant authority in this arena to the president.

Chapter Eight: From Dutiful Servant of the Laws to Secondary Lawmaker

Presidents have become a secondary lawmaker through a variety of tactics. First, presidents sometimes change laws by repeatedly violating them until those violations are normalized. Second, presidents purposefully misread laws in ways that suit their interests, such as Ford’s automobile industry bailout under the bank bailout law. Lastly, presidents have

extended their power by claiming the power to grant transition relief periods in enacting laws, such as Obama enacting a four year buffer on an insurance policy passed by Congress. As this practice grows, a president may essentially nullify the law by creating a very long relief period.

Prakash argues that Congress and the courts have not checked this practice enough. Congress often passes laws that are purposefully vague so that administrators within the executive branch can use their specialized knowledge to apply the law in the most effective manner. However, this means substantive questions concerning the law are sometimes left up to the judgment of administrators, allowing them to warp laws to suit the president's purposes. Congress also struggles to quickly respond to such abuses of executive power because passing a new law to clarify the old one is difficult. Finally, presidents benefit from executive review granted to them by the courts. The Supreme Court has argued that bureaucracies can make rules based on a reasonable reading of the law. However, it does not have to be the best reading of the law, meaning that the administration can take their pick from any number of interpretations of a law passed by Congress.

Chapter Nine: How to Recage The Executive Lion

Prakash concludes by arguing that, regardless of the founder's wishes, the presidency has expanded over time. The question is how to recage the executive lion. There are a number of things that Congress could do to (re)empower themselves. For example, Congress could make all senior White House appointees subject to the Senate approval process or establish more independence to certain agencies such as the DoJ and the Office of Management and Budget. They could also add sunset clauses to bills, stop delegating legislative authority to the president, and strengthen the War Powers Act to further limit the president's authority in policy-making. Congress should seek to inform the public about the crisis that is the living presidency by creating and publishing a detailed list of all the constitutional violations of the executive branch or specific agencies each year. Lastly, the courts could take a more active role in checking the executive.

At the end of the day, the people are the final check on the president. The president has been able to vastly expand the powers of the presidency because we the people have tolerated it. There is no alternative to informed, active participation in democracy. If we, as voters, really want to curb the presidency, we must act like it. If we don't, the executive lion will forever be uncaged, further threatening our original constitutional order.

Reviews of The Living Presidency: An Originalist Argument Against Its Ever-Expanding Powers

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After Trump: Reconstructing the Presidency

By Robert Bauer and Jack Goldsmith

Chapter One: Reconstructing the Presidency

In this chapter, the authors argue for the necessity of post-Trump reforms and certain guiding principles that should shape those reforms. Their goal with this book is not to cripple or shrink the presidency. The authors feel that presidents must be able to quickly and energetically respond to emergencies and otherwise fulfill their constitutional duties. Instead, they aim to uphold a strong presidency, while creating an equally strong accountability system. Trump's presidency demonstrated that the current array of rules and norms are not sufficient to protect American constitutional democracy and its institutions. Therefore, we need to reform the presidency.

Creating reform can have very unintended consequences, even exacerbating the problem it attempted to address. However, that is not enough of a reason to not try to pursue reforms. Instead, these reforms must not be partisan and must be carefully thought out, learning from mistakes made throughout history, especially post-Watergate reforms.

Chapter Two: Foreign State Interest

Concerns over foreign interference in elections didn't begin with Trump; we have been grappling with how to prevent foreign actors from having an undue effect in our elections for over 60 years. However, the Trump administration and campaign appear to have found and exploited several loopholes to their advantage. The two most serious alleged acts by the Trump administration were their use of Russian contacts and information in the 2016 election and Trump's withholding military aid from Ukraine unless their government agreed to publicly launch an investigation into Biden's son.

The authors propose three major reforms to address this issue. First, we must institute a law requiring candidates or campaigns to report contact with foreign governments or their agents to a federal agency (likely the FBI or FEC). This would improve our ability to track potential channels of interference and would reinforce the norm that it is not appropriate to consort with foreign entities in an attempt to win the presidency or any other official position. Second, we must revise the Foreign Agents Registration Act to make it explicitly stated that alliances between campaigns and foreign entities are illegal. Third, we should revise campaign finance law to make it clear that foreign nationals are not allowed to provide research, analysis, or other services to campaigns free of charge as a type of political donation. The proposed reforms are only small additions to existing laws, or very reasonable new requirements, but they would serve to greatly reduce the amount of foreign interference with American elections by spelling out the spirit of the law more clearly in the text.

Chapter Three: Financial Conflicts of Interest

There is a norm that presidents, while in office, will put their assets in "blind trusts" and not govern in ways meant to enrich themselves. Trump said he would follow such norms but, by

the end of his first term, he had completely fused his business interests with America's highest office. The most obvious example being Trump hosting government events in his personal hotels.

To reform this norm, there should be a complete ban on presidential participation in any private business endeavor. Moreover, there should be a ban on presidential "blind trusts" because businesses that the president has a vested financial interest in should be accountable to public oversight. Instead, the businesses should be required to report financial statements to the Government Accountability Office. Additionally, presidents should have to accept the presidential salary, which Trump refused, to reinforce the norm that the president is committed to the full time job of serving the people and nothing else. Congress should also take a more active role in enforcing these restrictions on presidential finances. These reforms may not be substantial changes, but they convey the expectations of the presidency in statues, not just in long standing tradition.

Chapter Four: Tax Disclosure

For decades, presidents have voluntarily disclosed their tax returns, especially after it was discovered that Nixon had doctored documents for a better tax return. Trump refused, on the basis of it being audited (even though every president's is), resulting in a political controversy and conflict. Most corrosively, this gave the appearance and possible reality of corruption.

To ensure future presidents do provide the public with their tax returns, Congress could amend the Ethics in Government Act to require the president and vice president to release their tax returns. Congress could also require that every candidate in the general election, including independent parties, be required to report on their taxes during the election season. Under current law, the IRS is required to audit every year, and under the proposed reforms the tax returns would already be public, so the IRS should release their audits every year. These would allow the public to be as informed as possible about the financial standings of the president or presidential candidates.

Chapter Five: The Press

It is impossible to understate the importance of a free and unrestrained press for the functioning of a healthy government. Tension between the press and the president is normal in U.S. politics, but Trump's contempt for the press exceeds all predecessors. This included constant claims of "fake news" and using his powers to influence the finances of media outlets he disliked. The unprecedented attacks on the media should lead us to reconsider laws and norms governing the relationship between the president and the press.

There are a number of reforms that should be passed to improve the relationship between the president and the press. First, Congress could amend the Inspector General Act to prevent the federal government from using its investigatory powers to punish or retaliate against the press. Moreover, in light of Trump's repeated attempts to deny press passes to large media outlets as retaliation for unfavorable coverage, future presidents should revise regulations surrounding press passes to ensure that they are not given or taken away in a partisan manner. Legislation

should also codify the judicial rulings that determined a president's social media is not a personal account, and therefore people cannot be blocked on it.

Chapter Six: The Pardon Power

While past presidents have caused some controversy in how they've used the power to pardon, Trump surpassed them all when it came to the explicitly political nature of his pardons. The only criterion he seemed to use when it came to pardons was the possible political benefit to himself - he even has been quoted as saying that he would pardon himself if he could. Eighty-six percent of his pardons were self-serving: he pardoned those he had a personal connection to, those that advanced his political agenda, those who had expressed support for his candidacy, and even to those who seemingly protected Trump from federal investigations. We must pass reforms so that this expansive power may be constrained in the future.

No reform short of a constitutional amendment could prevent a president from abusing the pardon power in the way Trump seems to have done. However, Congress could amend the law to establish criminal liability for a president who seeks to obstruct justice through the use of the pardon power. Congress should also pass a law prohibiting self-pardons, to prevent them from occurring in the future. In many cases though, public accountability by voters has to succeed in restraining presidents and providing backlash against unfairly pardoned criminals.

Justice Department Independence

The following chapters each concern themselves with the relationship between the president and the Department of Justice.

Chapter Seven: Trump and the DoJ

The president's central duty is to execute and enforce the law but the head of the Department of Justice, the attorney general, is usually the one in charge of actually enforcing the law. However, the political nature of presidential elections means that presidents and attorneys general could enforce the law in politically biased ways. While there are certainly gray areas, Nixon's wielding of the DoJ as a weapon against supporters of his political rivals was almost certainly too far. Similarly, much of Trump's interference with the DoJ was a gray area as it was largely rhetorical, with his constant comments on cases tainting investigations, but he clearly played a role in sentences for Roger Stone and Michael Flynn being reduced.

The most obvious solution to justice department independence would be to make it an independent agency. However, this also comes with the downside of no political accountability for decisions to prosecute or not prosecute a case. It could also open the DoJ up to more influence by Congress or interest groups instead. More reasonable but limited reforms include the DoJ amending its internal rules surrounding insulation from improper political considerations, and Congress barring the president from appointing high-ranking campaign officials to positions in the DoJ. One of the most important reforms that could be made would be a strengthening of the norms surrounding the attorney general's independence from political

influence. Unfortunately, the attorney general is chosen by the president, so there isn't much stopping a president from nominating someone who doesn't care about political influence.

Chapter Eight: The Special Counsel

The enormous opposition and interference by Trump made the already difficult task of investigating the executive all the more perilous. Trump was not the first president to erode the credibility and interfere with the investigation of special counsels but he does bring to attention the need for stronger reforms. The Mueller investigation, despite being headed by a man of unimpeachable integrity, faced public criticism, including, for the first time, from the president himself. While the report was not a complete success, a majority of Americans approve of aspects of it. It is a testament to post-Watergate norms that Mueller was able to complete the report at all.

Some possible reforms could increase transparency to Congress and the public. They include tightening the trigger for the appointment of special counsel, requiring special counsels to submit reports directly to Congress after their investigation is complete, and amending the law such that a president may be charged with obstruction of justice for protecting themself, friends, and family from DoJ investigations and election-related obstruction. If a special counsel is fired, the attorney general should be required to submit, in writing, their reasons for doing so, and the special counsel should have to release a report of all their findings up until their termination. This transparency can help strengthen the biggest checks of criminal conduct: the press, public opinion, and, in extreme cases, impeachment.

Chapter Nine: The Bureaucracy Against the President

There are a number of problems posed by how executive branch officials interact with the DoJ and the administration of justice more broadly. The FBI in particular lacks guidance on how to investigate presidents and their campaigns for criminal and counterintelligence purposes, creating some serious problems. Due to the unprecedented nature of the investigations into the Trump and Clinton campaigns in the 2016 election, investigators abandoned guidelines because "unusual times call for unusual measures". While this is understandable, it also caused significant criticism of the way these investigations were handled. Therefore, rules for how investigations of campaigns and sitting presidents should be handled is of the utmost priority.

The attorney general should be required to approve any investigation into a presidential campaign or candidate and the FBI should provide detailed plans of such investigations to the DoJ for approval. The FBI should not be allowed to notify Congress or the public about any investigation within 60-days of the election as they should not have the power to influence elections. Congress should require that intelligence committees be informed of any such investigation and amend the Code of Ethics for Government Service to emphasize confidentiality as a vital element of the conception of public office as a public trust.While these reforms may make it more cumbersome to investigate a president, having these rules and guidelines in place would make those investigations more efficient and reliable.

Chapter Ten: Investigating Past Administrations

The authors explore both sides of the argument on whether sitting presidents should investigate or pardon past presidents. The first argument is that investigating past administrations will, in general, be too politically divisive to justify. In most cases, the president should choose to be forward looking and not investigate the prior administration, such as President Ford pardoning President Nixon to heal the nation. These investigations will just tie up the current administration and they will be less able to focus on more important issues. Presidents will face other forms of accountability such as public opinion and investigations on the state level or into private matters. The other argument is that no one, including the president, should be above the law and sitting presidents have an obligation to honor this. If they do not, it is likely that state and local prosecutions will take matters into their own hands, creating more confusion and national tension.

There are two ways to reform these investigations, which are sometimes necessary but should be done very cautiously. The first is to explicitly ban any public discussion on pending cases by the attorney general, something that is already explicit for all other prosecutors. The second is to direct "what happened" investigations about counterintelligence or criminal investigations to the inspector general of the Justice Department, not to a prosecutor. If the inspector general finds evidence of criminal wrongdoing, they can alert the attorney general who can then open an investigation under a special counsel. The investigations must have defined procedures for the current presidents prosecuting, including independent investigations, clearly stated criteria with which a pardon or prosecution is evaluated, and publicly available written statements of the recommendations given by leaders, including the attorney general, and the reasons behind the final decision

Chapter Eleven: The White House Counsel

While the president has over 10,000 lawyers at his disposal in the DoJ and throughout the executive branch, only the White House Counsel is described as "the president's lawyer." Initially, the WHC was a team of advisors but it slowly began taking on legal duties, and, especially in recent years, there have been concerns that the WHC merely functions as a creator of legal justifications for presidential desires. For Trump, law was a tool to achieve concrete political ends, not to restrain his endeavors. Trump made no secret of the trait he valued most in his counsel: loyalty. Trump didn't get that loyalty from his first counsel, Don McGahn, and that led to McGahn's termination. Pat Cipollone, on the other hand, was willing to do exactly as the president requested during the 2019 impeachment hearings, repeating Trump's scorched-earth political narrative that Democrats were only investigating him in an attempt to overturn the 2016 election and rig the 2020 one.

The best reform to prevent the White House Counsel from bending to the president's will, and keep personal and presidential matters separate, would be to bind the WHC closer to the DoJ than the president themself. This would include physically moving the offices of the WHC to the DoJ. This would hopefully improve the culture of the office, making it more bound

to rule of law, and could give the more insulated DoJ greater say in the legal advice that the president receives.

Congress and The President

The remaining chapters concern themselves with the president's relationship with Congress. Presidential governance has expanded in part due to Congress' abdication and delegation. This is a very broad issue, and more general reforms may be needed, but these chapters focus on a few small issues in-depth.

Chapter Twelve: War Powers and Nuclear Weapons

Article II gives the president command over military forces, but at the time that power was envisioned to primarily concern the logistical and tactical management of troops, not the higher-level decisions about when and if the nation should go to war. Over time, and particularly in the 20th century, the U.S. military has grown in size and importance in global affairs and Congress has given the president more leeway to unilaterally deploy armed forces. In line with this trend, the president has the sole authority to launch nuclear weapons, and the executive branch has largely drawn up regulations surrounding their use, like Nuclear Posture Reviews. The most obvious break between Trump and his predecessors was not necessarily his use of military force, but rather his casually made threats against North Korea, some of them sent as tweets, that he was prepared to launch a nuclear strike.

Congress should revise or repeal the Authorization for Use of Military Forces to limit where presidents can use military force unsupervised by only listing specific enemies and strictly defining associated forces. The new AUMF should have a sunset clause such that it would need reapproval after two or three years. Congress also needs to define the powers granted to the president in Article II, ban humanitarian intervention without congressional approval, tighten consulting and reporting requirements, and utilize their power of the purse much more. On the issue of nuclear powers, Congress could enact a statute that would require the president to consult with them before using nuclear weapons in first-strike scenarios, while preserving the immediate response necessary in reactionary scenarios.

Chapter Thirteen: Vacancies Reform

Previous presidents have used acting department heads to both fill positions and avoid political fights over approval, but not to the extent Trump did. One of his signature governmental initiatives was to avoid the Senate confirmation process for top executive branch officials by simply leaving them vacant and having his preferred acting directors do the job. This practice skirts the check of the constitutional appointment system, prevents congressional oversight, makes it easier to terminate officials, and allows presidents to better manipulate the hiring and policy practices of ostensibly independent entities, like the Consumer Financial Protections Bureau.

To prevent such abuses from occurring in the future, Congress could amend the Federal Vacancies Reform Act to require presidents to choose someone who has been previously

confirmed by the Senate to run an agency in the event of a firing. Congress should also stipulate that an unconfirmed official is only allowed to run a department or agency in the first few months of a presidency. Congress can propose reforms such as not allowing an individual who has been appointed but not confirmed to a position to be delegated that open positions responsibilities, or by voiding all delegated responsibilities after 120 days if the president has not yet nominated anyone to fill the position. To streamline the confirmation process, Congress should also eliminate the requirement for Senate consent for hundreds of mid level positions as right now over 1,200 positions require it.

Chapter Fourteen: Other Reforms

There is an understanding among the American people that federal troops will not be deployed against them except in the direst circumstances. The Insurrection Act gives permission for the president to send federal troops in the case of an extreme event, such as an insurrection, domestic violence, or other threats to civilians' constitutional rights. The authors argue that Donald Trump's legal use of federal troops to clear George Floyd protestors from Lafayette Park for a photo-op makes it clear that there is not enough accountability or clarity in the act. To reform this, they argue that an updated Insurrection Act must clarify what situations may warrant its use, and require the president to consult with state and local leaders where the troops would be sent. They also need to issue a report every two weeks explaining why the situation still requires federal troops. After 30 days, the president would need Congressional approval to continue the deployment. Congress also needs to reform the sweeping emergency powers bills that give presidents vast discretion to act during an emergency, which can be declared and renewed annually with virtually no accountability.

Congress should also take steps to strengthen its ability to enforce subpoenas. Congress and the executive branch have a long-standing tradition of tensions when it comes to Congress utilizing its oversight ability. Presidents often declare executive privilege and confidentiality concerns in response to subpoenas, and the disputes must be resolved in compromises or in the courts. Trump fought subpoenas more than any other president, declaring his administration will not cooperate at all with the House's impeachment investigation as it was unconstitutional and politically motivated. With no room for compromise, and a slow judicial process that would not finish before the impending election, Congress's hands were essentially tied. Congress needs to pass a bill that creates an expedited judicial process for subpoenas. In addition to a faster court ruling as a last resort, this will influence the compromise discussions between Congress and the president in favor of the legislative branch.

Reviews of After Trump: Reconstructing the Presidency

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The Hardest Job in the World: The American Presidency

By John Dickerson

Part One: The Office of the Presidency

Chapter One: Executive in Chief

President Roosevelt came into the office and quickly faced the Great Depression and World War II. In response, he created the Brownlow Committee, which was dedicated to studying and reforming the executive office. The Brownlow conclusion was that "the president needs help." It proposed reforming the presidency by providing additional staff and greater control over the organization of his cabinets. The public responded with mass protests against his "dictator bill." However, eventually the powerful legislative branch caved a little and granted FDR a watered down version of his requests.

Now, that debate seems so far off. The current president has 24 cabinet members, as compared to FDR's eleven, and over 400 people work in the White House. While we are still wary of a dictator-like-president, we expect them to be able to quickly and effectively respond to any and every issue that arises.

Chapter Two: Commander in Chief

Dickerson argues that a president has to pick its priorities and delegate the rest. One of the president's top priorities should always be the safety of the American people, and therefore a top role is Commander in Chief. A good president has to recognize this, and act accordingly. This means that they have to focus on national security issues that are important but not urgent. They can't just respond to emergencies, but must plan ahead to prevent one. Nixon demonstrated this perfectly when he began to reopen a relationship with China after years of isolationism to undermine the Soviet Union, despite protests from the American people.

This means that, when selecting a president, we must evaluate their ability to perform as a Commander in Chief. They must prove they can act on their feet, weigh counterfactuals, and learn from history. We must press them on their value, decision making processes, and their response to critical, hypothetical, situations.

Chapter Three: Welcome to the NFL

Dickerson shows that becoming president after a campaign feels like a rookie being tackled by a massive linebacker: "welcome to the NFL." The president's lofty goals and campaign promises end up occupying 5% of the time, the other 95% is responding to threats. President Bush experienced this the most when terrorism was mentioned once, in passing, during his debates, and then became his entire focus after 9/11. Each morning, presidents are briefed with the most pressing threats, usually more than ten a day. They have to consider cyber attacks, terrorist attacks, Russia, China, declining democracies, North Korea, climate change, and new, unexpected, large and small threats that arise each day. They have to strike a fine balance between playing defense and being offensive without escalating conflicts, between being imaginative of the threats out there but not unrealistic, and between accepting various risks.

Dickerson shows how they also are increasingly able to be hands-on, with the ability to speak directly to generals overseas, to choose bomb targets, and to watch things unfold live, such as Obama livestreaming the killing of Osama Bin Laden. At the same time, they have to trust their intelligence and security agencies' assessments, intelligence, and expertise, even in the face of growing distrust from the American people about decisions like the Afghanistan and Iraq wars.

Chapter Four: First Responder

Presidents weren't always expected to be first responders. Earlier presidents were not found at sites of natural disasters; they were wary of paternalism and undermining local systems of support. However, LBJ changed this culture when he visited New Orleans after Hurricane Betsy. He, and every president after, fulfilled their moral obligation and advanced their political career by demonstrating they were the face of the federal government who cared deeply and was committed to helping these people. Now, the Federal Emergency Management Agency is dedicated to disaster relief, over half of disaster funds come from the federal government (as opposed to only 6% under Eisenhower), and presidents are evaluated on their willingness and ability to connect with struggling individuals.

Chapter Five: Consoler in Chief

Dickerson argues that it is human nature to turn to leaders in times of disaster. Presidents have always stepped up to the national stage and responded to devastating events, ranging from the civil war to the explosion of the Challenger to mass shootings. They honor the dead and remind the American people of the bigger purpose or lessons from the fallen they should carry with them. Crisis response by the President can help unite America and boost their approval ratings. One notable failure to be a consoler in chief comes from President Trump's decision not to console the American people or condemn white supremacists and neo-nazis after the "Unite-the-Right" rally in Charlottesville.

Chapter Six: Acting Presidential

Dickerson argues that president's, by nature of the powerful position they occupy, must hold themselves to a higher standard of respect, moderation, virtue, and leadership than anyone else. Washington understood this when he attended the Constitutional Convention and later became the first president of the United States. The idea of 'acting presidential" influenced his every decision, down to how he dressed. Presidents have (or have not) exemplified this trait of the office differently, ranging from LBJ's reputation for bullying to Reagan's reputation for never taking his jacket off in the Oval Office out of respect for the place. All examples have lasting consequences for future presidents. Trump violated the norm of "acting presidential" more than anyone else: stirring up anxieties, exploiting divisions in the country, and frequently engaging in name calling.

Chapter Seven: Action Hero President

Dickerson shows that presidents are ultimately held accountable for everything that happened during their presidency. When there are unprecedented, unsolvable occurrences, such as the oil spill in the Gulf of Mexico under President Obama, presidents are still expected to act, or at least give the appearance of acting. The public regards a lack of, or slow response, as an indicator of a president's weak will, regardless of the circumstances.

A good leader recognizes that they must accept the blame for things out of their control, or mistakes caused by their subordinates. This makes the president push for progress, diffuses and direct's public anger, and demonstrates to the president's team that the president has their backs. However, blame can cause a bad leader to wallow in self pity and not examine the problem they didn't cause. It can also direct attention away from the real actors who may be responsible for the problems and solutions, such as local governors. Lastly, it blurs the line between errors the president takes accountability for but was not directly responsible for, and direct abuses of power intentionally made by the president themself.

Chapter Eight: Confidence Man: The Economy

Economic policy solutions are a balancing act as the economy is incredibly fragile: it is influenced just as much by public perception of it as it is by actual economic measures. Too much emphasis on a crisis can exacerbate it but too little will prevent the necessary bills from passing in Congress. The wrong decision can lead to irreparable political damage or the collapse of the western economy. The 2007-09 Great Recession illuminated just how tricky economic policy decisions the president has to make can be. George W. Bush was faced with a million vacant homes, closing banks, a proposed $700 billion bank bailout, and growing populist anger at the inequality in America. Eventually, after a failed first attempt, the loss of $1.2 trillion in stocks motivated Congress to pass TARP, a Wall Street bailout package, despite lack of public support.

The best way to control the economy is to prepare in times of stability by reducing debt and income inequality. Unfortunately, presidents prefer to bask in their economies' success and push problems into the future. When economic problems do arise, the presidents' ability to successfully navigate disasters relies heavily on their personnel and the advisors they chose. If the president and their staffers haven't taken the time to build up relationships with people in Congress and in the Treasury, they won't be trusted to respond to economic emergencies. Some critics worry that presidents rely too much on Wall Street figures for advice and that the polarization of the U.S. government threatens the ability of Congress and the president to work together on the next economic crisis.

