

**THE PRESIDENT AND CONGRESS DURING WAR:
A WILSONIAN PERSPECTIVE
An Introductory Essay
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For the Congress Project Seminar Series
“Governing Post 9/11:
Congress and the President at War”
Friday, September 13, 2002**

*In times of peace when domestic problems are uppermost Congress comes to the front, but when foreign affairs intrude the people look to the president. His foreign affairs policy must then be his own.*¹ – President Woodrow Wilson (1916)

Introduction

The Congress Project begins its fourth academic year this month with a series of seminars titled, “Governing Post 9/11: Congress and the President at War.” The series poses several questions, the most central of which is: How have the tragic events of September 11, 2001, affected the policymaking process in Congress and relations between the Congress and the Executive Branch?”

Immediately after President George W. Bush delivered his anti-terrorism address to a cheering joint session of Congress on September 20, 2001, presidential historian Michael Beschloss enthused on national television that, “The Imperial Presidency is back. We just saw it.” He went on to explain that during times of war or national economic emergency, Congress tends to defer to the President, not just on matters of national defense and foreign policy, but on domestic matters as well. Beschloss cited the examples of President Eisenhower asking Congress for an interstate highway system, and President Kennedy asking Congress to put a man on the moon within the decade. Both requests were made at the height of the Cold War. Congress’s attitude, Beschloss said, was, “If you ask us, we will.”²

The purpose of this essay and seminar series is not to debate or define what is or is not an “imperial presidency,” but rather to examine the operation of the policy process on four specific issues and how the immediacy and exigencies of war may have affected the balance of power and respective responsibilities of these two great branches. The four issues being examined are: dueling budget priorities (Sept. 13, 2002); civil liberties (Nov. 15, 2002); homeland security (Feb. 7, 2003); and intelligence gathering and secrecy (May 9, 2003).

As with previous Congress Project Seminar Series, it is hoped that the public audience of the programs will develop a better understanding not just of the policy issues being examined, but of how the process, the politics, and players interact to frame the issues and possible solutions. This policy mural will be painted by those closest to the process who nevertheless bring differing perspectives and insights to bear on the subject: current and former members and staff from the Congress,

Executive Branch officials, media representatives, and scholars who study government and politics.

Woodrow Wilson: The Academic

President Woodrow Wilson's reading of the historical shifts of powers between the two principal branches of government in times of war and peace, captured in the epigraph to this essay, differed little from his earlier observations as an academic. In *Constitutional Government*, published in 1908, he wrote that, "the presidency has been one thing at one time, another at another, varying with the man who occupied the office and with the circumstances surrounding him."³

In the early years of the Republic, from 1789 to 1825, "men chosen for the office were men bred to leadership in a way that attracted to them the attention and confidence of the whole country," