

THE GOVERNMENT WE DESERVE - *Gene Steuerle*

THE OFFICE OF THE PRESIDENT

I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States.

Over many years, I have been asked for advice by presidential campaign staff from both political parties. This time around, my advice to all comers is simple: stop the pandering. Run first and foremost on the one fundamental issue that matters most to the public—that you will restore the stature and integrity of the Office of President of the United States. In other words, treat as solemn and serious the oath that the Constitution requires every president to take.

The oath contains two powerful promises. One is to execute the duties of the office, not merely those that attach to being a good person. The other is to honor the Constitution

George Mason University Professor Hugh Hecl reminds us that an office is not just a job or a room. Rather, he explains, in its highest sense it entails the obligations that derive from being "positioned" in a certain place. When a person accepts the office, the self becomes subordinated to larger normative responsibilities.

Obviously, many neglect the duties of their offices—the accountant who does not account to inform, the lawyer who subordinates justice to his own interests, the businessperson who reneges on his fiduciary responsibilities to workers and consumers, and even the reporter who, as presidential debate moderator, seeks more to create controversy than to inform.

Whether our parents respected their offices more than we do ours, I do not know. But I do know that something has gone drastically amuck when we expect the lowest civil servant to hold to higher standards than most political appointees and even the president. For almost any violation of office—say, use of other public servants' time for personal reasons, political use of public funds—job loss threatens the bureaucracy's lower and middle ranks. The sanctity of the office trumps the individual's wants and needs. But at the top, the reverse too often seems true.

The president's vow to preserve, protect, and defend the U.S. Constitution as the supreme law of the land reverberates throughout government. The very first law enacted in the new United States required other government officials—including elected members of Congress—to swear or affirm their support of the Constitution too. But the president's vow has an additional dimension.

The Office of the President is unique because only the president is elected by all the people. True, the constitution authorizes Congress to collect taxes "to provide for the general welfare." But our founders understood that representatives from different geographical regions would represent different interests and so vested the Office of the President with the higher standing and authority needed to represent the national, not just parochial, interests.

Now I am not naïve enough to think that each president, at least since George Washington or perhaps John Adams, hasn't also headed up a political party. But no one takes an oath to defend a political party or promote its members' success. Factionalism at its best reflects legitimate differences among principles and, at its worst, competition to feed at the trough. Because both possibilities ride high, the threat that party politics will trump the general interest only adds to the importance we want the president to attach to the oath.

Nor am I so idealistic to think that keeping the President's Office on such high ground is easy. Yet, Americans are desperately seeking someone they can trust, which might actually make it easier for good government and effective politics to marry. On almost every contentious issue ranging from taxes to Social Security, I have found that people are much more willing to compromise than many politicians believe, but only—and this is a big only—if they think the process is fair and the information from their leaders is trustworthy.

So back to the oath...How might a candidate show that he or she takes it seriously? A major step would be to indicate that nobody can execute the Office of the President without understanding that executive branch appointments, in turn, are to offices, not merely jobs. These offices shoulder public responsibilities that simply can't be denied, taken lightly, or sold. That means appointing heads of departments and agencies first and foremost for their ability to fulfill their offices and execute the laws. Campaign contributors, in this new regime, would no longer have any dibs on anything—not access, not appointment, and certainly not ambassadorship. The public would win as well: it stands the greatest chance of having its problems addressed if appointees start with respect and vision for the offices they hold.

Again, my advice is simple. Cite the words to the presidential oath. They quickly raise the level of discourse. Then convince us that you really mean them.