Chapter Nine: A Historic Partisan Gap

Ambitious reforms, such as the one on social security made by President Reagan and Speaker of the House Tip O'Neill, are not possible in today's political climate. O'Neill and Reagan fought brutally as politicians, but were friends when the clock struck six pm. Today, there is no ideological overlap in Congress between Democrats and Republicans and members of the opposite party are regarded as evil. Dickerson argues that Congress has become so partisan

that it is impossible to get anything done. Without a strong legislative branch, the executive branch has no chance.

There are several reasons for the growing partisanship. The first is that there is no incentive to reach across the aisle anymore. Through gerrymandering and voters moving to areas with those of similar political affiliation, members of congress only need votes from their own party to get elected. The second is that national issues now dominate congressional elections, so there is no variety in candidates' policy preferences across states. Largely due to Reagan, the presidents use their national platform to support the campaigns of candidates who will reaffirm the president's belief and will vote yes to judges they nominate. Lastly, Congress eradicated its own ability to earmark funds to go back to their own districts. In this way, they can no longer be incentivized to sign onto a bill they generally disagree with or overshadow partisan debates in their district with tangible results of their time in Congress.

Chapter Ten: A New Era of Partisan Warfare

Since 1989, control of Congress has switched many times. It began with Congressman Gingrich leading a new wave of conservatism, using low level tactics and media narratives to frame democrat members as enemies of the people. Gingrich decried Reagan's bipartisan negotiations, that included new taxes, to create a budget and keep the government running. Since then, both parties have been in constant competition. This leads to a highly ineffective Congress. The minority party feels no desire to cooperate with the majority power so they can win seats back by pointing to how little the party in power is accomplishing. Parties tackle high profile issues, instead of important but controversial ones, to keep their coalitions intact. Lastly, the constant switching, and a new six-year term limit to committee chair positions, has reduced the expertise of Congress overall.

Chapter Eleven: On Separation of Powers

Dickerson argues that the separation of powers today is nothing like the system the founders hoped for. In the Constitutional Convention, the founders labored for many days over how to create a system where the ambition of humans was consolidated into the three branches that kept the others in check. Each branch had to have the ambition and desire to keep others from encroaching on their power, and the respect to apologize and step back when they encroached on another branch. The branch that caused the most discourse was the executive branch, as the founders were particularly wary of putting too much power in one person.

Initially, this was a success. Senior senators actually looked down at the president due to his inexperience. If the president tried to lobby a congressman, they would threaten to vote the other way if they weren't left alone. Today, Congress has given away its power, largely due to partisanship. Congressmen are elected based on the president. There are serious repercussions for a congressman who criticizes the president of their party. Instead, they wait for the sign from the president to vote yes or no on a bill, allow the president to interpret the legislature however they please, and praise unconstitutional measures taken by the president. The first sign of liberty's demise is a weak legislature.

Chapter Twelve: Just Be Like LBJ!

Dickerson shows how President Lyndon B. Johnson expertly pursued his goals in Congress through negotiations. He listened intently to Senators' wishes and worked very hard to get them. He was willing to accept 70% of his original goals and to look like a loser in order to win. He often conceded in one area of politics to pass his more important goals, such as reducing federal spending in order to get support for his civil rights legislation. Not every tactic of LBJ is still possible today. Parties are ideologically and politically farther apart, social media regularly exposes presidents' attempts to make LBJesque under-the-table deals, and filibusters are used now more than ever.

However, even president's today understand the importance of bipartisanship. Presidential candidates still campaign with the promise of fostering a gentler environment where actual discussion and deals can be reached. The executive branch, as one-third of the federal government, has a constitutional duty to try to repair the damage. President Reagan, and his friendship with Tip O'Neill, represented that intense conflict does not have to mean gridlock. The goal should not be to replicate LBJ's tactics exactly, but modern president's must seek bipartisan agreements with the same focus, creativity, and energy as he did.

Chapter Thirteen: The End Depends on the Beginning

Dickerson argues that every good leader understands that the key to success is building a good team. The number one skill voters should examine when evaluating candidates is their ability and experience in building and leading a team. The president needs to be able to appoint and trust their counsel to do their job, and do it well. Otherwise, nothing will get done.

Even presidents who understand the importance of their team face obstacles. The public does not praise a candidate who campaigns on the promise of building a good foundation. Even though campaigning and running a government are very different tasks, devoted campaign employees will quickly decry the president as disloyal if they are not appointed as officials. Lincoln faced intense backlash when he filled his cabinet with highly qualified men who were not aligned with him politically. Nonetheless, building a team is perhaps the most important thing the president can accomplish as their team will determine the outcome of their presidency.

Chapter Fourteen: Lost in Transition

Dickerson argues that, in businesses, executive turnovers take months of careful planning and learning. A president, once elected, has 75 days until they become in charge. Mitt Romney, a presidential candidate in the 2012 elections, understood the importance of a smooth transition and hired 600 people to develop a transition plan during his campaign. Romney never got to execute his plan, but, after the 2012 election, Congress passed the Presidential Improvement Transition Act to require the candidates to start their planning in May and to protect candidates from accusations of being too confident in the future election outcome.

Dickerson shows how many presidents have had rocky transitions, notably President Carter's clashing election and government teams during his first few weeks of presidency. However, Donald Trump highlighted the disaster that comes with lack of planning in a new way. Although he had a team dedicated to planning his transition, it was only because he was legally

required to. Within a week of becoming president, President Trump threw out dozens of preparatory binders and continued in his unconventional ways. The result was an 82% turnover of the non cabinet appointees in the first three years of his presidency, many less-effective, long term acting officials, and dozens of direct insults from the president to his team. Dickerson argues that, without a sound transition plan and execution, a president is far less effective in accomplishing their political goals.

Chapter Fifteen: Hard at the Start

Presidents quickly learn how hard it is to accomplish anything in the complex bureaucracies of the executive branch. There are inter agency conflicts, unmotivated bureaucrats, power grabs by White House aids, and leaks everywhere. The government is not like running a business because presidents cannot hire and fire people at will, they do not have the skill set to run a government, and their support system is filled with people who have different, or even directly conflicting, interests. Their success is measured by their ability to pass legislation, not by the implementation of that "strategic plan" the legislation represents. The size of the bureaucracy slows everything down, but downsizing, without a very clear and efficient plan, only makes matters worse. In response to all these obstacles, president's need to facilitate a team environment where everyone feels important in order to get anything moving.

Presidents who try to reform the process find it very difficult. For one thing, they are trying to repair the plane while also flying it. As soon as they take office, they are handed many operations under way, ranging from the Bay of Pigs preparations to responding to a recent hurricane. For another, the Presidential Record Act of 1978 means that all relevant information has been filed away so presidents have to dedicate substantial time just sifting through information. Presidents also face the obstacle of confirmation delays by the Senate and public criticism of "flip-flopping" anytime they change directions or learn from their mistakes. Even presidents who do commission reports and teams to investigate how to make the executive branch more efficient and effective, as many presidents have done, are often unsuccessful. They identify many confusions and inefficiencies in agencies and propose clear reforms to improve the process, only to be ignored by Congress who holds the constitutional power to approve reorganizations of the executive branch.

Chapter Sixteen: How a President Decides

There are three characteristics that make a chief of staff, who is sometimes said to be the most powerful person in the White House, good. The chief of staff must successfully filter who gets time with the president, while also leaving "executive time" where the president can think more creatively and see the big picture. Every staff member, interest group, and politician thinks that their issue is the most important one, but the chief of staff must decide what the president hears. As a result, the chief of staff is often thought of as "the president's son of a bitch." They must also be a son of a bitch to the president sometimes: a mark of a good chief of staff is one who is not afraid to say no to the president themself.

The chief of staff must also ensure that the information reaching the president is necessary and accurate. Any decision that is clear-cut must be made before reaching the

president. The decisions left to the president are based on probabilities and must be made quickly. Finally, the chief of staff must create and enforce a system where there is no room for improvisation from the staff or the president. With such complex issues at hand, there cannot be shortcuts. Faulty information must not reach the president. The system must delegate ruthlessly to cabinet secretaries. However, if there is no oversight of secretaries they will pursue their goals with no regard to that of the presidents or the other cabinets and there will be fallout. The chief of staff creates the system that allows the president to run things smoothly, and more importantly, to act in an emergency.

Chapter Seventeen: Impulse Presidency

Dickerson shows how, despite the best efforts to create order, president's can and will act on impulse if they want it badly enough. This is a problem made worse in recent times, when the American people want change and most presidents since 1976 have been elected because they are outsiders. There is no general consensus whether it is a staffer's duty to quell the president's impulses or if that is undemocratic of them. The resistance to the worst aspects of the president has prevented many disasters, but also generated the label "the deep state." It has also led to disasters of its own however, such as Afghanistan.

President Trump had a very impulsive way of operating. Trump, like President Carter had tried and failed to do to a lesser extent, made every decision himself, even if he didn't have the fullest information or expertise on it. He liked to cause chaos and resisted any efforts to suggest to him the best way to do something. This led to faster and more flexible ways of addressing problems. However, it also backfired in many instances such as the impulsively announced travel-ban, the withdrawal from Syria which allowed ISIS to regain control of it, and the endorsement of a Turkish military operation that proved the U.S. was an unreliable ally. Trump's tweets negatively influenced the federal funds rate and his stubbornness shut down the government.

Chapter Eighteen: The Expectation

Dickerson shows how presidents have to play a hundred different roles, each of them with impossible expectations. The ability to wear masks well, and smoothly switch between them, is a skill no person should have to develop, but the president does. They often have to go from chief consoler to Commander in Chief within an hour. These roles and many others can have an intense emotional drain as they have to witness human suffering and cause soldier's deaths without slowing down. Often, the heaviest burdens are so confidential they cannot even process with their closest friends. Methods of letting off steam such as journaling or going for a walk are not possible, as they risk a subpoena or personal harm.

Additionally, the press swirls hundreds of rumors a day, all of which demand a comment by the White House. They are under constant scrutiny and their smallest, and biggest, mistakes are broadcasted for the world to see. President Trump combated the media with direct, unbroken communication to America through Twitter. Presidents must learn to accept that the media portrayal of them is not a true reflection of themselves, and they must continually sift through all the masks they wear to determine their true selves.

Chapter Nineteen: The Impossible Presidency

With all these challenges listed above, Dickerson argues that we must reckon with the fact that the presidency is actually an impossible job that even the most skilled president will fail in. The best presidents can only limit failures and make modest adjustments. However, just as America has not shied away from major, seemingly insurmountable challenges in the past, this too can be addressed. The solution is a long-term remodeling of the presidency that shifts attention, responsibilities, and expectations away from the president. This begins with changing the way we approach presidential campaigns.

Part Two: Presidential Campaigns

Chapter Twenty: Candidate of the People

Dickerson argues that the convergence of the television and President Kennedy marks the beginning of the new way of presidential campaigns. Kennedy, before announcing his campaign, pushed the notion that television would allow the public to truly assess the president's character and vote accordingly. When he began his campaign, he knew he could not win over the party bosses, so instead he appealed directly to the people. He took to the road, shaking hands, making promises, and appearing on late night talk shows. The young senator was successful and won the primary and, after much debate, the Democratic nomination. When he became president, he immediately followed through on the promises he had made to West Virginia during his campaign, directing more food and assistance to them. Dickerson argues that Kennedy was not the first person to try to appeal to the people over the party, but he was the first to do it successfully.

Seniors in government and experts worried that Kennedy, and future presidents, would not have the experience and knowledge necessary to be president, even if they were an expert in campaigning. It was too late though. Kennedy had made the presidential elections a spectacle. Every American tunes in to watch the drama unfold, and candidates have been happy to oblige to boost their chances of winning.

Chapter Twenty One: No Hiring Manual for the Presidency

Dickerson argues that there is no hiring manual for the presidency in the Constitution, which has allowed campaigns to evolve over time. Initially, the founders anticipated that the Electoral College would take public opinion into consideration, but tamper their desires with insights and moderation to select the best candidates for president. Over time, the power of political parties and the Electoral College began to erode. Candidates began to find work-arounds to the no-campaigning rule, such as inviting people into their own home, and the people pushed for the delegates to be more representative of the people, including marginalized groups. Eventually, the smoke filled back room discussions were obsolete.

With this change, the requirements of a president changed as well. The people sought outsiders, as they did not approve of compromises that seasoned politicians had made for the

greater good. Presidents also began appealing directly to the people, making more and more exaggerated promises during their campaigns. Candidates now have the power to define what makes a good president, and then convince the people they possess those characteristics. The power of political parties and the importance of a tempered president was overpowered by what the founders sought to prevent, the loud and unchecked voices of the people.

