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FEATURES

The Contemporary Presidency: The Presidential "Hundred Days": An Overview

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The "Hundred Days" of 1933, when Franklin D. Roosevelt at the onset of his first term got sixteen major bills through Congress, is a poor guide to what contemporary presidents can plan or hope to do in their first three months. For one thing, under the Twentieth Amendment, Congress is already in regular session when they arrive, and three months takes one only to the Easter recess of the first session. For another thing, presidential "honeymoons" with the public, hence with Congress, rarely last until summer, while the crucial months for controversial bills usually come later. Third, brand-new presidents and their associates in both the cabinet and White House tend to be too ignorant of Congress and of one another to take full advantage of the opportunities their first months bring.

The "Hundred Days" of 1933, a term the American media had borrowed from French history, was used to denote Franklin D. Roosevelt's great success with Congress in and after that year's banking crisis. Ever since, the term has been used analogically by journalists to measure the effectiveness of newly elected presidents in their first legislative session and also has been used by certain presidents-elect to plan their postinaugural strategies.

The analogy, however, is not apt. Roosevelt's Congress had come into special session at his call, amid emergency conditions, widely perceived as such. Subsequent presidents have dealt with Congresses in regular session, facing lesser problems, while one hundred days reaches only to the Easter recess of a modern Congress, not a date for finishing most bills. Even LBJ in 1964, though not a president then elected, faced only a psychological emergency created by his predecessor's murder. And that he rode to early legislative triumphs at the later cost of escalation in Vietnam, imprisoned by his own initial pledge, "let us continue." The next year, newly elected in his own right, Johnson's coattails carried with him the largest Democratic majorities in both Houses since Roosevelt's heyday. With these, in the course of two regular sessions, Johnson launched and carried through the measures for his Great Society.

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The original "Hundred Days" had nothing whatever to do with the United States. In the spring of 1815, the former emperor of the French, Napoleon I, escaped from Elba, where he had been exiled after his abdication of the year before. Returning to France, he rallied the army, regained Paris, restored his rule, prepared to fight the rest of Europe still arrayed against him, and at Waterloo in Belgium was decisively defeated. Thereupon, he had to abdicate again and this time was transported far away, to St. Helena in the South Atlantic. This coda to his reign in France lasted one hundred days and was so labeled by historians.

In 1933, when Americans swiped that label, FDR had been sworn in on March 4 (under constitutional provisions before the Twentieth Amendment), while the "lame-duck" session of Congress had adjourned the day before, and the new Congress was not scheduled to meet until the following December. But in March, the country was gripped by financial disaster crowning three years of deepening depression. Banks were failing on every hand. Desperate depositors were losing their life's savings. Desperate businesses were short of cash. Roosevelt at once took executive measures, but he needed legislative authority for more and so called the new Congress into special session. Somewhat to his surprise, he found it so compliant in the face of the emergency that he kept it in session for three months and bargained through it sixteen major bills, many of them newly improvised, such as the National Industrial Recovery Act, and some previously kicked around for years, such as the Tennessee Valley Authority. In sum, they constituted what became known as the "First New Deal."

When FDR ran low on measures and found members running out of steam, he prudently dismissed them and from June until December governed with the Congress out of town. From his call until adjournment, that special session had lasted one hundred days. The press affixed to it the Napoleonic designation.

Ever since, journalists have speculated in advance and summed up after a new president's first hundred days—with Congress routinely in session (thanks to the Twentieth Amendment)—while his legislative success, compared to Roosevelt's, is often at the heart of their stories. And not journalists alone, but also incoming presidents and still more their staffs have often adopted this yardstick, prospectively, before their inaugurations, in commenting on what they hoped to do. Bill Clinton was notorious for this after the 1992 election. Some of them, moreover, have centered their planning on the first three months in office. Ronald Reagan's staff is a notable example. Scholars also have tended to generalize: claiming the early months of a new term as the most advantageous time for presidents to make their mark on Congress. Avowedly or implicitly, Roosevelt—and Reagan—are frequently invoked.

Journalists and scholars read each other, while presidents-elect, or at least their aides, read both. Accordingly, in Rooseveltian, not Napoleonic terms, the tag "A Hundred Days," as measurement and opportunity alike, now seems to be entrenched in the conventional wisdom of our politics.

