The making of the President

BY GLENN C. ALTSCHULER Special to the Tulsa World

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At the Constitutional Convention in Philadelphia in 1787, the delegates struggled to balance a perceived need for a strong executive with a fear, born of their experiences with the English government, that he must be constrained by legislatures and courts, remain responsible to the people and unable to turn his office "into a monarchy of the worst kind, to wit an elective one."

According to Ray Raphael, they did pretty darned well, creating a durable, if flawed, institution.

In "Mr. President," Raphael, who has taught at Humboldt State University, the College of the Redwoods and a one-room public high school, in addition to writing a half dozen books on the Revolutionary Founders, provides a careful, engaging and, at times surprising, account of the origins and early evolution of what is now the most powerful political office in the world.

Acknowledging that the presidency "has not turned out entirely as the framers intended," Raphael makes a compelling case that now more than ever (when governing is held hostage to partisan politics), we should re-visit, and perhaps restore, the values they expected the chief executive to exemplify.

Unlike the historians who have preceded him, Raphael gives considerable credit to Gouverneur Morris for the creation of a strong and independent executive in the Constitution.

Raphael demonstrates that Morris, a flamboyant, one-legged delegate from Pennsylvania whose father was a titled aristocrat, drove the debate in Philadelphia on the nature of the president's authority in the national government.

Although at times inconsistent, advocating life tenure and then a two-year term, Morris played a pivotal role, for example, in giving the president (and not the Senate) the power to make treaties and appoint ambassadors and Supreme Court justices, "overturning the sense of the convention that had prevailed for over three months."

His strategy was simple and effective: when he didn't have the votes, Morris moved that an issue be sent to a committee - and saw to it that he was appointed to that committee.

"Mr. President" also presents lively and lucid lessons in civics. Raphael explains why the delegates opted for the selection of the president by an Electoral College. The office of the vice president, he points out, was an after-thought, created because the framers wanted each elector to cast two ballots (forcing them to choose someone from outside their state), and without indicating what he would do.

And President Washington, Raphael indicates, discovered that it was impractical - and undesirable - to seek the "advice" of U.S. Senators while a treaty was being negotiated, clearing the way for his successors to request only their "consent."

"Mr. President" ends with Thomas Jefferson, who set aside his strict construction of the Constitution to purchase Louisiana and instituted a trade embargo against warring European nations.

Since then, Raphael concludes, perhaps inevitably, given the growth and global reach of the nation - economically, politically and militarily - and the 24/7 communications revolution, the presidency has functioned like a ratcheted tool: for better and worse the office will "expand but not contract by its own doing."

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MR. PRESIDENT: HOW AND WHY THE FOUNDERS CREATED A CHIEF EXECUTIVE
By Ray Raphael
Knopf, $27.95

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