Chapter Twenty Two: What You Got Here Won't Get You There

Success is often the greatest hindrance to future success, as successful people believe they have nothing more to learn. This is true of incoming presidents who believe, if they can win an election, they can do anything. Campaigns require attack and rhetoric, whereas government requires coalitions and long, arduous, processes. Modern presidents continue to believe that the speeches that helped them get into office will help them advance their goals. However, every administration has shown that presidents are not able to garner support for policies that do not already have support, no matter how good their speeches are. The devotion to communications only leads to the opposition rallying and less time spent on effective ways of accomplishing things.

Good presidents understand the truth in what Lincoln stated: "I cannot go any faster than the people let me." The most they can do is monitor public opinion and direct momentum when it naturally builds. In the meantime, sometimes the best thing a president can do is to show restraint, stay quiet, and focus on doing rather than talking.

Chapter Twenty Three: Restraint

One of the most important qualities a president should have is restraint. Although there are certain circumstances that call for quick decision making and confidence, many more require patience and careful consideration. President George H. W. Bush displayed immense restraint when he did not join into the celebrations about the Berlin Wall crumbling, despite public criticisms. This made sure that Gorbachev was not provoked into cracking down on other countries that were struggling for independence and helped him accrue political allies for future endeavors.

Restraint is not always appreciated by the public though, and it is especially deadly in campaigns. Restraint is boring and labeled "lack of leadership." Bush was one of the only presidents who was able to balance the demands of campaigning with those of governing. He unleashed a restraint-free campaign that attacked his opponents and made impossible promises. Once he was elected, he recognized his role switched from campaigning to governing and began exercising remarkable restraint. On the contrary, President Trump both ran and governed absolutely unrestrained. If we don't seek to elect presidents who have a history of public service and restraint, we will pound all restraint out of our presidents.

Chapter Twenty Four: The Church of Perpetual Disappointment

Campaigns have always been cutthroat and disappointing but the disconnect between campaigns and governing is larger now more than ever. Due to polarization, elections now act as a rallying point and an affirmation of group identity, not a time for careful consideration. The

digital age means candidates seek to appeal to people through sales-like techniques: infomercials, short and pithy speeches, and radio shows appearances. “Whataboutism”, meaning pointing fingers and flipping accusations, has undermined standards and led to defensiveness at the cost of reason. Although experts worry that these tactics are undermining the seriousness of the presidency, the public loves the “authenticity” of the candidates. Candidates have recognized and harnessed these desires and culture, transforming the nature of elections.

The antidote to all this has always been an intelligent and informed public. There are some benefits of the digital age. People have information at the tip of their fingers in a moment's notice. This includes information like the candidate's donors and voting history. However, voters have to first want to be properly informed and then wade through all the noise to access the accurate information.

Chapter Twenty Five: Amping Up the Awful

In political contests, attacks on the opponent, racist remarks, and blatant lies are rewarded. In both parties, politically incorrect language is applauded as it shows a willingness to resist Washington. There is no truth-telling standard in journalism overall anymore. There are actors who are dedicated to causing chaos and spreading extreme rumors as an end goal. Fact checking does not curb lies, instead it magnifies them by spreading the lies to more headlines and evoking the psychological tendency to increase our belief of something the more times we are exposed to it, regardless of the context. Russia preyed directly on these psychological vulnerabilities of Americans. They spread posts designed to generate camaraderie and stoke unrest to help get President Trump elected.

Part Three: The Way We Live Now

Chapter Twenty Six: Winning Above All

When winning is above all, as it is now, it compromises morals, American safety, and blurs the standards between campaigning and governing for an incumbent president. The numerous sanctioned foreign interferences in recent years confirms this. Donald Trump knew about Russia’s plan to leak Hillary Clinton’s email to Wikileaks, and did nothing. He then proceeded to withhold aid to Ukraine unless they agreed to investigate Hunter Biden to help him get reelected.

In the past, presidents had understood that national security was more important than any political goals. President Johnson declined to leak intelligence information about Nixon's attempt to undermine peace talks until the election was over because he did not want to start a precedent. President Wilson even went so far as to devise a plan to immediately instate his vice president’s opponent Charles Evans Hughes as president during World War I if he won the election for the good of the country. However, even former presidents were not against other underhanded behaviors such as FDR instructing his aides to spread rumors. President Trump has made the line between campaigning and governing thinner than ever though, chipping away at standards in the name of winning.

Chapter Twenty Seven: Resolve to be Honest

Honesty is supposed to be a pillar of the presidency. President Washington and President Lincoln were praised as honest before all else. When President Clinton was elected, critics worried that his infidelity and avoidance of the Vietnam draft did not fit the description of a good president. President Trump showed absolutely no deference to that standard. He repeatedly and blatantly lied throughout his campaign and presidency.

When voters select a president, they give the president the power to act in their name. A president who is not trustworthy has no ability to lead the public in complicated decisions and scenarios. Staffers may have presidents in check through leaks and tell-alls and the public may rebel against a dishonest government as they did during the Vietnam War. However, even with these checks, repeated lies have a corrosive effect on Americans' trust and the standards of the presidency.

Chapter Twenty Eight: Character Counts

The other pillar of the presidency is character which can be broken into two parts: empathy and self-control. Empathy is the willingness to take into account the rights and needs of others. Empathy must be applied in the broadest sense, not just to those who helped the president get into office. If a president is not attentive to the needs of those who oppose him, it will create deeper divides and allow an opponent to more closely bind to the other group. President Trump appealed to his supporters and made them feel heard, which previous presidents had not taken the time to do. However, he showed no empathy for those who criticized him, often publicly mocking or tweeting about them.

Self-control is about respecting the rule of law and having the ability to think long term. Self-control should dictate how the president spends their time and temper the president when things are moving slower than they would like. Sometimes, self-control requires a team effort and the president's closest staff can act to prevent a president's occasional outburst from going public. President Trump showed no self-control. Instead he had a constant stream of tweets expressing anger and hurling insults. Trump’s voters did not want a president with self-control though, they sought authenticity.

Chapter Twenty Nine: It’s My Party

President Trump successfully used the tools he had to achieve the top Republican Party goals. He appointed two conservative Supreme Court judges during his presidency and packed the appellate courts with his nominations. He also aggressively deregulated energy and many other regulations in his agencies. Lastly, he cut personal and corporate taxes. Although he did not pass much legislation during his time in office, he used the tools he had to advance the goals of his party.

On the other hand, Trump also single handedly reshaped the priorities of the Republican Party. They used to be a party very opposed to the federal budget deficit, open to comprehensive immigration, intolerant of immoral leaders, and pro free trade. President Trump deepened the deficit, opposed all immigration, including by separating children from their families, was

repeatedly exposed for his sins, and enacted nearly $80 billion in new taxes for Americans through his tariffs. Republican leaders and followers fell in line. It was not just the Republican Party though, Trump often contradicted his previous self. Frequently, people pulled up Trump's tweets from several years ago that directly condemned the actions he had just taken.

Chapter Thirty: The Uncertain Never Trumper

Many of those who support Trump do so not because they believe he is a good person, but because they believe he is willing to do what it takes to accomplish their goals. Some say the threat from China justifies such a brash and unconventional leader. However, the Republican Party used to be the party that believed virtues and traditions were the backbone of society.

A small group of Republicans, the "Never Trumpers," have continued to hold onto these beliefs and condemn Trump. They argue that eroding norms means a Democrat could turn around and use all of Trump's technique to accomplish the exact opposite of republican goals. They say the ends do not justify the means as it eliminates the moral high ground they can use to keep Democrats in check. However, there are few Republicans condemning Trump, the rest, including Vice President Pence, have changed their tune.

Chapter Thirty One: Donald Trump's America

Donald Trump could have used his promises for chaos and breaking norms to shock America and work with Democrats. He could have tackled infrastructure and comprehensive immigration and tax cuts for the middle class. It would have taken some convincing, especially to the democratic leaders and minority groups and women he attacked, but he could have gone off script in a different direction. He could have been the president for patriotic Americans who wanted to go back to the old way of politics and eliminate negative ads and lobbyists.

Instead, he doubled down on his attacks. He continued to frame the out-group as a danger to America in order to maintain his support. The more Trump could incite liberals to argue their policies, the more he could get the votes of moderates. He started off his presidency with a travel ban, and he refused to apologize for his racist descriptions of immigrants or racist accusations of Obama's birthplace. He stirred up chaos and appealed to his base, sacrificing the interests of all other Americans. The next democratic president will have to decide whether to use the same tactics to advance their goals, or to try to restore the standards of the American presidency.

Reviews of the Hardest Job in the World: The American Presidency

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Presidents, Populism, and the Crisis of Democracy

By William Howell and Terry Moe

Introduction

The bare-bones of the argument in this book is that
"populism is a threat to democracy across the Western world, driven by the disruptive socioeconomic forces of modernity and the ineffective responses of governments. In the United States, ineffective government has allowed anger and anxiety to grow, fueling political support for populist appeals. This ineffectiveness is not a simple oversight or mistake. It is deeply rooted in the architecture of the Constitution, which imposes an antiquated structure of government ill-suited to the demands of modern times. Donald Trump has risen to political power and led the populist assault on American democracy by spotlighting the failures of government, stoking the fires of populist anger, and adopting a demagogic style of leadership that is right out of the populist playbook. The socioeconomic forces driving populism cannot be stopped, and they will continue long after Trump has left the scene. The only way to defuse the populist threat in America is by making government more effective, and thus by enacting reforms that enhance its institutional capacity for meeting the challenges of modern society. The key to effective government lies in the presidency, and in structural reforms that balance the promise and the fear of presidential power. If American democracy is to be saved, the presidency must be recrafted for modern times. Our antiquated system of government, together with the antidemocratic evolution of the Republican Party, ensures that the path to reform will be filled with major obstacles. It is therefore difficult to be optimistic that the populist threat will be defused and that the quality of American democracy can be preserved." (pg. 17-18)

Chapter One: The Drivers of Populist Policies

The authors argue that, throughout history, populism had not succeeded in taking hold of the US. On the two historic occasions when the preconditions of populist revolt –social crisis combined with government failure– came close to being met, the democracy-affirming leaders who gained electoral power responded with massive reforms that reconfigured government and specifically targeted the serious problems at the heart of the crisis. Populism in America was prevented by Roosevelt and Wilson strengthening the government after the populist Bryan gained popularity and by FDR creating the New Deal after the Great Depression.

Around the world, however, populist leaders have gained power. In Latin America, the high income inequality and corrupt government, has bred many populist leaders who claim to represent the people and vilify "the elite", which has sometimes been socialists and other times capitalists. In Europe, conditions for populism also emerged due to the end of the Golden Age of Capitalism in Europe and the sudden influx of immigrants, which threatened the homogenous cultural identities most European countries have. In 2017, anti-immigration, populist leaders won in Austria and Italy and in 2016, the UK voted to withdraw from the EU. However, since European parliamentary governments provide flexibility, some governments were able to quickly respond to the immigration crisis when they realized their mistake and the populist threat. Time will tell whether populism remains an angry minority in Europe or takes hold, but either way it

will influence politics. Eastern Europe has also shown troubling signs of populism. Despite the fact they have had little immigration, the lack of a strong democratic foundation from communism and the fear of communism have proved enough to propel populism forward in Hungary and Poland.

Moe and Howell argue that, for the first time, America has gone down a populist path. The Republican Party worked to recruit the populist base of racist Democratic southerners into its party. When the influx of immigrants in America began, Congress was unable to create a system to control it. When modernization and globalization hit small towns hard, Congress failed to provide retraining and welfare support for those people. A few politicians, such as Patrick Buchanan, tried to run on populist platforms but did not garner enough support to get elected. It seemed that deeper polarization was the only result of these government failures. But, under the surface, dissatisfaction was growing, and so, in 2016, a demagogue rose to power and became the president.

Chapter Two: The Rise and Reign of an American Populist

Trump's ride to the presidency and his very "unpresidential" actions was an intentional formula to appeal to a populist base. His racist remarks appealed to Patrick Buchannan's supporters and got him vast media coverage. The Republican Party had not yet caught on to the growing populist sentiment and dismissed him, first in the primaries and then in the general election. Trump, however, knew that Republicans would fall in line when the general election posed him versus Hillary Clinton and that he could shape the platform of the party. Now, the establishment Republicans are forced to appeal to the populist base to keep themselves in power, even when they are not populists themselves.

