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Chapter 16 The President: Guardian of the System

In this chapter our task is to take a nonworshipful look at what presidents do and why they do it. The president, we are told, plays many roles: chief executive, "chief legislator," commander-in-chief, head of state, and party leader. Seldom mentioned is the role of guardian and representative of capitalism. The president is the embodiment of the executive-centered state system that defends American corporate interests at home and abroad.

Salesman of the System

As authoritative figures whose opinions are widely publicized, presidents do their share to indoctrinate the American people into the ruling-class ideology. Every modern president has had occasion to praise the "free enterprise system" and denounce collectivist alternatives. One description of President Ford could easily apply to any number of other presidents: "[He] follows the judgment of the major international oil companies on oil problems in the same way that he amiably heeds the advice of other big businesses on the problems that interest them. ... He is ... a solid believer in the business ideology of rugged individualism, free markets and price competition—virtues that exist more clearly in his mind than they do in the practices of the international oil industry."¹

The president is the top salesman of the system, conjuring up reassuring images about the state of the union, he would have us believe that our social problems and economic difficulties can be solved with enough "vigor" and "resolve," as John Kennedy used to say; or with "hard work" and "toughing it out," as Richard Nixon put it; or with a return to "self-reliance" and a "spiritual revival," as Ronald Reagan urged. "America is number one," proclaimed President Nixon, while millions of his unemployed compatriots were feeling less than that. "America is standing tall. America is the greatest," exulted President Reagan to a nation with thirty-five million citizens living below the poverty level, a record trade deficit, and a runaway national debt. Prosperity, our presidents tell us, is here or not far off—but so are the nation's many wild-eyed enemies, be they communists, revolutionaries, terrorists, "fanatical" Islamics, or whatever. There is no shortage of adversaries abroad supposedly waiting to pounce upon the United States, thwarted only by huge U.S. military budgets, covert actions, and a strong internal security system. Presidents usually downplay crises relating to the economy and emphasize the ones needed to justify arms spending and interventionism abroad.

Whether Democrat or Republican, liberal or conservative, the president tends to treat capitalist interests as synonymous with the nation's well-being. Presidents greet the accumulation of wealth as a manifestation of a healthy national economy, regardless of how that wealth is applied or distributed. America will achieve new heights spurred on "by freedom and the profit motive," President Reagan announced. "This is a free-enterprise country," said President Clinton. "I want to create more millionaires in my presidency than Bush and Quayle did."² Presidents will describe the overseas investments of giant corporations as "U.S. interests" abroad, to be defended at all costs—or certainly at great cost to the populace. A president's primary commitment abroad is not to democracy as such but to free market capitalism.³

At the Constitutional Convention, the wealthy planter Charles Pinckney proposed that no one qualify for the presidency who was not worth at least \$100,000—a munificent sum in 1787. While the proposal was never written into the Constitution, it seemingly has been followed in practice. Since World War II, and frequently before then, almost all presidential candidates on the Republican and Democratic tickets have been millionaires either at the time they first campaigned for the office or by the time they departed from it. In addition, presidents have drawn their top

advisers and administrators primarily from industry and banking and have relied heavily on the judgments of corporate leaders.⁴

It is probably not easy for a president to remain keenly aware of the travails and deprivations endured by ordinary working people. He lives like an opulent potentate in the White House, a rent-free, 132-room mansion set on an eighteen-acre estate, with a domestic staff of about one hundred, including six butlers and five full-time florists, a well-stocked wine cellar, tennis courts, a private movie room, a gymnasium, a bowling alley, and a heated outdoor swimming pool. In addition, the president has the free services of a private physician, a dozen chauffeured limousines, numerous helicopters and jets, including Air Force One. He also has access to the imperial luxuries of Camp David and other country retreats, free vacations, a huge expense allowance—and for the few things he must pay for—a \$200,000 annual salary.⁵

Journalists and political scientists have described the presidency as a "man-killing job." Yet presidents take more vacations and live far better and longer than the average American male. After leaving office they continue to feed from the public trough. Four ex-presidents (Ford, Carter, Reagan, and Bush) are millionaires, yet each receives from \$500,000 to \$700,000 in annual pensions, office space, staff, and travel expenses, along with full-time Secret Service protection costing \$5 million a year for each.⁶

Presidents and presidential candidates regularly evade federal limits on presidential campaign spending through a loophole that allows big contributors to give what is called "soft money" directly to state political parties.⁷ Contributors may disclaim any intention of trying to buy influence, but if it should happen that after the election they find themselves or their firms burdened by a problem that only the White House can handle, they see no reason why they shouldn't be allowed to exercise their rights like other citizens and ask their elected representative, who in this case happens to be their friend, the president of the United States, for a little help.

For their part, presidents seem as capable of trading favors for money as any influence-peddling, special-interest politician—only on a grander scale. The Nixon administration helped settle a multibillion-dollar suit against ITT and received a \$400,000 donation from that corporation. Reagan pushed through the deregulation of oil and gasoline prices and received huge contributions from the oil companies.⁸ President Bush's Team 100, consisting of 249 wealthy financiers and corporate CEOs, put up at least \$100,000 each to help elect Bush in 1988. In return, they enjoyed White House pork-barrel handouts, special dispensations on regulatory and legal matters, and appointments to choice ambassadorships.⁹

It is said that the greatness of the office lends greatness to its occupant, so that even persons of mediocre endowment grow in response to the presidency's responsibilities and powers. Closer examination reveals that presidents have been just as readily corrupted as ennobled by high office, inclined toward self-righteous assertion, compelled to demonstrate their military "toughness" against weaker nations, and not above operating in unlawful ways. Thus, at least six presidents employed illegal FBI wiretaps to gather incriminating information on rival political figures.¹⁰ The White House tapes, which recorded the private Oval Office conversations of President Nixon, showed him to be a petty, vindictive, bigoted man who manifested a shallowness of spirit and mind that the majestic office could cloak but not transform.¹¹ President Reagan repeatedly fabricated stories and anecdotes about nonexistent events. The Iran-contra affair revealed him to be a deceptive manipulator who pretended to support one policy while pursuing another, and who felt himself to be unaccountable to Congress and to the law.¹²

The Two Faces of the President

Presidents conjure up fine-sounding labels and images to enhance their popular appeal. Roosevelt had his "New Deal," Truman his "Fair Deal," Kennedy his "New Frontier," Johnson his "Great Society," Reagan his "American Renaissance," and Bush his "thousand points of light."

