

H-Net Reviews

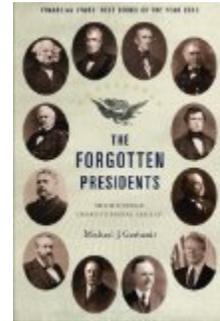
in the Humanities & Social Sciences

Michael J. Gerhardt. *The Forgotten Presidents: Their Untold Constitutional Legacy*. New York: Oxford University Press, 2013. xxi + 313 pp. \$34.95 (cloth), ISBN 978-0-19-996779-7; \$24.95 (paper), ISBN 978-0-19-938998-8.

Reviewed by David Siemers

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Commissioned by Christopher R. Waldrep



Quick. What do William Howard Taft, Calvin Coolidge, and Jimmy Carter have in common? The answer, or one answer at least, is that they are the twentieth-century presidents placed alongside many of their nineteenth-century counterparts in Michael J. Gerhardt's *The Forgotten Presidency: Their Untold Constitutional Legacy*. In this book, Gerhardt underscores that even the presidents we know least well had a major impact on governance and on the shape of their office. In this he is largely successful, with interesting tales told along the way. Scholars of the presidency will find that the book does not break substantial new ground, but lay readers interested in the presidency and wanting a broad tour of presidential history will profit from the book.

Looked at a certain way, no president is forgotten. Barack Obama is the forty-fourth president of the United States and that number means that we are counting every last occupant of the office. Looked at another way, every president is forgotten, in the main, because the myriad things they do are distilled down to a very few items for which they are remembered. In this natural forgetting we lose the rich textures of every presidency, even the most consequential and well known. This provides a great deal of space for scholars to reacquaint us with less well-known presidents and to pursue deeper truths about those we know something about. Gerhardt's work falls firmly into the former category. He presents information about thirteen less well-known presidential administrations, close to a third of the total, in this relatively compact book.

Chapters average fewer than twenty pages; these are the obscure presidents, after all. And since much of that

space is taken up with the background necessary to understand the context a president occupied, the amount of text devoted to the positions they took and the legacy of each is hardly copious. Yet it is enough to demonstrate that many consequential things happened during these forgotten periods. No president has been inconsequential; every one of them has shaped the nation.

The subtext of this work is reminiscent of the most famous scholarly work about the presidency: Richard E. Neustadt's *Presidential Power and the Modern Presidents: The Politics of Leadership from Roosevelt to Reagan* (revised edition, 1991). Neustadt opined that planning was less important to a presidential administration than successfully handling events, because events tend to exert primary control over a president's agenda. Gerhardt's variations on that theme are several: presidents intending not to be active become so in spite of their philosophy; happenstances require every president to act in consequential ways which reverberate for decades; and presidents who do not explain themselves well—a very important way of handling events—tend to be the ones who are forgotten, to their own detriment.

Seven criteria, mainly objective in nature, are offered as the primary means of choosing the presidents who are featured. These include how often presidents are mentioned in high school history books; a previously compiled measure of presidential "greatness" (not the more familiar Schlesinger or Siena College polls of scholars, but a more obscure ranking performed by William J. Ridings and Stuart B. McIver); and the number of books about each president housed in the nation's twelve premier university libraries. This method easily selects the

most obvious cases, like William Henry Harrison and Millard Fillmore, but Gerhardt exerts his own judgment in making final selections.

The easiest critique of this book may also be the least productive—disputing who should be included in it and who should not. One has to draw the line of inclusion and exclusion somewhere, and the general themes of the book remain intact no matter who is included. Yet I do wonder why Carter warrants a chapter and not Gerald Ford, particularly given the justification that the former will likely be forgotten decades from now because of his ineptness in coherently explaining his vision (p. 217). If Carter, why not also George Herbert Walker Bush, whose seemingly meager domestic accomplishments will fade with time, as will memories of the first Iraq War, the political ramifications of which have already been eclipsed by the second Iraq War. The inclusion of one or both would have brought some welcome chronological balance to the work, as well as potentially reassuring readers about the author's objectivity toward the nation's two major political parties.