The authors arge that, once in the office, Trump, like most populist leaders, did not follow through on many of his promises. A large part of his campaign was a promise to "drain the swamp." Instead, he hired lobbyists from all sorts of industries to fill the heads of agencies, although he also left many positions empty to maintain control. For Howell and Moe, a cold comfort is that many of his officials went to great lengths to undermine his influence, but they fear that it will not be possible to stop a more organized populist president by this method in the future. Trump also had no choice but to somewhat work with established Republicans. To do this he focused on tax cuts, deregulation, repealing Obamacare, and judicial appointments. According to Moe and Howell, most of these changes would actually hurt his populist base, but he promised they would bring about great changes and presented them as anti-institution so he did not lose support because of them.

To maintain support from his populist base, Trump did not have to create policy, he just had to be a disrupter and tear down the system. He did this through racist and xenophobic remarks and eroding the dignity of the government. He also did this through undermining democracy by interfering with the Department of Justice. Republican leaders and Trump's staff were not concerned about his alleged criminal conduct regarding Russia or Ukraine. Instead they worked to defend him and help him obstruct the investigations. Lastly, Trump maintained populist support by undermining the world order through pulling out of international agreements,

praising the dictator Putin, and issuing unproductive tariffs that harmed other countries and our own.

Chapter Three: The Persistence of an Ineffective Government

Moe and Howell argue that governments must save themselves from populist leaders. The only solution is for governments to reform the ways they have been ineffective and empower themselves to address real issues of job loss, healthcare, unregulated immigration, and other problems that are driving people towards populism. Although some things are better left to the states and private sector, most Americans feel the government should be involved in the solutions to many problems. In the past, when America faced similar crossroads, the solution was working within the Constitution to bypass a weak Congress and create a stronger president. Moe and Howell argue that this is what we need today. Reforms cannot only consider how to make the government more democratic, they need to make the government more effective. A government capable of making the necessary changes needs a strong president.

The legislative branch the founders envisioned could govern a small, isolated, agrarian society and address local constituents' issues. But even 100 years after the signing of the Constitution, the U.S. had outgrown the capabilities of Congress. This is very evident by the fact that the Republican controlled House and Senate during Trump's presidency created almost no solutions to its constituents' problems. Although they had long denounced Obamacare, no legislation was produced to change or improve the Affordable Care Act. The tax cut bill the Republicans produced was a mess, filled with special interests, loopholes, and exceptions. Lastly, concerns of foreign interference in a U.S. election only led to a lackluster investigation that did not request interviews or documents, and instead focused on attacking the intelligence agencies that initially reported on the interference.

Howell and Moe feel that the real solution is to amend the Constitution to make our government capable of responding to modern day issues. However, there are difficult barriers embedded in the process, and the additional obstacles of constitutional worship, polarization, and the Republican Party. No matter how often the government falls short, Americans are inclined to believe that it is not the Constitution's fault. We need to take a step back and ask ourselves if the system designed in the Constitution is really the best one to solve the problems we face. Because of polarization, there is no more middle ground, and therefore no incentive to improve the institution. Americans of every ideology fear making a more effective government because it may be a government in the hands of a different party. Republicans particularly fight for an ineffective government. They believe in the importance of a small government, and are funded by corporations who benefit from it. The more inefficient the government is, the more they can argue it is bad and should not be involved in the major problems America faces. Since amending the Constitution is not in the realm of possibility, and since nostalgia for a functioning Congress is just a myth, we must seek to strengthen the presidency so that it can lead and keep our nation out of crisis.

Chapter Four: A Presidency for Modern Times

The authors argue that the president is better suited to address national problems effectively. Legislators cater to special interest groups and local constituents, seeking short-term solutions that can get them reelected. Presidents, on the other hand, are motivated by the intrinsic desire to leave a legacy. Trump was no different, but his legacy wouldn't be creating a more effective government but tearing down the institution, and with it democracy itself. The goal therefore, is not necessarily to make a stronger or weaker president, but to create one that is better suited to modern times.

There are several reforms that could achieve this goal. The biggest reform should be to expand the president's agenda setting powers by giving them universal fast track authority in Congress. The authority would be to introduce a policy, which is far more likely to be comprehensive and in the nation's interest, and require Congress to vote either yes or no on the proposal as a whole in a limited time frame. Second, the CIA, FBI, and DoJ need to be isolated from the president through laws altering power structures and conduct in these agencies and laws that explicitly denounce the unitary executive theory, which Trump used to justify his interferences. Third, the number of political appointees a president has should be reduced to one or two appointees per agency. A populist president would have far less sway and a normal president would have a government far more efficient in turning their agenda into legislation and regulations for the good of the whole country. Lastly, Congress should reform the president's unilateral action, specifically emergency and military powers. There should be more requirements for congressional reporting and approval when presidents declare a national emergency. Congress needs to wield their war powers by passing more specific authorization statutes, utilizing the power of the purse, and opening investigations to draw public attention more.

Howell and Moe argue that presidents have two powers that should be done away with entirely as they are unnecessary and especially dangerous when a populist is president. The first power is the pardon power which can be used by presidents for personal reasons. An effective government does not need the pardon power, and a populist president can use it to erode the rule of law. The second is that there is no legislation preventing presidents from using their power for their personal and financial gain. A populist president can use the power of the president to the benefit of themselves and the detriment of the nation and there are very few laws to stop them.

While it is easy to see the Trump presidency as indication that the president has too much power, the reality is they have too much power in some regards, and not enough to be effective in other regards. We must carefully consider reforms of all kinds to create institutional changes for a more effective government that responds to problems before they whip up populist fervor. This onus falls on Democrats right now. The Republican Party today values disruption and is willing to destroy democracy to protect conservatism. Democrats must work hard to be elected and then to pass reforms and policies to address issues. While Democrats have some momentum as younger generations are more liberal, and women and minority groups are increasingly turning away from the Republican Party, it will not be easy. While Democrats need to enact positive policies and reforms, Republicans just need the system to continue to fail. But this crisis

opens a window of opportunity for Democrats to step up, modernize the government, and peel away at the populist support by addressing genuine concerns.

Reviews of Presidents, Populisms, and the Crisis of Democracy

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What Happened to the Vital Center? Presidentialism, Popular Revolt, and the Fracturing of America

By Nick Jacobs and Sid Milkis

Chapter One: Populism and American Democracy

The authors argue that there is a long history of populist rage in American politics, and Trump's election is merely the consequence of eroding institutional bulwarks that have traditionally restrained populism. This book is an attempt to recover the lost idea of a "vital center" - a pervasive faith in American institutions that from the '60s onward has devolved into a state of distrust. There has always been fierce partisanship and populism, but, pre-1960s, a strong vital center helped those forces play out in a sustainable manner. The central argument is that the decline of our two-party system has weakened our national resolve and that party politics could help rejuvenate the vital center.

The decline of American institutions, one of them the party system, is at least somewhat caused by the rise in executive-centric partisanship, with parties focusing less on building coalitions and fostering democratic ideals than the ultimate goal of minoritarian executive power and agenda-setting. This raw and disruptive partisanship undermines long-term governmental success. Organized party competition, on the other hand, moderates the most populist tendencies while giving space for "movement" - based activism. Our two party system was born of an idea to preserve a particular form of self-government, and for our system to withstand this tumultuous era, we must strengthen our institutions.

Chapter Two: The American Party System and Populist Upheaval: Mediating Anger and Discontent, 1800-1945

This chapter focuses on how parties as institutions changed from 1800 to 1945. By considering three cases of populist movements in early-to-mid American history, the authors show how party systems mediated populist movements and how partisanship and populism interacted in this era. Most major changes in how parties operate have been influenced significantly by prior populist movements.

There are three key examples of populist and party interactions. First, the party system of the early 1800's fostered local interests. It didn't prevent the anti-masonic populist movement from ever gaining power, but rather, structured how the movement institutionalized itself. The populist movement won electoral victories at the state and local levels first, before gaining national significance by voting in Whig coalitions. The second populist movement was the progressive Agrarian Protest: an anti-establishment, anti-machine-politics populist movement in the late 1800s. Unlike previous movements, the party system itself effectively silenced them as they faced organized political resistance from corrupt electioneering and white supremacy in the Democratic party from the beginning. The third populist movement was in the early 1900s, when FDR became president bolstered by populist and progressive support. The government, it seemed, was powerless to control parties. However, party organization made FDR better able to deliver promises than new populist political players, like Father Coughlin and his National Union. While these alternative political organizations never made much of an impact policy-

wise, the movement they arose from did leave lasting impacts in the form of the New Deal programs and the rise of executive-centered partisanship.

Chapter Three: Origins of Executive-Centered Partisanship and the Quest for Responsible Party Government

The authors show how when FDR was elected to his second term, he changed the executive branch to better consolidate his political interests, reshaping the party system in the process. The Executive Reorganization Act further consolidated power in the executive branch, making partisanship more executive-focused. Additionally, by appointing people to cabinet positions based on ideological conformity, rather than simply on the basis of party alliance, he forever altered how "spoils" were doled out. This, along with directly interfering in multiple gubernatorial and congressional elections to support "100 percent New-Dealers", reshaped the Democratic party ideologically and institutionally. Presidents would, from here on out, be both a reflection of and a driving force in determining parties' policy positions.

As the federal government took on more responsibility administering programs directly to citizens, and the president took on more responsibility over the federal government, the decentralized network of parties fell away. Centralized, executive-centered partisanship took their place. But this new "New Deal state" was subject to the unmediated demands of interest groups and populist surges, creating a tension that would erupt in the 1960s. The way populism and other social movements metastasized in the 60s is a reflection of New Deal-era reforms, and the interaction of these two forces is what gives us our current political landscape.

Chapter Four: Liberalism Transformed: The Democratic Party Since 1960

Chapter four and five document how parties lessened their mediating role between presidents and social movements, eventually giving way to direct relationships between presidents and minoritarian (but not necessarily populist) calls for action.

The authors argue that Democratic presidents since Roosevelt have tried to be like him: they wanted to energize the country through executive action. But the challenges that liberalism faced left people disillusioned with political institutions. There is an obvious conflict between calls for a growing government and increasing distrust of said government. LBJ learned this truth when he tried to fund local organizations that ran parallel in powers with local governments. Rather than work alongside each other, the two groups bitterly competed, stifling reform and increasing "movement" groups' antagonism toward liberal institutions. But at the same time, "movement" groups became increasingly intertwined with the Democratic vision of the chief executive, with the president being seen as a vanguard for a number of social movements.

As the Democratic party embraced calls for racial equality, their segregationist allies fractured off, forever splitting the New Deal Democratic coalition. However, that did not prevent many Civil Rights groups from turning their backs on liberal institutions, particularly after a number of compromises between the Johnson administration and activists that left more to be desired. At the same time, the authors show how other factions of the New Deal coalition, like white, middle class, male union workers, split from the party. This, along with the rise of the

anti-war movement, led to the collapse of the New Deal Democratic establishment, which was followed by a post-modern Democratic party more focused on direct party participation and the liberation of the executive from party constraints.

Chapter Five: Conservatism Transformed: The Republican Party Since 1960

In 1968, Nixon capitalized on the anti-establishment sentiment, racial resentment, and disillusionment with the Democratic Party to become president. Nixon harnessed "America First" nationalism with the executive itself. Reagan continued this, empowering a new form of conservatism that merged presidential power, party doctrine, nationalist/patriotic populism, and conservative cultural values. As this happened, Republicanism evolved from an attack on the administrative state to a strategy of redeploying national power for conservative ends - further entwining the conservative executive with movement-based politics.

Post-Nixon partisan realignment led to the isolation of more diverse and moderate constituencies. Nixon and Reagan weakened the Republican Party organization that had traditionally mediated between warring factions, and increasing centrality of the president in politics meant that unorthodox Republicans lacked representation. Gone were the factional, regionally diverse parties of the New Deal era. Now, parties are ideologically unified, with cultural battles tearing the country apart over the basic fabric of American identity. The Tea Party in 2009 was just another chapter in a decades-long story of rightist anti-establishment furor, and Republicans had pushed institutions to their breaking point even before Trump's election. Both parties had increased the largesse of the executive and reduced their role in mediating populist outbursts, setting the perfect storm for a Trump-like figure to emerge.