Consider John Kennedy, a liberal president widely celebrated for his devotion to the underdog. In foreign affairs, Kennedy spoke of international peace and self-determination, yet he invaded anticapitalist Cuba. He drastically increased military expenditures, instituted new counterinsurgency

programs throughout the Third World, and sent military advisors to Vietnam. In domestic matters Kennedy presented himself as a champion of civil rights, yet he refrained from taking legal action to support antidiscrimination cases and did little to prevent repeated attacks against civil-rights organizers in the South. He talked as if he were a friend of working people, yet he imposed wage restraints on unions at a time workers' buying power was stagnant or declining, and he opposed introduction of the thirty-five-hour work week. Kennedy also instituted tax programs and deficit-spending policies that carried business profits to all-time highs without reducing unemployment.¹³

One of the president's many roles is "chief liar," performed by offering the public a deceptive admixture of populist rhetoric and conservative policy. Richard Nixon and Gerald Ford both voiced their support for environmentalism and then opened new forest lands for commercial exploitation and strip mining. Both gave lip service to the problems of the Vietnam veteran, the plight of the elderly, and the needs of the poor, yet cut benefits to these groups.¹⁴ President Jimmy Carter promised to cut the military budget and instead increased it. He promised to reduce arms sales, but under his administration arms sales rose to new levels. He talked of helping the needy, but proposed cutbacks in summer youth jobs, child nutrition programs, and other benefits. After campaigning as a friend of labor, Carter went on to oppose most of the AFL-CIO legislative program. Like his predecessors, he also advocated multibillion-dollar credits and subsidies for big business.¹⁵

The gap between rhetoric and policy became a virtual chasm during the Reagan years. President Reagan called for a "war on drugs," but substantially cut funding for drug treatment and drug enforcement. He lauded our veterans for their great sacrifices, but offered a budget that cut veterans' health-care. Before an African American audience in Washington D.C., Reagan described himself as a champion of racial equality; in fact he had advocated tax breaks for segregated private schools, drastically reduced enforcement of civil-rights laws, and cut inner-city assistance programs.

Reagan called for honest government, but vetoed an ethics bill passed by Congress. He announced that his tax cuts had benefited the poor and not the rich—though the figures said otherwise. He claimed to be a vigorous defender of the environment, while in fact he protected polluters, pillaged public lands, undermined environmental regulations, and left the earth a sadder, dirtier, more radioactive place.¹⁶ He repeatedly called for the rule of law in domestic and international affairs, yet relied on the rule of the CIA when dealing with Third World countries, committing acts of war against Nicaragua, then refusing to accept the lawful jurisdiction of the World Court when Nicaragua brought the case before the court.¹⁷

Then came President George Bush, who proclaimed himself the "education president," yet slashed education funds for disadvantaged children and others. As the self-professed "environment president," he withdrew vast areas of wetlands from federal protection and opposed international measures against global warming and ozone depletion. He spoke of preserving family values, but vetoed a bill that would allow workers to take unpaid leave so they might care for an ill family member or newborn child. Bush proclaimed his commitment to science, then reduced the number of presidential science grants.¹⁸ He invaded Panama ostensibly to arrest President Noriega for dealing in drugs, but had maintained close relations with various CIA-linked drug traffickers for years.¹⁹

"The courage to change" was the campaign theme that got Bill Clinton elected president in 1992. He promised labor-law reform, but after more than a year in office had done nothing to liberate workers from restrictive organizing rules and one-sided enforcement procedures. He talked of helping the economically deprived, yet failed to restore the human-service cuts imposed by Reagan and Bush, including the 30 percent reduction in summer jobs for low-income youth. Clinton actually decreased public service spending from what it was under Bush, including a \$3 billion reduction for low-income housing. He proposed limiting welfare assistance to two years, while neglecting to fund any serious job and day-care programs for single mothers who would be thrown off welfare. When his modest \$16 billion job package was stalled in the Senate, he let it die without a fight. He did little of note to strengthen occupational safety enforcement. He reassured the public that some of the unfair tax burden would be shifted back onto the rich, but proposed only a modest raise in the upper-bracket tax rate, with enough loopholes to allow the rich to recoup their losses.

He vowed to protect the environment, then backed a plan to open ancient forest reserves to timber operations, and softened penalties for oil-spill polluters.²⁰

In foreign affairs, Clinton talked of charting a new course but tread the same path as his predecessors. He bombed Iraq on a slender pretext. He continued Bush's armed intervention in Somalia, eventually withdrawing troops only because of the public outcry regarding the losses sustained. Like numerous administrations before him, Clinton maintained a crippling embargo against Cuba. As of April 1994 he had done next to nothing to restore democracy in Haiti. He proposed a missile defense budget equal to the one accepted by Bush, despite the end of the cold war. Clinton signaled his intention to increase funding for intelligence operations and maintain the CIA at its ongoing level. After a year in office, he had yet to fill hundreds of administrative posts, showing himself quite happy with the Reagan and Bush holdovers. Most of his own appointees were of corporate background. Some of the few liberal nominees he offered up, such as Lani Guinier, were quickly withdrawn when they met with conservative opposition.²¹ The president who talked about "the courage to change" did not seem interested in changing much of anything.

The President's Systemic Bind

If presidents tend to speak one way and act another, it is due less to some inborn flaw shared by the varied personalities who occupy the office than to the nature of the office itself. Like any officeholder, the president plays a dual role in that he must satisfy the major interests of corporate America and at the same time make a show of serving the people. He differs from other politicians in that the demands and expectations of his office are greater and therefore the contradictions deeper. More than any other officeholder, he deals with the overall crises of capitalism, for he is the chief executive and the only nationally elected leader (along with the vice-president), hence the focus of mass attention and expectation. Like other politicians, perhaps more so, the president is caught between the demands of democracy and the powers of plutocracy.

Although some presidents may try, they discover they cannot belong to both the corporations and the people. Occasionally a president may be instrumental in getting Congress to allocate monies and services for the U.S. public, but whatever his intentions, he cannot solve the deep structural problems of the political economy, for he cannot both serve capitalism as capitalism needs to be served and at the same time drastically transform it.

While members of Congress are the captives of the special interests, the president, elected by the entire country, tends to be less vulnerable to pressure groups and more responsive to the needs of the unorganized public—at least this is what political scientists taught after years of observing Democratic presidents like Roosevelt, Truman, and Kennedy tussling with conservatives in Congress. But as noted, the chief executive exchanges special favors with special interests. In addition, he must do for the capitalist system what individual capitalists cannot do. He must reconcile conflicts between various business interests, usually deciding in favor of heavy industry and big finance as against light industry and small business.

The president sometimes must oppose the interests of individual companies or industries, keeping them in line with the overall needs of the corporate economy. Hence he might do battle with an industry like steel, as did Kennedy, to hold prices down in order to ease the inflationary effects on other producer interests. When engaged in such conflicts the president takes on an appearance of opposing the special interests on behalf of the common interest. In fact, he might be better described as *protecting the common interests of the special interests*. This role is not usually appreciated by the business community, who will attack a president for any "anti-business" challenge, thereby enhancing the impression that he is the defender of the public interest.