The approach taken to constitutionalism here is wide ranging and eclectic—more British or Aristotelian in nature than typically American. This is beneficial. It means that Gerhardt focuses on more than just judicial philosophies and approaches to cases pending at the Supreme Court. Things like presidential power over appointments, long a point of contention between Congress and the president, take center stage. Presidential vetoes are also a subject of significant analysis. Many have been cast with the constitutionality of bills in mind and how presidents should exercise this power was a matter of significant discussion early in the presidency.

Gerhardt, a professor of law at the University of North Carolina-Chapel Hill, is at his best in discussing legal affairs. The legacies wrought through Supreme Court appointments, administration positions taken in landmark federal court cases, and the formulation of legal opinions are all matters well told here. This last item is the area in which some new scholarly ground is covered—for example, Gerhardt cites many advisory opinions of attorneys general. He incorporates source material that is not often tapped by scholars of the presidency. In so doing, the malleability of the presidency becomes clear, the opening that even now-obscure presidents have used to work their will.

There are a few overenthusiastic portrayals of the impact of certain presidents. When a “forgotten” president

copies one of his better-known predecessors, describing that action as precedent setting goes too far. There are also a few errors in the text that will be jarring to purists: labeling Martin Van Buren the seventh president, for instance, is mistaken, as any ardent viewer of *Seinfeld* can attest (p. 3). Likewise labeling Carter's defeat in 1980 “the worst electoral defeat of an incumbent president in the twentieth century” certainly seems at odds with reality given the performance of Taft in 1912 (a third place showing with less than 25 percent of the popular vote and only eight electoral votes) and probably others as well (Herbert Hoover in 1932; maybe Bush in 1992) (p. 217). Readers may question the author's emphases and judgments at certain junctures. For example, Gerhardt buries Carter's elevation of the vice presidency to a meaningful advisory and policy post within a list of criticism about how badly he botched his transition. Neither Carter's mishandled transition nor his reinvention of the vice presidency is new or even obscure. But if Carter is to be dinged for his ineptness, he should also be credited with inaugurating one of the key developments in the presidency during the last half-century.

Gerhardt's conclusion is spare. He wisely notes that presidential libraries and the Internet help preserve memories about political figures, making it less likely that future presidents will ever be as obscure as most nineteenth-century presidents were for much of the twentieth century. From a scholarly standpoint, it is important that we do not forget—that we examine political history with rigor to come to logical and defensible conclusions about it. Though I cannot help but wonder if forgetting is actually more beneficial to presidents than Gerhardt suggests. No one alive today has the experience of remembering a loved one who was lost to a Civil War cannon. This being the case, it is easy for us to look at the legacy of Abraham Lincoln and pronounce it a fantastically positive one. A similar dynamic has been at work for Harry Truman, who unilaterally embroiled the United States in a bloody war of choice that ended in a stalemate. Now it is easier to remember the tough plain talker, complete with a nostalgic patina. George W. Bush has been curiously silent over the last five years, seemingly betting (and winning, to a significant extent) on the idea that forgetting makes the heart grow fonder.

Forgetting is not like a light switch, either on or off. Forgetting is partial and selective, particularly for figures whose names history will never forget. So the operative questions about past presidents are how much should we remember and what things is it particularly important to remember? Most of the figures dealt with

in Gerhardt's book have entire volumes written on their presidency. Producing a definitive, book-length account of each presidential administration is the purpose of the American Presidency series published by the University Press of Kansas, for instance. *The Forgotten Presidents* cannot come close to the depth of memory provided in those volumes, so one can easily go elsewhere

for more information. If the purpose of one's quest is a brief but more sound sense of the overall history of the presidency—if it is to understand the few things one needs to know to form a more reliable view of the most obscure presidents—then Gerhardt's *Forgotten Presidents* is for you.

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