Analytically, this is unfortunate for at least three reasons. The first relates to conditions produced by the Twentieth Amendment itself. The second relates to the character and timing of congressional "honeymoons" with newly elected presidents. The third relates to their usual ignorance about the ways and means of some (or all) institutions "inside the Beltway." Let me take these three in turn.

The Twentieth Amendment to the Constitution was designed to ensure that the four months of Herbert Hoover's lame-duck status after FDR's election, in the midst of a burgeoning financial crisis, would never occur again. Henceforth, the new Congress would meet in regular session on January 3 of the year after November's election, with the new president inaugurated on January 20. This might have helped with the banking emergency of 1932-1933. It also put an end to lame-duck sessions of the outgoing Congress, which had long been thought unsatisfactory. But in other respects, the new timing was profoundly disadvantageous for incoming presidents.

Formerly, elected presidents had had four months before the inauguration to choose their cabinets and personal aides, while appraising the condition of the country, and then nine months in office to accustom themselves to one another, learn the ropes in the executive establishment (and in press relations), review policies, and ponder budgets—all before Congress and its committees hove on the scene. If Congress arrived earlier, it would do so only in special session on the president's call, for the limited purposes he chose. Even Abraham Lincoln, with the Union dissolved and hostilities beginning, gave himself and his associates from March to June before calling Congress into special session.

How good that looks now, from the standpoint of an incoming administration, and how unattainable! Instead, the new Congress is in session three weeks before the inauguration, with its committees organized, impatiently awaiting the new president's initiatives. Moreover, since for half a century, one or both Houses have usually been organized by the political party opposed to the president, that impatience has an undertone of negativity.

This brings me to my second point. Congress, institutionally, is suspicious of "downtown," being competitive with the White House for control of federal agencies, their programs, and their budgets and licensed by the Constitution to compete. So Congress does, in modern times most notably through its extensively staffed subcommittees and its partisan floor leaderships. Since the latter are so frequently opposed to the White House in national politics, the competition is necessarily heightened, with party-enhancing institutional motives. Constituency motives heighten it still further. "All politics is local," as a recent Speaker said, and all congressional constituencies differ, not alone from one another but also from the president's.

Thus, the presumed advantages, in legislative terms, of the first hundred days for new administrations cannot be said to rest on any special institutional, partisan, or constituency preferences binding congressmen and senators to newly installed presidents. On the contrary, those underlying motives to compete with the White House seem as much a factor in congressional life at the outset of a presidency as later. What, then, explains the widely reported readily observable "honeymoon"—by way of courteous manners and procedural accommodations—most incoming presidents appear to get from Congress? The answer seems to lie in public opinion or, more accurately, in public sentiment as gauged by congressmen themselves and by their party leaders, drawing on polls and on press treatment of the new regime downtown.

From long experience, the judgment on the Hill appears to be that in the first weeks after the inauguration, most Americans wish their new president well and want him to succeed, with partisanship relatively low, interest in him relatively high, and interest fueled by

curiosity about him in his new, never-before-seen capacity, not as one party's candidate but as the country's magistrate. The congressional instinct, therefore, crossing party lines, is to repress most overt signs of rampant competition until that public mood is seen to fade, as judged by media reactions, constituent expressions, and polls. Then, as an institution, Congress bounces back to its accustomed stance of vocal, procedural, and substantive competitiveness with the president.

In modern times, the congressional reflection of a pubic "honeymoon" has not endured for more than about six months. In the air-conditioned era, the first session of a Congress far exceeds that limit, with final action on most controversial bills occurring later. So "honeymoons" are marginal, at best, in deciding a new president's success with legislation. The Reagan case, so often cited as exceptional, is less different than it seems, although his gallant response to attempted assassination, coupled with his concentration on a nominally single target, the budget, and Democratic shock after losing the Senate, changed both public and congressional parameters for the time being.

The third reason to discount the efficacy of a newly elected president's first hundred days is ignorance, his own and that of his associates. If he has not already held high executive office at the federal level–as only Dwight D. Eisenhower, Richard M. Nixon, and George H. W. Bush have done since FDR–he will be ignorant of many things he urgently needs to know yet can learn only by experience all through the hundred days and for months after. So those early months are exceptionally hazardous as well as marginally advantageous. Hazards transcend the legislative sphere and include executive operations, where even a vice president's experience is not a certain guide to presidential knowledge.