It is usually the president's task to convince the business class that new concessions like minimum-wage laws and social programs are needed to defend the old order. As the prime elected officeholder accountable to a national constituency, and as the focus of popular expectation and constant attention from the media, the president feels more pressure than others to solve the nation's problems. It is his task, if anyone's, to ameliorate popular discontent and discourage disturbances and protests. Presidents, especially liberal ones, have played key roles in the process

of reform. For this they may incur the wrath of conservatives who see such things as the beginning of the end.

The success any group enjoys in winning White House intercession has less to do with the justice of its cause than with the place it occupies in the class structure. If a large group of migrant workers and a small group of aerospace executives both sought the president's assistance, it would not be difficult to predict which of them would more likely win it. Witness these events of April 1971:

1. Some 80,000 to 90,000 migrant farm workers in Florida, out of work because of crop failures and exempted from unemployment compensation, were without means of feeding themselves and their families. The workers demonstrated peacefully in large numbers outside President Nixon's vacation residence in Florida, hoping to get the White House to intercede. They were met only by the police, who dispersed them with swinging clubs. Eventually the farm counties were declared disaster areas. But the government emergency relief money ended up in the hands of the big commercial growers, who had sustained the crop losses. Since the migrant workers had no state residence, they did not qualify for relief.²²

2. During the very week the farm workers were being clubbed by police, leaders of the aerospace industry placed a few telephone calls to Washington and were invited to meet quietly with the president to discuss their companies' problems. Later that same day the White House announced a \$42 million authorization to the aerospace industry to relocate, retrain, and in other ways assist its top administrators, scientists, and technicians. The spending plan, an industry creation, was accepted by the government without prior study.²³

Is the president responding to a "national interest" or a "special interest" when helping the giant firms? Much depends upon how the labels are applied. Those who believe the national interest necessitates taking every possible measure to maintain the profits and strength of the industrial and military establishment, of which the aerospace industry is a part, might say the president is responding to a national interest. Certainly almost every president in modern times might have acted similarly. In addition, it might be said that farm workers represent a marginal group, therefore a limited special interest. The president's first responsibility is to tend to our industrial economy. In fact, the argument goes, when workers act to disrupt and weaken the sinews of industry, as have striking coal miners, railroad operators, and steel workers, the president may see fit to deal summarily with them.²⁴

Other people would argue that the national interest is not served when giant industries receive favored treatment at the expense of workers, taxpayers, and consumers. That the corporations have holdings that are national and often multinational in scope does not mean they represent the interests of the nation's populace. The "national interest" or "public interest" should encompass the ordinary public rather than a handful of big commercial farm owners, corporate elites, and their well-paid technicians and managers. Contrary to an established myth, the public monies distributed to these favored few do not "trickle down" to the mass of working people at the bottom—as the hungry farm workers can testify.²⁵

Whichever position one takes, it becomes clear that there is no neutral way of defining the national interest. Whatever policy the president pursues, he is helping some class interests rather than others. It is a matter of historical record that presidents usually have chosen a definition of the national interest that serves the giant conglomerates. As the most powerful officeholder in the land, the president is more readily available to the most powerful interests and rather inaccessible to us lesser mortals.

A Loaded Electoral College

Much of the president's legitimacy as national leader rests on the premise that he alone is elected by the entire nation. In fact, under Article 2, Section 1 of the Constitution, presidents are not directly elected by the people but by a majority of "electors," appointed in such manner as the various state legislatures might direct. The number of electors each state has is equal to the number of its representatives and senators. When voting for the president we are actually voting

for one or another slate of party-designated electors who are morally—but not legally—pledged to vote as we expect.²⁶ The "Electoral College," as it has come to be known, remains an undemocratic anachronism, designed by the framers of the Constitution to act as a filter of "popular passions." In keeping with their class prejudices and interests, they assumed that the electors would generally be propertied and educated gentlemen who supposedly would not succumb to self-interested choices as might ordinary voters.

By awarding the state's entire electoral vote on a winner-take-all basis to the candidate who wins a plurality of the popular vote, the Electoral College creates artificial or exaggerated majorities. Thus, in 1984 Reagan won 58.8 percent of the popular vote but 97.5 percent of the Electoral College. The distribution of popular votes sometimes becomes more important than the actual number of votes. In 1976 Gerald Ford would have won election with a shift of a mere 5,558 votes in Ohio and 3,686 in Hawaii, giving him a majority of electoral votes (270), leaving Carter with a popular majority of 50.4 percent and over 1.5 million more votes. On three occasions in the nineteenth century, the Electoral College elected presidents who ran second in popular votes.

This method of election distorts the significance of votes, as does any winner-take-all system. In any state that is heavily Democratic or Republican, voters of the outnumbered party can stay home, correctly understanding that their votes will not count. Furthermore, electors are not legally bound to abide by the popular vote. Since 1796 at least fifteen electors have failed to support their party's candidate. Thus, in 1960 a Nixon elector from Oklahoma voted for Senator Harry Byrd, as did six of the eleven Alabama electors pledged to John Kennedy. Supreme Court Justice Robert Jackson referred to electors as "free agents."²⁷

The Electoral College also distorts the popular vote by giving each state, regardless of its population, two extra votes (equivalent to its seats in the U.S. Senate). Since the Republicans control a number of relatively less-populated Western and Southern states, this gives them proportionately more electoral votes per popular votes. It is also nigh impossible for a third-party candidate, with a thinly spread as opposed to a concentrated regional base, to make a showing in the Electoral College, therefore further discouraging voters from considering third-party candidates.²⁸

With direct election of the president there would be no distortion of the popular vote. Every vote would count. And there would be no possibility of having to throw an election into the House of Representatives, where further distortions can occur. An attempt to introduce a constitutional amendment through Congress for the direct election of the president failed in 1977-78, because of the opposition of members from smaller states advantaged by the two extra elector votes. In 1980, a Gallup poll found that 67 percent of U.S. citizens favored direct presidential elections and only 19 percent were opposed.²⁹

The "New Federalism" Ploy

President Reagan sought "to curb the size and influence of the federal establishment" by giving many social programs back to the states (when not able to abolish them outright). This "New Federalism," as it was called, supposedly would revitalize state governments. In actuality, states and cities were given greater responsibility for dealing with major social problems while federal revenue sharing was cut drastically. In the 1980s, federal aid to state and local governments fell by \$34 billion in real terms, leading to harsh cuts in housing, health, and services to low-income elderly and youths. Spending for programs like community development and mass transit dropped by over 70 percent.³⁰ The remaining federal monies were allocated in block grants to the state governments instead of directly to the needy urban areas, as previously. The effect was to create new bureaucracies at the state level that shortchanged the cities and doled out funds to relatively prosperous small towns and suburban communities.³¹

The "New Federalism" sought to shift public power—at least in the area of human services—back to smaller units of government, thus reviving a dream, so dear to conservatives, of a marriage between Big Business and Little Government, one that allows business to play off states and communities against each other in order to extract more tax breaks and subsidies from them. It is

easier for Dupont Corporation to control the tiny state of Delaware than deal with the federal government as a whole. More powerful and richer than Alaska, Exxon would like to see that sparsely populated state given complete control over all federal oil and natural resources within its boundaries—in effect giving Exxon easier access to those resources.