Chapter Six: Culminating Developments: Presidential Power, Liberalism, and Conservatism in the 21st Century

The authors argue that executive centered partisanship makes it so that parties are unable to buttress populist influences. The disruptive events of 2020 such as COVID, Black Lives Matter protests, and the Capitol insurrection exposed the weakness of our institutions and parties. Both President Obama and President Trump detached themselves from party organizations, but Trump was more concerned with appealing to his base, while Obama was focused on building multi-faction coalitions. The authors show that, like previous Republican administrations, Trump admonished Democratic expansion of presidential authority while expanding and redeploying executive power to suit his needs and satisfy his base. This was evident by the national emergency he declared to fund the border wall and the tear gassing of BLM protestors for a photo-op at Lafayette Park. Trump gambled that the mobilization of a passionate base can substitute for a majority coalition, all but silencing moderate Republicans in the process.

Throughout the entirety of his presidency, congressional Republicans failed to serve as gatekeepers of the party's collective responsibility. Leaving no doubt about this, the RNC had no platform for the 2020 election cycle. Instead, a resolution stated that the party "enthusiastically supports the president's America-first agenda." The Democratic party has, so far, remained much more institutionally stable. However, we must continue to bolster the vital center if we are to solve the deep issues facing our country.

Conclusion: Executive-Centered Partisanship and the Future of American Democracy

The impact of both President Trump and President Biden remains unclear. Despite his failure to win reelection, Trump is still at the center of Republican politics. The authors note that Republican politicians who condemn Trump, even after January 6, were voted out. Trump is proof that the combination of executive prerogative, social activism, and partisan politics gives the perception, and limited reality, that the president can govern independent of Congress and party organizations. Biden, on the other hand, has attempted to form coalitions among Democrats. Grassroots political movements and organizations are now winning elections at the state and local level, and progressive groups are forcing Democratic candidates to respect their wishes. The authors say that it remains to be seen if these coalitions will help to restore a vital center. Regardless, Biden continued his predecessors' legacy of an executive-centered partisanship by leading the charge on a number of key spending bills.

The authors offer proposals which could potentially aid in restoring the vital center. One disruptive change could be increasing voter turnout by making it easier to vote, either by expanding vote-by-mail or making election day a federal holiday. Expanding the electorate could make voting seem more important to everyday Americans and make parties more accountable to the interests of the silent majority. The authors also argue that parties themselves could be reorganized to be more state or local-focused. This would both make the parties themselves less dependent on the president and give parties greater ability to form truly representative, geographically diverse coalitions. Finally, Congress needs to engage the White House more regularly in legislative affairs. This is, given the role in executive-centered politics currently, a large ask, and reforms would have to be implemented carefully. But pruning back the executive could foster more inter-branch and inter-party collaboration on policy issues. All told, the task of restoring the vital center is as difficult as it is, well, vital.

Reviews of What Happened to the Vital Center? Presidentialism, Popular Revolt, and the Fracturing of America

Wallach, Phillip. "The Vital Center Then and Now." Review of *What Happened to the Vital Center? Presidentialism, Popular Revolt, and the Fracturing of America* by Sidney Milkis and Nicholas Jacobs. American Purpose, May 23, 2022. https://www.americanpurpose.com/articles/the-vital-center-then-and-now/

Primary Politics: Everything You Need to Know about How America Nominates Its Presidential Candidates

By Elaine Kamarck

Chapter One: The Good Old Days?

Although the general election has largely remained the same, the author shows how primary elections have undergone substantial reforms over the years. The original system had two parts: a largely performative primary election and a party convention. Many candidates did not even put their name on the primary ballot. The party convention was preceded by many smoke-filled back room talks between party leaders and local legislators of who to select for delegates.

In 1968, the nomination process did not reflect the anger of the anti-war protestors, causing the Democratic National Committee to commission the McGovern-Fraser report to propose reforms. The result was a set of reforms to make caucuses more public, representative, and important. Republicans, seeing the media coverage that Democratic primaries were getting, reluctantly made similar, but less extreme, reforms in the 1972 convention. The increase in media coverage caused states to fight to hold their primaries earlier so Republicans enacted an additional reform that allowed states who held their primaries after April 1 to use the winner-take-all delegate system. These reforms have allowed the people to have more influence over the election, but they have also crowded out party leaders and the process of peer-review. Academics question the merit of this, but the author argues that the American people generally regard political parties as a necessary evil at best.

Chapter Two: Sequence as Strategy

The author argues that the sequence of primary and caucus states plays a huge role in campaign strategy. A few key, early victories can build momentum and generate the finances necessary to carry a candidate to the nomination. President Carter was the first candidate to understand and manipulate the new system to his advantage by putting states that favored him earlier in the process. Reagan also built a sequence that benefitted established Republicans by creating a "firewall" of an early South Carolina primary, which would offset any wins that a more radical Republican might have in earlier places like Iowa. An expert understanding of sequence, such as in Obama's campaign, can help overthrow front-runners. On the other hand, those that ignore sequence will often fail. Guilani decided to skip the initial primaries and instead focus on securing his votes in Florida and carrying that momentum into victories in southern states on Super Tuesday. The other candidates had already built momentum so Guilani finished in third in Florida, effectively ending his candidacy.

Because sequence means that early wins, often in small states, matter, candidates have recently begun foregoing the federal matching program. The Federal Election Commission has a limit on how much money candidates can spend in each state, proportional to the amount of eligible voters in a state. In its place, super PACS, where individual donors can donate large sums of money to a PAC aligned with the candidate's campaign, have sustained candidates. This

slightly offsets the impact of sequence, as candidates can have funding for a long-haul campaign, but even so early wins remain key to success.

Chapter Three: The Fight to be First

The author shows how states began fighting to be first since early primaries and caucuses are more influential. To prevent this, the DNC attempted to create a voting window requiring all primaries be held from the second Tuesday in March to the second Tuesday in June. After extreme backlash from Iowa and New Hampshire, who had always held early primaries, the exception was made that Iowa could hold its caucus fifteen days before the window and New Hampshire could hold its primary seven days before. The exceptions allowed lesser-known candidates to emerge before Super Tuesday and lessened the concern that a strict voting window would lead to what essentially looked like a national primary where all the elections were on the first day of the window. The Republican National Convention created their own, earlier version of the voting window. They also tried to prevent frontloading by allowing states who held their primaries later in the window to have extra delegates and halving the number of delegates early voting states were allotted.

When Michigan pushed to be in the early window, the formation of another rules commission was triggered. Michigan argued that the extra importance of Iowa and New Hampshire, mostly white states, diluted the votes of other ethnicities and organized interest groups, such as labor unions. The study concluded that two more states, South Carolina and Nevada, which were both somewhat more diverse, should be added to the early voting window. Florida and Michigan tried to schedule early primaries themselves, but the DNC, backed by New Hampshire and Iowa, strongly opposed it and revoked 100% of their delegates.

Chapter Four: Proportional Representation

Although Democrats and Republicans have similar sequencing procedures, their delegate distribution varies greatly. The RNC left the distribution up to the states who all decided on a winner-take-all format to reflect the general election. The DNC, on the other hand, convened on the issue several times. The first convention, which took place after McGovern narrowly won California but received all 171 of its delegates, outlawed winner-take-all systems. However, this did not end the argument on proportional representation as the winner-take-all ban had to be integrated into the DNC Charter if it was to stick. It also did not ban “loophole” primaries, which utilized winner-take-all systmes on a district level. There was much in-fighting as the new quota system for women and minorities in the DNC meant that traditional party leaders found themselves replaced with more liberal newcomers. Carter was also fighting to keep loophole primaries as they had helped him get elected the first time. Eventually, the Chairman crafted the abstract language of “fair reflection” to get both sides on board and Carter successfully negotiated for a sliding scale that set a threshold proportional to the percent of votes necessary to win a whole delegate.

After Carter’s failed presidency, the DNC briefly turned their focus less on ensuring minority representation, and more on rewarding winners in hopes of producing more viable and qualified nominees. They also sought to give party leaders some control back through unpledged

delegates selected from Congress, known as superdelegates. Jesse Jackson, a Black politician, decided to run for president, in hopes of gaining enough delegates to be able to negotiate with the DNC, who had taken Black voters for granted. He ran in 1984 and 1988 and, although he did not win the nomination, he succeeded in lobbying the DNC enough that proportional representation was finally mandated by the DNC, twenty years after the debates had first begun.

Chapter Five: Devil in the Details

The author argues that the key to getting momentum is winning early, but the key to keeping momentum is in the delegate count. Just like candidates push for favorable sequencing, they also petition states to use proportional representation or winner-take-all, depending on which will benefit them more. Campaigns that fail to understand the strategy and importance of delegate counts are unsuccessful. Bush experienced this in 1980 against Reagan. Even though Bush spent almost a million more dollars campaigning in Pennsylvania and earned the majority vote, Reagan got more delegates. Pennsylvania elected their delegates directly and Reagan's campaign had sought out endorsements from popular local delegates whereas Bush's delegates were less well known. Hart was also damaged by the delegate count in his campaign against Mondale in 1984. Hart was running low on money and all his staff's attention was on Iowa and New Hampshire. The deadline for slating delegates in many states came and went. When those primaries came, Hart won the popular vote but there was no slated delegate pledged to him for people to vote for, so Mondale won more delegates.

Since 1992, Democrats have not had the option of pushing for winner-take-all systems, making their primary process much slower in selecting a nominee and early wins even more important. Proportional representation means that lopsided victories in small homogenous states are much more important than marginal wins in large, diverse states. In the Carter vs. Kennedy primaries, Carter was able to secure the early win, and even though Kennedy won many of the later, bigger states, he just barely shrunk Carter's win. Clinton lost in a similar manner to Obama. Clinton's campaign didn't understand the importance of delegate count whereas Obama invested in specific key districts to secure the win.

Chapter Six: Do Conventions Matter Anymore?

Pre-reforms conventions had been an exciting and decisive event as there had been many uncommitted delegates. Post-reforms, the outcome is usually known before the convention is held. There are now over 800 party leaders, governors, and House members who are uncommitted delegates, but they have rarely voted differently than the public. In Mondale and Obama's campaigns, they had to make specific calls to superdelegates to get their commitment and the magic number, but ultimately they voted in line with the people. Today, delegates are instructed to vote "in good conscience". This leaves a very slim, but not impossible, chance that a future candidate could try to turn the verdict of the primaries, as Hillary had toyed with doing. However, it is all but guaranteed now that a nominating convention will not overturn the will of voters.

Chapter Seven: The Problem of "The Decider"

The general public seems to prefer a national primary, but politicians have not pushed for that. Instead, there are four main reforms that have been proposed, all of which are more cohesive and less biased than the current system. They involve breaking the country into four to six blocks, based on region, smallest to largest, or an even distribution of representation across the nation, and rotating the voting order of the blocks. Some allow for New Hampshire and Iowa to go first and others do not. Some require a regional primary and some create a window each block can hold their primaries in. Each reform has its own drawbacks such as travel costs, under-representing big states, or home region advantage to certain candidates. None of these reforms are likely to ever be implemented.

The problem is that there is no decider when it comes to primaries. The Supreme Court has made decisions on both sides of the argument about whether Congress can control primaries or not. Congress has made no motions to reform because they do not want to upset party leaders or fund primaries and because they are not being pushed by the American people to do so. As it stands, presidential candidates, party leaders, reformers, and state legislation will continue to find piecemeal solutions to punish frontloading and incentives states who hold their primaries later.

Why Presidents Fail and How They Can Succeed Again

By Elaine Kamarak

Chapter One: Introduction: Presidential Failure

The author argues that Americans today expect that our government will be incompetent and fail at responding to major crises. This book answers the question of "why presidents fail?" A good leader must have three skills: policy, communication, and implementation. Today, president's fail because they spend far too much time communicating, and not enough time crafting policy and implementation plans. Presidents are too distant from their own administration and do not feel responsible for the implementation of policies.

A president must be able to evaluate capacity and influence culture, a difficult task given the sheer size of the executive branch. The following chapters will evaluate what happens when presidents do not understand their administrations' capacity, have created a culture that ignores warning signs, or do not intentionally integrate their strategies into agencies. Presidential failures are not always avoidable, but the boring work of actually governing, rather than communicating, can make them a lot less common than they are now.