A classic case of ignorance-as-hazard is that of John F. Kennedy in planning for the Bay of Pigs, the covert invasion of Cuba, which exiles attempted under CIA direction on the eighty-seventh day of his incumbency. When the director of the CIA urged his approval, Kennedy did not know that the man spoke for only one part of it, the covert operations that had made the plan and loved it. The agency's analysts, who would have scoffed, had been kept uninformed, as not needing to know. Moreover, being told by the Joint Chiefs of Staff, to whom he had insisted on referring the plan, that it had a "fair" chance of success, he took "fair" as next to good, whereas the Chiefs of Staff, evidently, meant next to poor. When Kennedy then changed the plan, moving the landing site to lessen the "noise level" (thereby unintentionally placing it on the wrong side of a swamp from the mountains, which the invaders were to use as their escape hatch), he assumed that the Joint Chiefs of Staff would comment on the change without being asked. Since it was not their operation, they would not and did not. Finally, JFK thought that when he barred use of American forces, the CIA and Joint Chiefs of Staff would take him at his word. Having dealt some years before with Eisenhower, who had been prepared to eat such words, if necessary, they assumed Kennedy would do the same and acquiesced in further changes that made overt U.S. intervention all but essential. Thereupon, to their horror, Kennedy pretty much kept his word and let the invasion fail.

From all that, Kennedy learned a great deal, which was and is important compensation.

Ignorance, in this sense of personal not knowing, is complemented by ignorance in the sense of institutional inexperience. With the Bay of Pigs, the CIA had never before attempt-

ed a covert operation on such a scale, nor had the Joint Chief of Staffs been called on to comment hastily on someone else's war plan. Ignorance in this second sense is no respecter of the line between executive and legislative branches. In June 1977, when President Carter let Budget Director Bert Lance go to the Senate Committee to seek modification of the terms of his confirmation, neither they, nor indeed the committee chairman, seemed aware how exceptional such as request would be and thus how likely to intrigue at least some journalists in an otherwise slow summer.

And in February 1981, when Reagan sent to Congress the most sweeping revisions of the budget and of taxes ever attempted by an incoming administration, he rationalized it with an economic scenario, termed "rosy" by associates, that suffered from the haste with which the package had been put together and within weeks was acknowledged by his budget director as plain wrong. Faced by the choice of repudiating that scenario, hence modifying his proposals, Reagan understandably decided to stick with both. This set the stage for outsized budget deficits in later years. He then found virtues in them but would not have planned them consciously. They were the unintended consequences of a huge and novel effort, pursued in haste by his incoming aides on top of hard-pressed civil servants.

Ignorance of the first sort will be inescapable for many or most presidents-elect. This is all the more reason why ignorance of the second sort should be avoided whenever possible by new administrations. Innovations, to be sure, will be desired and desirable in its first months. But those requiring the relevant parts of government to act in wholly unfamiliar ways perhaps should be delayed at least until the personal ignorance of major players has been overcome. How else deal with the shortcomings of Reagan's budget director?

For that rarity, a newly elected president with vice presidential experience, if as in Nixon's case, there has been a long interval between one post and the other; past experience is not a guarantee of understanding every facet of the presidency he inherits. If the vice presidency has been the incoming president's immediate preceding office, separated only by his campaign, he may know everything about his new job except how it feels to be in it, which he undoubtedly will have imagined, sitting on the side, watching mistakes made, but perhaps imagined wrongly, as compared with how he would perform if actually in—and on—the spot. His early months will thus involve not "learning" so much as adjustment of perspective—which is best done consciously.

For a newly elected president fresh from the vice presidency, there is, besides, a special hazard in his first hundred days and even after. At least I judge so, on the strength of tales told by associates of our sole modern example, George H. W. Bush. In late 1988 and early 1989, all sorts of people in the Reagan administration, cheered by their party's victory, with all sorts of views and plans for their departments or their own next steps, had to be disappointed, gently moved aside, or quietly disposed of so the incoming president could interject his views and plans with people of his choice. What for new presidents of other sorts is an open changing of the guard was for Bush an almost covert one, involving far less brashness and decidedly more tact than usual—and stretching far into the spring. Coping with his problems is presumably a challenge for any successor in a comparable situation.