On occasions when various states impose progressive regulations upon business, conservatives discard their states-rights posture and act like early Hamiltonian federalists, using the central government to override state powers. For instance, the Reagan administration argued that the states were prohibited from establishing nuclear-plant emission standards more stringent than those imposed by federal authorities, and that state laws protecting companies from corporate takeovers were invalid because the matter was exclusively within the province of the federal government.³²

Since 1787, conservatives have been for stronger or weaker state powers depending on which arrangement served owning-class interests on a particular issue. The conservative understands that abstract notions such as states' rights are not an end unto themselves but a means of serving the moneyed class, and when they fail to do so, they are quietly put aside for more effective measures. This is not a matter of compromising conservative principles but of uncompromisingly pursuing ruling-class interests by whatever means available.

The President Versus Congress: Who Has the Power?

A glance at the Constitution seems to indicate that Congress is the more powerful branch of government. Article 1 gives Congress the power to declare war, make the laws of the land, raise taxes, and spend money. Article 2 seems more limited in its scope; it gives the president the power to appoint ambassadors, federal judges, and senior executive officers (subject to Senate confirmation) and to make treaties (subject to ratification by two-thirds of the senators present). The president can veto laws (but the veto can be overridden by a two-thirds vote in Congress), can call Congress into special session, and do a few other incidental things. The president has two more significant functions: to see that the laws are faithfully executed and to serve as commander-in-chief of the armed forces. By all appearances, it is Congress that determines policy and lays down the law and it is the president who does Congress's bidding.

The reality is something else. In the last century or so, with the growth of industrial capitalism at home and abroad, the role of government has grown enormously at the municipal, state, and federal levels and in the executive, legislative, and judicial branches. But the tasks of serving capitalism's vast needs and interests in war and peace have fallen disproportionately on the level of government that is national and international in scope—the federal—and on the branch most suited to carrying out the necessary technical, organizational, and military measures—the executive.

The executive branch today is a vast conglomeration of fourteen departments, and hundreds of agencies, commissions, and bureaus. Many of these units are designed to accommodate special interests in transportation, commerce, mining, shipping, banking, veterans affairs, education, and agriculture, to name only some. In addition, the Executive Office of the President, a bureaucracy unto itself, contains a number of administrative units to help the president formulate and coordinate overall policy. There is the Office of Management and Budget, which puts together both the president's budget and his legislative program and sometimes enforces White House policy in the bureaucracy. Also within the Executive Office is the National Security Council (NSC), created after World War II for the purpose of overall planning and coordination of military, international, and domestic policies related to national security. The NSC is the White House's instrument (along with the Defense Department and to a lesser extent the State Department) for managing counter-insurgency in the Third World, the cold war, and U.S. global corporate hegemony. The CIA reports directly to the NSC.

The growth of presidential powers has been so great as to have occasioned a relative decline in the powers of Congress (even though legislative activity itself has increased greatly over the years). This is especially true in international affairs. The end result is a presidency that tends to

eclipse Congress—and sometimes the law itself. The president commands a number of resources that give him a decided edge over Congress:

Personal lobbying. The president directly seeks the support of members of Congress. He flatters them with invitations to dine at the White House, appeals to their personal and party loyalty, and promises White House support during the next election campaign. Lawmakers sometimes come to feel they would not look good going against the president. The prestige of the presidency itself lends persuasion to this pressure.

Superior media exposure. Commanding the kind of media attention that most politicians can only dream of, the president is able to define the issue agenda more readily than legislative leaders. Transmitted by a dutiful press, the president's appeals shape the climate of opinion in which Congress must react. One study found that on only five of thirty-six occasions that President Reagan appeared in a formal address on evening television was the congressional opposition given an opportunity to respond directly to him on the same network. Live network coverage of the president's messages seems "to have had an unmistakable impact on measures being considered by Congress."³³

Pork barrel and other special favors. The president can reward supportive lawmakers and punish uncooperative ones. The lawmaker who votes the way the president wants on crucial bills is more likely to get that veterans' hospital built in his or her district, or support for an emergency farm bill, or a federal contract for a shipyard back home. To sway votes on behalf of the North American Free Trade Act (NAFTA), President Clinton doled out hundreds of millions of dollars in pork projects, special protections, subsidies, and cuts in cigarette taxes and grazing fees.³⁴

Unitary office. There being only one president but many legislators, the chief executive has the advantage of unitary initiative and action. Almost by definition, a legislature is a cacophony of voices and interests, not structured as a command post, and usually not productive of cohesive national policy. Today, the executive plays a greater role in shaping the legislative agenda than do the legislators. One hears of "the president's program" rather than "Congress's program." Approximately 80 percent of major laws originate in the executive branch.

Control of information. In just about every policy area—from weapons systems to management of timber lands—the executive controls the crucial information. Congress frequently goes along because it depends so heavily on what the executive departments have to say. At times, presidents place themselves and their associates above congressional investigation by claiming that the separation of powers gives them an inherent right of "executive privilege." Executive privilege has been used to withhold information on everything from undeclared wars to illegal campaign funds and burglaries, yet it has no existence in the Constitution or any law. A president who can decide at his own discretion what he will or will not tell Congress and the public ends up exercising unaccountable power. We are left with no defense against deception and executive self-interest. Executive privilege deprives Congress of the information it needs to discharge its constitutional responsibilities, including its right to examine the manner in which its laws have been executed.³⁵

National security and unaccountability. The president's claim to executive privilege is nowhere more pronounced than in the area of "national security." The president and his various intelligence agencies remove whole policy areas from public scrutiny and congressional oversight. A report by two House subcommittees dealing with foreign affairs complained of the "unwillingness of the executive branch to acknowledge major decisions and to subject them to public scrutiny and discussion."³⁶ Congress unknowingly funded CIA covert operations in Laos and Thailand that were in violation of congressional prohibitions. The legislature ordered a halt to expansion of a naval base in the Indian Ocean, only to discover that construction was continuing. Many members of the Senate had not heard of the automated battlefield program for which they voted secret appropriations.³⁷