Chapter Two: Helicopters in the Desert

One of President Carter's biggest failures was his handling of the Iranian hostage situation. The hostages had received a lot of publicity and Carter felt obligated to do something. He ordered a special operations mission to fly helicopters to a desert in Iran, save the hostages from where they were being held, bring them to the desert, and fly them out safely. Only five of the eight helicopters ever landed in the desert, as two had mechanical issues and one got caught in a sandstorm. When they called off the mission, one of the remaining helicopters crashed into an aircraft, destroying both and killing eight servicemen.

The mission was a massive failure for three reasons. First, Carter vastly misunderstood the military's capacity. He ordered a special operations mission when the special operations team had been undertrained and underfunded for years. There was also a very unclear chain of command across military branches. The mission required several groups to work together, such as the special ops executing the mission and the CIA getting intel about the hostage situation beforehand. Many people on the mission admitted to having no idea who their superiors were. Lastly, the group failed to ever do a full run through of the operation. Each component was practiced separately, but it was never fully executed before the day they intended to do it in Iran. Carter had ignored the many warning signs about the incompetence of the U.S. military, and as a result, the failure of Operation Eagle Claw is part of his legacy.

Chapter Three: Ignoring the Flashing Lights

The George W. Bush administration failures were due to inability to connect the dots and its determination to ignore warning signs. Bush may have been able to prevent 9/11; all the information to determine that Al Qaeda was planning a terrorist attack within the United States was within the federal government bureaucracies, reporting to President Bush. The government had failed to connect the dots as the intelligence was scattered between bureaucracies and they

did not pursue the intelligence as thoroughly as they should have. The invasion of Iraq was also based on faulty intelligence. The Bush administration ignored the facts and agencies that did not agree with the plan to attack. The Financial Crisis of 2008 also had many warning signs, but the Bush administration ignored them. Because Bush saw the permanent government as an enemy, he chose to ignore their warnings at times, leading to his most significant failures.

Chapter Four: We Look Like a Third World Country

After 9/11, the government's disaster response shifted to focus on terrorist attacks. This meant that responses to natural disasters were not prioritized anymore. The assumption became that, in the instance of natural disasters, local responders would act and request help from the federal government if necessary. However, this wouldn't work if the local people, including local responders, are the victims of the disaster. Bush had recognized this flaw and created a contingency plan ahead of Hurricane Katrina, but the plan had not been absorbed by agencies. When Hurricane Katrina hit, agencies were unclear what their jurisdiction was. They spent a substantial amount of time focused on debating the laws and communicating throughout the agency, which delayed sending help. The lack of planning until it was too late and the overcompensating focus on terrorism meant the federal government was unable to act in a timely manner when citizens needed them.

Chapter Five: Space Walks and Crashing Websites

The Obama administration's two biggest failures were the Obamacare website rollout and the Veteran healthcare failure. The website failure was because the people who worked hard to pass Obamacare legislation were the ones tasked with implementing it. Unfortunately, the skills it takes to push legislation through Congress do not overlap with structuring a nationwide healthcare system and website. The Office of Health Care was assigned the role of creating a website. The administration failed to consider that the already overburdened office was being overwhelmed by the expanding coverage and did not have the funding, skills, or time necessary to create the website. The success of passing the legislation was overshadowed by the website crashing for weeks as soon as it was rolled out.

The veterans' healthcare scandal revealed that the Veterans Healthcare Administration was reporting false wait times and several veterans had, in fact, died while waiting for care. Obama was blindsided by this scandal. As it turns out, several reports had been created documenting the problem. Some were given to Obama during his transition into the presidency, which was a time with great economic distress. Other warnings did not reach his desk. Obama did not appear to be in control of the government he ran.

Chapter Six: The Buck Doesn't Stop Here After All

Presidents often fail because the people under them, either their appointees or career bureaucrats, make mistakes. Presidents struggle to work with two types of staff: the career staff and the political staff. Each has a very different set of rules, incentives, and Congress is ultimately the boss of the career staff. As a result, Presidents don't assume responsibility for the government they run, even though they should. Additionally, presidents often appoint people

who were really crucial in the campaign but do not know how to run a government. Unlike in campaigns, communication won't get the president out of accountability when the government crashes and burns.

There are three types of failures in this book, but the author also offers three solutions to these problems. The first failure is when information that may have been able to prevent the failure is blocked or ignored. The second is when an administration fails to spot trouble before it is too late. Lastly, failures occur when presidents don't understand the limitations of their government. The first solution is for the president to spend less time and energy on talking, and more on governing. The second is for the president to work with cabinets to conduct agency performance analyses and create early warning systems for the president and Congress to prevent failures from occurring. Lastly, presidents needs to spend significant time learning about their government's strengths and limitations, before and throughout their presidencies.

Chapter Seven: The Voter's Guide to Picking a President

The author argues that the way we elect presidents dooms them to failure. Presidents today are selected because they are able to make big promises and communicate to the people. These are not the characteristics of a successful president though. Although party conventions were an elitist and unfair system, they had some good aspects that were lost in direct primaries and we should seek to restore those elements. The party nominations means that presidents had to be skilled at negotiating with equals, not charming crowds. Presidents today are no longer peer-reviewed and they are not judged on their government skills but on their campaign skills. We should seek to elect presidents who will be successful at navigating the strengths and weaknesses of their government, not those who can successfully campaign.

Reviews of Why Presidents Fail and How They Can Succeed Again

Shaw, John. "Why Presidents Fail: Too Much Talk and Too Little Action According to Kamarck." Review of *Why Presidents Fail and How They Can Succeed Again* by Elaine Kamarck. The Washington Diplomat, March 30, 2017. https://washdiplomat.com/why-presidents-fail-too-much-talk-and-too-little-action-according-to-kamarck/

Select Essays From The Presidency: Facing Constitution Crossroads

By Michael Nelson and Barbara Perry

The Living Presidency: Always at a Crossroad

By Sai Prakash

Prakash argues that the first presidential crossroad was the Constitutional Convention in 1787. At the convention, the founders proposed many forms of an executive branch, but eventually decided on a single executive head under Article II that resembled something of a limited monarchy. Since then, presidents have grown their power substantially. Through times of war, interpretations of broad legislation, claims of "representing the people", and sometimes even overt defiance, presidents have changed the norms and rules of the presidency. Congress, for the most part, has let them. Congress, and the president, are able to act unconstitutionally because of the modern-day belief in a living constitution that can be molded and informally amended through changing norms.

To prevent presidents from facing more crossroads and choosing the path that expands their power, Congress can do five things. First, Congress should pass judgment on presidential power and the constitutionality of their actions more frequently, especially just before a new president's term. Second, Congress should pass a war powers act that cuts military spending once the president starts a conflict that is not authorized by Congress. Third, Congress should grow its own staff while shrinking the president's. Fourth, Congress should stop delegating power to the administrative apparatus. Lastly, the Senate needs to wield their advice and consent powers better, by looking over which offices need Senate approval to work in the executive and which do not.

Crossroads of a (c)onstitutional Presidency: How 10 Extraconstitutional Landmarks Shaped the Office

By Michael Nelson

Nelson argues that, over the years, presidents have amended the constitution in little and big ways. As opposed to the Constitution, which clearly spells out rules in a document, the constitution is the informal rules, norms, and precedents that dictate presidential power. Nelson lists ten highly significant instances of constitutional reforms.

1. In George Washington's presidency he had to determine all the procedures not spelled out in the Constitution, including the traditions of inauguration that have continued to this day.
2. The first Congress also had to answer questions not answered in the Constitution. The most significant was its decision that, while the Senate must approve official appointments, the president can unilaterally fire them.
3. Jefferson's presidency sealed the norm of a maximum two-term presidency, until it was cemented into the Constitution after FDR's having won four elections.
4. Andrew Jackson was the first president to veto a bill on the basis of policy, not constitutionality. Every president after that has conformed to the new vetoing norm.

5. Abraham Lincoln greatly expanded emergency presidential powers during the Civil War on the basis of necessity, which Congress eventually condoned.
6. Theodore Roosevelt was the first president to use his voice to appeal to the people over Congress. Prior to him, the norm was for a president to be "seen but not heard."
7. FDR's presidency established the White House staff through the creation of six assistants designed to aid him in fulfilling his role.
8. The McGovern-Fraser Commission, created to reform the Democratic Party's nomination process, led to widespread uses of primaries in nominating a president. This connected presidential candidates to grassroots instead of to party leaders and the state's legislators.
9. The impeachment of Richard Nixon led to understanding "high crimes and misdemeanors" as dealing with violations of actual criminal law. This was altered once again when Trump was impeached without direct criminal violation charges.
10. Jimmy Carter, and his vice-president Walter Mondale, established new responsibilities and staff for the vice president to act as chief advisor. Before that, vice presidents did not have much significance.

On Being Unpresidential: The Trumpian Moment in a Historical Perspective

By Richard Ellis

Ellis shows how Trump was not the first president accused of acting unpresidential. Both Andrew Jackson and Theodore Roosevelt acted unpresidential in ways that radically transformed what it meant to be presidential. Ellis argues that Jackson was a populist president, he did not have the traditional qualifications of a president and did not seek to appeal to the Washington elites to get elected. He was a "president of the people." Nonetheless, he was still very politically savvy and he refrained from getting involved in partisan insults and arguments. Roosevelt acted in a similar vein. He was far more bold and public than the post-Civil War presidents who were his immediate predecessors. He too, however, had self-control and the ability to navigate the political world. Both presidents were accused of acting unpresidential, but ultimately they were viewed as successful presidents and permanently redefined the role of a president.

Andrew Johnson was also a populist president, but to a very different effect. He regularly engaged in public name calling, racist remarks, and drinking. Unlike Roosevelt and Jackson, he did not succeed in redefining the role. Instead, his behavior resulted in backlash, including an impeachment, which reinforced the expectations of that the president should strike a more modest demeanor. The question today is whether Trump is more like Johnson or Roosevelt and Jackson, or a different category altogether.

The People, the President, and Congress at a Crossroad: Can We Turn Back From Gridlock?

By Jennifer Lawless and Sean Theirault

The authors argue that when Trump was elected president despite his lack of experience, his racist and sexist remarks, and Republican leader's skepticism of his candidacy, people wondered whether he would increase or decrease party polarization. As it turns out, he did

neither. Data indicates that Trump did not disrupt the increasing polarization trend for better or for worse. The people continued to vote, and hold beliefs, in line with the head of their political party, the president. Congress continued to fall in line behind the president, as their electoral success was tied with the president, at the same rate as before. By all accounts, Trump only continued the trend. However, the authors argue, there may be additional trends not marked by the data, such as an increase in undermining mainstream media and attacking political opponents, that may play out in the coming years.

American Regicide: Postwar Presidents and the Bitter Politics of Returning to Normalcy

By Russell Riley

In times of war, the author argues, Americans have handed over swaths of power to the president. However, once the war is over, history has proved that Congress, and the public demand that power be limited once again. George Washington did this willingly when he surrendered his post as Commander in Chief after the Revolutionary War. President Andrew Johnson, who became president after the Civil War when Lincoln was shot, repeatedly fought with Congress because he wanted all the powers he had seen Lincoln exercise. His impeachment was partially a result of this conflict over the nature of the presidency. Woodrow Wilson saw the same tension after the First World War. He pushed for his own definition of a "return to normalcy" but the American people kept him in check by voting for a Republican controlled House and Senate. The six times both the House and Senate have become controlled by the opposing party of the president have been in post-war midterms. Now, our presidents have all seen increased powers due to the Global War on Terrorism and, more recently, COVID. The author concludes by arguing that Congress's checks on presidential powers in times of peace are more resilient that we give them credit for though, so this may not be the new normal.

The Personal Presidency at a Constitutional Crossroad

By Barbara Perry and Stefanie Abbott

The authors argue that in the Constitution, the founders created checks and balances among the branches of government, but also a check on the people. The electoral college was created so that the worst instincts of the people could be checked, even when "the people" was limited to white men like the founders themselves. However, the media has allowed presidents to access the public directly. Both FDR and Reagan were able to master the media to appeal to the people themselves, through TV appearances and fireside chats. Trump has also utilized this, in the form of Twitter.