International crises and wars. "War is the true nurse of executive aggrandizement," wrote James Madison in 1787. About two hundred years later, U.S. presidents invaded the sovereign states of Grenada and Panama, and supported proxy wars against Cuba, Angola, Mozambique, Afghanistan, Cambodia, and Nicaragua, forcibly overthrowing governments without a declaration of

war and engaging in unlawful arms sales and illegal acts of war, including the arming and training of mercenary forces, without a declaration from Congress.³⁸ The CIA overspent its legal limits in the covert war against Nicaragua. U.S. planes and bases were used for support in the Nicaraguan war, against the expressed will of Congress. And CIA flight crews were not only ferrying arms to the contra mercenaries (without congressional knowledge) but were smuggling cocaine and other drugs on their return trips to the United States.³⁹ Recent presidents have asserted what amounts to a monopoly of power to make foreign policy.⁴⁰ In sum, the White House has repeatedly undermined Congress's power to declare war, make laws, appropriate funds, and exercise legislative oversight.

Rule by executive order. The president frequently issues decrees on his own, without authorization from Congress. Thus, Reagan abrogated the outstanding treaty of commerce and friendship with Nicaragua to wage a war of attrition against that country. On another occasion he issued an executive order that authorized intelligence agencies to conduct domestic surveillance and covert operations against U.S. citizens within the United States, in violation of the limitations set forth in the National Security Act of 1947. Both Reagan and Bush used executive orders to take wetlands out of protection and grant favorable deregulations to industry. It has become the practice to treat such executive orders as if they had the force of law, when actually they do not. By using executive orders to create important departures from the law, the president is unilaterally concocting his own laws for his own purposes, something not allowed by the Constitution.

Levers of power. The Supreme Court has long been aware that its decisions have the force of law only if other agencies of government choose to carry them out. In recent years Congress has been coming to the same realization, developing a new appreciation of the executive's power to command directly the personnel, materials, and programs needed for carrying out decisions. The peculiar danger of executive power is that it executes. Presidents have repeatedly engaged in acts of warfare without congressional approval because they command the military forces to do so. The executive alone has the power of implementation, acting (or refusing to act) with the force of state, to exercise extraordinary and sometimes unlawful initiatives of its own. Some instances drawn from the Reagan and Bush years illustrate how the executive can circumvent the law at home and abroad:

1. Although price-fixing by retail business has been outlawed since 1911, the Justice Department's antitrust division through the 1980s simply refused to enforce the law.
2. The Reagan administration terminated Social Security benefits for hundreds of thousands of disabled Americans. When federal courts found the rulings to be illegal, the administration announced it would simply ignore the unfavorable court decisions.
3. When a federal judge ordered the Bush administration to make surplus federal property available to the homeless under a 1987 law, the White House ignored the order.
4. Both the Reagan and Bush administrations refused to spend billions appropriated by Congress for housing and low-income programs, and impounded billions intended for improvements in mass transit and air safety.
5. Congress prohibited military sales to Guatemala, yet the White House agreed to sell \$14 million worth of military equipment to that government, asserting that since the sale would be a cash transaction, it would not violate the congressional ban.
6. The General Accounting Office (GAO) released a report showing that the Reagan administration violated U.S. law in its preparations for increased intervention in Central America and military construction in Honduras.
7. The GAO revealed in June 1993 that the Pentagon had deliberately misled Congress during the 1980s about the cost, performance, and need for nuclear weapons systems.
8. The White House halted or interfered with U.S. law enforcement efforts to keep narcotics out of the United States, for fear of jeopardizing the war effort against Nicaragua.
9. President Bush refused to undertake a needs assessment, as mandated by Congress, as a step toward developing a humanitarian aid program for Cambodia and instead used the money to fund an anti-government guerrilla war.⁴¹

Congress itself has sometimes collaborated in the usurpation of its power, granting each

president, and a widening list of executive agencies, confidential funds for which no detailed invoices are required. The legislators sometimes have preferred to pass on to the president the task of handling crises.⁴² Under the guise of limiting presidential power, Congress sometimes expands it. The War Powers Act of 1973 requires the president seek congressional approval within sixty days for any military action he has launched is a case in point. The Constitution does not grant the president power to engage in warfare without prior congressional approval. Even these expanded and unconstitutional limits have been violated. Thus the War Powers Act allows the president to engage U.S. troops only in case of an attack on the United States or its territories, possessions, or armed forces. In invading Grenada and Panama, and sending "military advisors" to El Salvador and Honduras, who sometimes engaged in combat actions, two presidents violated the act. In each of these instances Congress was not consulted.

The Constitution does not grant the president the right to wage covert actions against other nations, yet President Bush made such a claim, stating he would notify Congress of covert operations about to be launched— unless he decided not to, "based on my assertion of the authorities granted this office by the Constitution."⁴³

Many of the restrictions imposed on the executive by Congress are more form than substance. Thus, despite the National Emergencies Act of 1976, which terminated all emergency powers previously granted to presidents, there exist some 470 statutes that enable the chief executive to claim potentially dictatorial powers, even if only for a specified time, to seize private properties, declare martial law, suspend habeas corpus, confiscate all means of transportation, and restrict travel.

It would be wrong to conclude from all this that the legislative branch has been reduced to a mere rubber stamp. From time to time Congress has fought back. Both houses now have budget committees with staffs that can more effectively review the president's budget. Along with the investigations conducted by its standing committees and subcommittees, Congress has the General Accounting Office which, as already noted, is independent of the executive branch and reports directly to the legislature. The GAO plays an important role in uncovering executive waste, wrongdoing, mismanagement, and nonenforcement of the law. The Democratic-controlled House of Representatives resisted a number of President Reagan's proposals, voting against chemical weapons, against antisatellite weapons testing, for a year-long ban on nuclear testing, and for less military spending than the White House wanted. Congress restored a number of worthwhile items that Reagan and Bush sought to cut, including library programs, public health services, rental housing grants, student incentive grants, soil conservation programs, and emergency food and shelter funds. Yet in most of these kinds of battles the high ground belongs to the president— especially if he is a conservative.

Years ago, liberals, who saw how a conservative leadership in Congress managed to thwart the desires of liberal presidents like Truman and Kennedy, concluded that the national legislature had too much power and the executive not enough. But having witnessed conservative presidents like Nixon and Reagan effect their will over Congress, some of these same liberals concluded that the president was too powerful and Congress too weak. Actually, there was something more to these complaints than partisan inconsistency. In the first instance, liberals are talking about the president's insufficient ability to effect measures that might benefit the working populace. And in the second, they are talking about the president's ability to make overseas military commitments and to thwart social-welfare legislation at home.

What underlies both complaints is the realization that the president tends to be more powerful than Congress when he assumes a conservative stance and less powerful when he wants to push in a progressive direction. This reflects the entire distribution of politico-economic class power, including media influence, lobbying, campaign contributions, weakened labor unions, low voter-participation among working people, and various other factors mentioned in this book. It is also a reflection of the way the Constitution itself structures things. As the framers intended, the system of separation of powers and checks and balances is designed to give the high ground to those who resist social change, be they presidents or legislators. Neither the executive nor the legislature can single-handedly initiate reform, which means that conservatives need to control only one or the

other branch to thwart domestic actions (or in the case of Congress, key committees in one or the other house) while liberals must control both houses and both branches.

Small wonder conservative and liberal presidents have different lands of experiences with Congress. Should Congress insist upon passing bills that incur his displeasure, the conservative president need control only one-third plus one of either the House or the Senate to sustain his vetoes. If bills are passed over his veto, he can still undermine legislative intent by delaying enforcement under various pretexts relating to timing, efficiency, and other operational contingencies. The conservative president can defer spending or even rescind it completely on specific projects, as long as Congress passes a resolution approving the cut within forty-five days, which Congress often does.⁴⁴

The techniques of veto, decoy, and delay used by a conservative president to dismantle or hamstring domestic programs are of little help to a less conservative president who might claim an interest in social change, for the immense social problems he faces cannot be solved by executive sleight-of-hand. What efforts presidents do make in the field of social reform are frequently thwarted or diluted by entrenched conservative powers within and without Congress. It is in these confrontations that the Congress gives every appearance of being able to frustrate presidential initiatives.

The Reagan years lent confirmation to the above analysis, albeit with a new twist, for here was a conservative president who was not obstructionist but activist, one who sought a major transition in taxing and spending policies. The obstructionist defenses that Congress uses so well against progressive measures were less successful against Reagan, as a coalition of Republicans and "boll weevil" conservative Democrats, backed by corporate and moneyed interests outside Congress, gave the president most of what he wanted, curtailing or diminishing in one session progressive programs developed over the last fifty years. The same coalition gave President Clinton and corporate America their NAFTA victory in record time. So was demonstrated a new variation on an old theme: the system moves most swiftly when directed with concerted effort toward conservative ends.

With an activist conservative president like Ronald Reagan dedicated to rolling back social services and advancing the prerogatives of the corporate class and the military, liberals developed a new appreciation for congressional resistance to presidential initiatives. During the New Deal and Fair Deal days of liberal dominance of the White House, liberals advocated a strong presidency and warned against turning the president into an ineffectual lame duck by restricting the number of terms he might serve. Having endured twenty years of Roosevelt and Truman, conservatives were convinced that their main task was to trim the power of the federal government and of the presidency in particular. So they fought successfully for the Twenty-second Amendment (1951) which limited White House occupancy to two terms.

Likewise, in the 1950s liberals were urging that the president be given a freer hand in foreign policy, while conservatives were pushing for the Bricker amendment, a measure that would have given the states a kind of veto over the executive treaty power reminiscent of the Articles of Confederation. Liberals talked about giving the president an item veto (allowing him to veto specific items in a bill while accepting other portions of it) so that he might better resist special-interest legislation. Conservatives treated the item veto as just another example of executive usurpation.

By the 1980s we heard a different tune. Conservatives now better appreciated the uses of a strong presidency in advancing the causes of military spending and of multinational corporate capitalism at home and abroad. Furthermore, given their ability in recent times to win the presidency (four out of the last five times) and their superior ability to raise the enormous sums needed for that endeavor, conservatives, including those on the Supreme Court, now favored an expanded executive power.⁴⁵ A conservative president, Ronald Reagan, broadened the realm of unaccountable executive initiative and secrecy. He also requested an item veto. And in 1988 he and other conservatives called for repeal of the Twenty-second Amendment, so the president might again enjoy an indefinite number of terms.

In contrast, liberals now railed against the "imperial president."⁴⁶ They talked about holding firm with the War Powers Act and making the executive more accountable to Congress. Under their

breaths they were thankful for the Twenty-second Amendment, and few of them still called for an item veto. They had discovered that a presidency that so grew in power under their domain could become a powerful conservative instrument.

Change from the Top?

Presidents, along with mayors and governors, have complained that the problems they confront are of a magnitude far greater than the resources they command. We can suspect them of telling the truth. The liberal executive leader who begins the term with the promise of getting things moving is less likely to change the political-corporate class system than be reined in by it. Once in office, he finds himself staggered by the vast array of entrenched powers working within and without government, and he finds it difficult to move in reformist directions without incurring the hostility of those who control the economy and its institutional auxiliaries. So he begins to talk about being "realistic" and working with what is at hand, now tacking against the wind, now taking one step back in the often unrealized hope of taking two steps forward, until the public begins to complain that his administration bears a dismaying resemblance to the less dynamic, less energetic ones that came before.⁴⁷

In the hope of maintaining his efficacy, the chief executive begins to settle for the appearance of efficacy, until appearances are all he is left struggling with. It is this tugging and hauling and whirling about in a tight circle of options and ploys that is celebrated by some as "the give-and-take of democratic interest-group politics." To less enchanted observers, the failure of reform-minded leaders to deliver on their promises demonstrates the difficulty of working for major changes within a politico-economic system structured to resist change.

The executive has grown in power and responsibility along with the increasing concentration of monopoly capital. As already noted, a centralized nationwide capitalist economy needs a centralized nationwide state power to tend to its needs. By the same token, as U.S. corporate interests grew to international scope and were confronted with challenges from various anti-imperialist forces, so the president's involvement in international affairs grew—and so grew the military establishment intended to defend "U.S. interests" abroad. The president can intervene in other countries in a variety of ways, destroying the social support systems of whole nations, as demonstrated by the destruction of Iraq. Such powers do not advance the democratic interests of the American people, nor are they so designed. The immense military power the president commands, supposedly to make us all much safer, actually gives the chief executive an increasingly destructive and undemocratic power. As the executive power grows in foreign affairs, so the president's power over the American people becomes less accountable and more dangerous.

Although the president and the government are often held responsible for the economy, they do not have that much control over it. The purpose of executive economic involvement is to sustain and advance the process of "free-market" capital accumulation. There is, then, not likely to be much progressive change from the top, no matter who is in the White House, unless there is also widespread social unrest and a mass mobilization for fundamental reforms.

Endnotes

1. William Shannon, *New York Times*, July 22, 1975. When I refer to the president as *he*, I only am recognizing that every president thus far has been a man. I do not mean to imply that the male gender has a natural or interminable hold on the office.