This connection directly to the people is a central feature of the rise in populist leaders, including politicians like Donald Trump in the U.S. and a number of leaders across Europe. The authors argue that populism is an attitude that appeals to an "us" vs "them" mindset. In liberal populism, the "them" is usually the institutional elites. In conservative populism, which is rising, the "them" is often an already marginalized group. In today's age, the "them" are immigrants. This was most visibly seen in Trump's slogan to build a wall and in the UK's decision to leave

the EU. This populism is going beyond just populism to demagoguery, where leaders are appealing to people's worst instincts.

Reviews of The Presidency: Facing Constitutional Crossroads

Dodds, Graham. Review of *The Presidency: Facing Constitutional Crossroads* edited by Michael Nelson and Barbar Perry. Cambridge University Press, December 9, 2021. https://www.cambridge.org/core/journals/perspectives-on-politics/article/the-presidency-facing-constitutional-crossroads-edited-by-michael-nelson-and-barbara-a-perry-charlottesville-university-of-virginia-press-2021-258p-7500-cloth-3950-paper/2B20EFC07392CA15C41864D9B40E63DE

Phantoms of a Beleaguered Republic: The Deep State and the Unitary Executive

By Stephen Skowronek, John A. Dearborn, and Desmond King

Chapter One: Push Comes to Shove

The authors argue that presidents increasingly rely on the executive branch to achieve policy, as opposed to working with Congress to pass legislation. However, bureaucracies slow them down. The executive branch is deep – both with a great number of people, and with great expertise and experience. Through these strengths, the federal government has serious institutional ties with media organizations, think tanks, and other groups that solidify and stabilize knowledge and discourse in DC.

This book concerns itself with what the authors term the twin phantoms of bureaucracy. The first phantom is an alleged deep state that undermines the president, and therefore the Constitution and public will. The second phantom is the prospect of a president whose personality and preferences are able to overpower any rule of law, precedent, or expert opinion. These fears both indicate how the structure of bureaucracies require examination. They draw each other out and deepen fears because, when presidents try to overuse their power, agencies resist, and when agencies resist, presidents claim even more power in response.

Chapter Two: Weak State, Strong State, Deep State

The authors recount how debates surrounding the ideal nature of the state have typically centered around its perceived strength or weakness. This prevents a direct, open reckoning with depth itself as depth can be either weak or strong depending on the circumstances. The ideal state mixes aspects of depth and unitary action, but at the moment Republicans and Democrats alike pass policy that enhances and decreases depth to achieve particular goals without regard to the long-term health of the executive branch. Now, the authors argue, the Trump Administration's "deep state" rhetoric has started a conversation on depth is more important than ever as the public itself is discussing the role of bureaucracies, and often misdiagnosing problems and solutions.

Depth – both of expertise and of government size and scope – can create strength or weakness. Depth can be strong by creating an administrative apparatus capable of enforcing laws and institutionalizing norms in the federal government. Officials in the Justice Department, FBI, and Armed Forces especially see themselves as fulfilling enduring legislative commitments to their country, not simply the will of the chief executive. Administrators can amass incredible strength through the state's depth such as the period in history where J. Edgar Hoover ran DC as the director of the FBI. Depth can also weaken the administration through checks and balances which slows the state's ability to enact policy, particularly minoritarian policy.

Chapter Three: The Unitary Executive

Presidents are not scholars. They latch onto ideas that are useful to them. Trump's embrace of the theory of the unitary executive – which the authors call "unitarianism" – was

motivated by the simple fact that cutting down depth within the administration would help him achieve concrete policy goals, like building the Border Wall. Conservatives have, more often than liberals, fallen into the anti-deep-state camp and expressed worries that the bureaucracy is becoming an unconstitutional fourth branch of government, but the authors argue that Trump's unitarian mindset didn't stem from such constitutional worries.

The theory of the unitary executive, in its purest form, states that the powers of the executive branch ought to be vested in the president alone. It argues that anything else is a direct threat to democracy, as the president was elected and represents the will of the people. Rather than the president holding a supervisory role over the executive branch, this theory sees the president as commanding and controlling the branch in a more direct way. The theory of the unitary executive conflicts with any department's or bureaucrat's norms or commitments to the country at large, as stipulated in statute. Any such commitments, such as the FBI's commitment to rule of law over the president's request to investigate political rivals, imply that the president lacks complete control over the executive branch. Constitutional arguments to this effect come from the "Vesting Clause," which states that the powers of the executive branch are vested in the president. Arguments against this idea are often rooted in the "Take Care" clause, which seems to say that the president, Congress, and the Courts have to manage the country cooperatively, which opens up the possibility of delegated administrative powers.

Chapter Four: Republican Remedies

The authors argue that an unspoken battle between a unitary executive and the "deep state" has been fought for decades, if not centuries. Presidents have always pushed one theory or another to achieve their goals. Early presidents, such as Thomas Jefferson, made use of the party system to both deepen the state and expand their powers. Andrew Jackson laid the groundwork for the unitary executive we see today by arguing that, as a president elected by the people in direct elections, he represented the will of the people. Today, because candidates take a more prominent role in the nomination process than parties do, because presidential electors are chosen by the people and not by state legislatures, and because of a gridlocked Congress, the unitary executive is an appealing theory of governance. It remains to see when, or if, major actors in government successfully push for more republican institutions.

The authors recount that Congress made a concerted effort to regain some control over bureaucracies after Nixon's aggressive presidentialism. It created inspector generals for all major agencies, who worked within the agency but reported to Congress, increased whistleblower protections, and created their own parallel budget office. The inspector general positions ultimately led to the unleashing of the Watergate scandal. However, immediately after, President Carter and every other president, have continued to weaken and undermine Congress's claims to oversight.

Chapter Five: Depth in Staff

The authors argue that presidents have staff because managing a country of 330 million people is an impossible task for one person. These staffers necessarily increase the state's depth and make it harder to use the full force of the executive in a clearly unified, organized way. This

is not typically a large issue for a sitting president. However, Trump's impulsive orders and dislike of expert opinions led his staff to interfere with unilateral action they saw as infeasible or potentially dangerous. Administrators worked to undermine him by slow-walking assignments, deleting memos, and preventing Trump from hearing certain information. Eventually Trump began firing staffers who wouldn't do as he pleased and surrounded himself with loyal workers, even when they didn't have the necessary qualifications to succeed in their work.

Trump's staff prevented him from making very consequential decisions without adequate consideration and reason such as withdrawing from NAFTA. However, Trump ran, and was elected, on a very America First platform; the very decisions the staffers worked to undermine were promises he had made to the American people. The authors argue that the nation must have a conversation about how to best staff the executive branch. Too unitary, and the staff will be a fleet of loyal yes-men. Too deep, and the unelected, unknown staff will prevent the elected president from enacting policy the American people voted for.

Chapter Six: Depth in Norms

The authors argue that norms create depth but they also play a critical role in motivating employees and upholding the legitimacy of the state. The Department of Justice must be committed to the rule of law and justice to produce fair investigations. EPA bureaucrats wouldn't work efficiently if they didn't care about protecting clean air and water. Chief executives must navigate the web of obligations officials serving in the executive branch believe they have.

Trump often worked to undermine these norms. He discredited his own FBI and Department of Justice as it investigated Russia's election interference and any role his campaign may have played. Norms were strong enough to hold up in many cases though, such as many prosecutors in the FBI resigning in the face of an order to violate a norm and Trump not dispelling the Mueller investigation. Other times, bureaucrats violated norms to work against Trump, such as FBI Director Comey leaking his conversations with Trump to pressure the Department of Justice into opening a special counsel investigation. This norm violation, even though it was done with good intent, ended up supporting Trump's claims that he was being unfairly targeted and justifying his own breaking of norms. It is clear that the president must not be allowed to break norms by interfering in the administration of justice in this way. The more difficult question is how we stop a president hell-bent on interfering with the administration of justice.

Chapter Seven: Depth in Knowledge

The authors argue that knowledge is a crucial element to the governance of a country. In order to govern effectively, the president must know the facts so that they may react appropriately. To support the president, the administrative apparatus relies on internal and external experts. The importance of expertise was made very clear when the global pandemic swept across the country and Americans looked to the president's administration to respond. Unfortunately, Trump had stripped away institutional knowledge and depth from the CDC, NIH, and other agencies because he wanted more direct control over policy.

The authors argue that Trump's presidency was filled with efforts to work around the facts when they were not convenient, especially through a "war on science." For example, he mis-tweeted that Hurricane Dorian would reach Alabama, and then publicly undermined the NOAA about it so that he wouldn't have to admit his mistake. He also appointed a self-proclaimed "leading advocate against the EPA" to lead the EPA so that Trump could limit the types of research the EPA could undertake and change funding allocations within the agency. This gave the president greater direct control, stripping power away from established experts and scientists. To a certain extent though, Congress's protection of career officials from firing is one way it is empowered to protect and prioritize knowledge.

Chapter Eight: Depth in Appointment

The authors argue that the balance of power between Congress and presidents over appointments is another manifestation of the tension between presidentialism and depth. Congress wants to see administrators nominated who have experience and friends on both sides of the aisle. A unitary executive, particularly Trump, wants administrators who will be loyal, and wants to have the ability to punish dissenters. In lieu of appointing people to positions who would have to be approved by the Senate, Trump left important positions unfilled. Instead, he promoted unapproved subordinates or "acting" heads who were less familiar with the bureaucracy, but more willing to implement Trump's policy suggestions. Trump also used these acting heads to tear down agencies such as the Consumer Financial Protection Bureau.

The authors argue that independent boards and commissions are the final frontier of unitary executives that have, so far, proved to be untouchable. The most prominent example of an independent board is the Federal Reserve Board. The president is allowed to appoint the federal reserve chair, with Senate approval, for four years, and they can only be fired with cause. Apart from this, the Federal Reserve Board is free to act on its own accord. This is very notable, as the economy is one of the key concerns of most presidents. When Trump disagreed with his Fed Chair and tried to remove him, or weaken his power, this independent board proved resistant to a unitary executive.

Chapter Nine: Depth in Oversight

The authors demonstrate how Congress has considerable "watchdog" duties, checking and deepening ties with the executive via oversight. Congress frequently depends on individual bureaucrats to act as whistleblowers. The extent of Congress's oversight was tested when administrators leaked documents to Congress proving Trump suspended shipments of aid to Ukraine until President Zelensky launched an public investigation into Joe Biden's son – alleging that President Trump was abusing his foreign policy authorities to gain domestic political advantage. Trump tried to block these documents from reaching Congress, using the logic that he had no obligation to refrain from obstructing "himself" (the executive branch) from investigating himself. But depth within the administrative branch, coupled with the improvisations of certain officials, ensured Congress would get these documents. Once hearings were underway, Trump basically admitted to the affair, but justified it with reference to the unitary executive.

We could have used this moment to have a serious reckoning about depth and the unitary executive. Congress could have made a unilateral decision that it is unacceptable to use presidential power for personal political gain. However, although Trump's impeachment trials showed the resilience of oversight and a republican state, the very partisan ruling of the Senate to acquit him fueled Trump's belief in his Article II powers and may have set a political precedent for future presidents. The authors argue that central problem is that we, as a country, are refusing to have serious conversations about the role of depth in the state. Instead, these basic and pressing issues of governance are resolved by political contingencies and the institutional alignment of political power. There is no good substitute for a more direct reckoning with depth.

Chapter Ten: A Reckoning with Depth

All the author's considerations boil down to just one point: there needs to be a common understanding of what good government entails. We, as a society, need to decide if the value that depth brings is greater than the risks. If that is the case, then we can collectively work to find ways to mitigate the harms of depth, without seeking to destroy it through a unitary executive. We need to find a middle ground where the executive can act swiftly yet is still held responsible to the expertise embedded in the administrative state and in Congress. Two narratives existed during the Trump administration. One claimed that Trump was threatened by a cabal of career bureaucrats undermining his policy. Another claimed that Trump completely stripped Congress of its oversight powers. Neither is completely accurate and unless we surpass these over simplistic narratives we will fail to accurately describe the composition of the state.

We need to deal with the double demons of depth and unitarianism ourselves. Congress, parties, the presidency, the administrative state, and other institutions in Washington need to come to a compromise on depth built on conversations about depth, not on short-term political contingencies. Reworking the administrative state and party systems to make them more insulated and independent from the chief executive is a start, but it remains to be seen whether we are capable of reaching a consensus on depth.

Reviews of Phantoms of a Beleaguered Republic: The Deep State and the Unitary Executive

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