2. Reagan quoted in *Seattle Times*, January 15, 1989; Clinton speaking on "MacNeil-Lehrer News Hour," PBS, October 27, 1992.

3. In an address before the United Nations, September 27, 1993, President Clinton said: "Our overriding purpose is to expand and strengthen the world's community of market-based democracies." In fact, U.S. presidents have supported any number of market-based autocracies as in Turkey, Indonesia, Zaire, Morocco, Kuwait, Saudi Arabia, Thailand, Guatemala, and the like.

4. For more on the social background of leaders, see chapter 12.

5. President Bush's numerous vacations to his country estate in Maine cost taxpayers from \$50,000 to \$100,000 a day, at a time he was calling on these same taxpayers to tighten their belts: Eugene Carroll Jr., correspondence, *Washington Post*, September 15, 1990.

6. *San Francisco Chronicle*, November 9, 1992. A group of self-described "independently wealthy" individuals contributed \$156,000 each and bought a \$2.5 million home in fashionable Bel Air, California, which they gave to Reagan when he left office: Mark Shields' column in *Washington Post*, January 28, 1989.

7. *Los Angeles Times*, December 10, 1988.

8. *New York Times*, January 11 and June 15, 1973; Anthony Sampson, *The Sovereign State of I.T.T.* (New York: Stein & Day, 1973); Juan Williams, "Reagan is the Real King of the Special Interest Groups," *Washington Post*, April 1, 1984.

9. See the study "Team 100 All-Stars," *Common Cause Magazine*, April/May/June 1992. Bush received a total of \$900,000 from persons he later appointed to ambassadorships; many had no political or diplomatic experience: *Harper's* August 1992, p. 11; Warren Lenhart, *Ambassadorial Appointments: The Congressional Debate Over Qualifications and Implications for U.S. Policy*, Congressional Research Service, Report 91-385F, Washington, D.C., May 1, 1991. President Clinton demanded that Saudi Arabia award a \$4 billion contract to AT&T. Intensive sales pressure from the Clinton administration induced the Saudis to order \$6 billion in passenger jets from U.S. firms, bypassing European competitors: *New York Times*, April 27, 1994.

10. *Washington Post*, December 12, 1983; Anthony Summers, *Official and Confidential: The Secret Life of J. Edgar Hoover* (New York: G. P. Putnam's Sons, 1993), *passim*.

11. James Perry, "A Remembrance of Things Past-The Nixon Tapes," *Wall Street Journal*, June 5, 1991. Official audits revealed that President Nixon spent over \$2.4 million of taxpayers' money on improvements of his private estate and underpaid his taxes by \$444,022. On occasion, he requested the IRS to stop auditing the incomes of close friends and go after enemies: *New York Times*, June 21, 22, and 25, 1973, and April 4, 1974.

12. On Reagan's fabrications, see Mark Green and Gail MacColl, *Ronald Reagan's Reign of Error* (New York: Pantheon, 1983). On his misrepresentations regarding Iran-contra, see *Washington Post* and *New York Times* from November 26, 1986 onward. For other shady dealings involving savings and loans that serviced Mafia and CIA people: Pete Brewton, *The Mafia, CIA b- George Bush* (New York: Shapolsky, 1992), pp. 213-215.

13. Ian McMahan, "The Kennedy Myth," *New Politics*, Winter 1968, pp. 40-48; Richard Walton, *Cold War and Counter-Revolution: The Foreign Policy of John E. Kennedy* (Baltimore: Penguin, 1972); Bruce Miroff, *Pragmatic Illusions* (New York: McKay, 1976). Nevertheless, Kennedy was hated by right-wingers because of his call for a reevaluation of our attitudes toward the Soviet Union, his differences with the Federal Reserve System and the steel industry, his friendliness with civil rights leaders, his atmospheric test-ban treaty with the Soviets, his attempts at bringing the CIA under White House control, and his unwillingness to attempt another invasion of Cuba and initiate a massive land war in Vietnam.

14. For instance, *New York Times*, September 11 and October 8, 1975; also David Wise, *The Politics of Lying* (New York: Vintage, 1973), which treats patterns of manipulation and deception in the Eisenhower, Kennedy, Johnson, and Nixon administrations.

15. Christopher Lydon, "Jimmy Carter Revealed: He's a Rockefeller Republican," *Atlantic Monthly*, July 1977, pp. 50-59; Frank Browning, "Jimmy Carter's Astounding Lies," *Inquiry*, May 5, 1980, pp. 13-17.

16. James Nathan Miller, "Ronald Reagan and the Techniques of Deception," *Atlantic Monthly*, February 1984, pp. 62-68; *Washington Post*, August 29, 1982, June 17 and 19 and July 13, 1984, September 27, 1986; *New York Times*, July 30 and 31, 1982; December 27, 1985; *Seattle Times*, January 15, 1989.

17. *Washington Post*, April 9 and 12, 1984. The World Court found the United States in violation of international law in its aggression against Nicaragua.

18. *New York Times*, February 20 and June 30, 1990; *Washington Post*, October 29, 1991.

19. Peter Dale Scott and Jonathan Marshall, *Cocaine Politics* (Berkeley: University of California Press, 1991).

20. *Nation*, May 17, 1993; Jeffrey St. Clair, "Ancient Forests Meet the Press," *Lies of Our Times*, November 1993, pp. 3-6; Victor Perlo, "Economic Betrayal in Washington," *People's Weekly World*, August 28, 1993; *San Francisco Chronicle*, January 8, 1994.

21. James Petras, "President Clinton Wall Street Populist," *Z Magazine*, April 1993, pp. 18-22; *New York Times*, January 10, 1994.

22. Tom Foltz, "Florida Farmworkers Face Disaster," *Guardian*, April 3, 1971, p. 4.

23. *New York Times*, April 2, 1971.

24. When Ronald Reagan complained about the "special interests" attempting to thwart his desire to serve the national interest with his budget-cutting efforts, he was using a motif long propagated by political scientists who

defined "special" and "national" interests by some abstract measure (particular versus broad) and not by the class interest involved (owners versus employees and consumers). Thus, Reagan was able to portray the social needs of working people as limited, parochial "special" interests, while the big companies had "national," indeed international, interests. (It is the same argument made by present-day apologists for the framers of the Constitution: see chapter 4.) When asked whether a U.S. military foray into Bolivia, ostensibly to catch drug traffickers, was in the national interest, President Reagan said, "Anything we do is in the national interest": *Washington Post*, December 29, 1986,

25. Studies show that nations with a great gap between rich and poor also have low economic growth. Conversely, nations with greater income equality enjoy healthier economic growth: *New York Times*, January 8, 1994.

26. If no candidate gets a majority of the Electoral College, the president is chosen by the House of Representatives, with each state delegation casting only one vote. The 23rd Amendment gave the District of Columbia a number of electors equivalent to the least populous state (three), which in addition to the number of senators (100) and representatives (435) brings the Electoral College to 538. The Constitution prohibits any member of Congress or any other government official from serving as an elector.

27. Twenty-six states, representing 268 electoral votes, have passed laws requiring electors to follow the popular vote. The Supreme Court has declared these laws constitutional but has not said whether they are legally enforceable.

28. It is argued that by treating the large states as giant blocks of electoral votes, the Electoral College enhances their importance, and since large states like New York and California tend to be liberal, this works to the advantage of liberals. But there is no set correlation between state size and ideology. California and New York have produced their share of conservatives.

29. See comments by Theodore Arlington and opposing arguments by Saul Brenner in "Should the Electoral College be Replaced by the Direct Election of the President? A Debate," PS, Spring 1984, pp. 238-239; also Harvey Zeiderstein, *Direct Election of the President* (Lexington, Mass.: Heath, 1973). Short of abolishing the Electoral College, a state could allocate its electoral votes to candidates in proportion to their popular vote in that state. A bill to do so has been proposed in Washington state. Maine and Nebraska give two electoral votes to the statewide winner and the others for the candidate who carries each congressional district.

30. Carol O'Cleireacain, "The 'New Federalism,'" *Economic Notes*, March/April 1991, p. 6.

31. Howard Kurtz, "Hostility to 'New Federalism' Is Bipartisan Among Mayors," *Washington Post*, December 10, 1984; also *Washington Post*, January 7, 1987.

32. Alan Morrison, "New Federalism Holes," *New York Times*, September 20, 1982.

33. Report on Media Access by the Library of Congress, Washington, DC, October 3, 1984. Under the Clinton administration, the press gives much more exposure to GOP Senate minority leader Robert Dole than it ever gave to Democratic leaders during the Reagan-Bush years.

34. *Wall Street Journal*, November 10, 1993; *Washington Times*, November 11, 1993; *Houston Post*, November 12, 1993; and printout reports from Public Citizen, Washington, D.C., n.d. Clinton used the carrot as well as the stick. He slashed space-station jobs from Alabama after that state's Democratic senator publicly criticized him for failing to cut spending sufficiently: *San Francisco Examiner*, March 27, 1993.

35. See Raoul Berger, *Executive Privilege, A Constitutional Myth* (Cambridge, Mass.: Harvard University Press, 1974). The Supreme Court collaborated in the fabrication of the concept of "executive privilege," deciding that a "presumptive privilege" for withholding information (in noncriminal cases) belonged to the president: *United States v. Nixon* (1974). Indeed, "presumptive," with no basis in law.

36. *New York Times*, January 22, 1973. By entering into "executive agreements" with foreign nations, the president can even circumvent the Senate's power to ratify treaties. The Reagan administration argued that testimony given by its officials during treaty ratification hearings need not reflect a treaty's true meaning. Some senators protested, noting that such a procedure undermined the Senate's constitutional duty to ratify a treaty because the Senate would have no certainty about what it was actually approving: *Washington Post*, February 7, 1988.

37. Paul Dickson and John Rothchild, "The Electronic Battlefield," *Monthly Review*, May 1971, pp. 6-14. President Nixon claimed he had "inherent executive power" under the Constitution to commit even criminal acts when impelled by what he considered to be national security considerations. In a TV interview on the David Frost show, May 19, 1977, he said, "When the president does it, that means it is not illegal." Scratch a president and you find a divine-rights monarch.

38. The president's "black budget," a secret account used to fund secret wars against established governments, had grown to \$39 billion a year by 1989: Tim Weiner, *Blank Check, The Pentagon's Black Budget* (New York: Warner Books, 1990). While Congress debated whether to declare war on Iraq, President Bush announced, "I don't care if I get one vote in Congress. We're going in": quoted in *New York Times*, August 18,

1992. It was not the intent of the framers of the Constitution to confer upon the president any power to start a war. That power was intended for Congress alone.

39. Jonathan Bennett, "Embargo May Violate U.S. and International Law," *Guardian*, May 15, 1985; Tim Weiner, "Anti-Drug Unit of CIA Sent Ton of Cocaine to U.S. in 1990," *New York Times*, November 20, 1993; Scott and Marshall, *Cocaine Politics*, passim.

40. For instance, assertions by the Reagan administration that Congress could not limit the presidents "constitutional and historical power" to conduct foreign affairs, including raising money for counterrevolutionary armies: *New York Times*, May 15, 1987.

41. For these various examples, see *New York Times*, March 25, 1986; *Los Angeles Times*, November 4, 1984; letter to Secretary of State George Shultz from Representative Robert Mrazek and seven other members of Congress, protesting arms sales to Guatemala, October 5, 1988; General Accounting Office report B-213137, "Propriety of Funding Methods Used by the Department of Defense in Combined Exercises in Honduras," Washington, D.C., June 22, 1984; GAO report summarized in *People's Weekly World*, August 21, 1993; "U.S. Slammed on Aid to Khmer Rouge," *Guardian*, August 1, 1990 and May 8, 1991; Senate Committee on Foreign Relations, *Drugs Law Enforcement and Foreign Policy* Washington, D.C.: Government Printing Office, 1989).

42. Ann Nocenti and Brian Tenenbaum, "The Great Compromise," *Lies of Our Times*, June 1991, p. 9.

43. David MacMichael, "Overt Inaction," *Nation*, September 17, 1990, p. 261.

44. Norman Ornstein, "A Line-Item Veto: Who Needs It?" *Washington Post*, August 11, 1985. Because George Bush, a conservative president, had no domestic agenda, other than to want to abolish capital gains taxes, he occupied the high ground, Democrats in Congress complained. "He can pick and choose what he will allow to pass," noted one. "It's only when he wants to get things done, then we have some leverage": *Washington Post*, June 24, 1991.

45 For a sample of prominent conservative policymakers who now complain that the president is overpowered by Congress, see L. Gordon Crovitz and Jeremy Rabkin (eds.) *The*

Fettered Presidency: Legal Constraints on the Executive Branch (Washington, D.C.: American Enterprise Institute, 1989).

46. And, of course, some conservatives now rail against an "imperial Congress": Norman Podhoretz, "The Imperial Congress," *Washington Post*, December 23, 1986.

47. In the case of Clinton, it has been less a tactical retreat and more a quick plunge into the ranks of corporate conservatism, as he shows himself to be almost as Republican as the Republicans in both domestic and foreign affairs: see Norman Solomon, *False Hope: The Politics of Illusion in the Clinton Era* (Monroe, Maine: Common Courage Press, 1994)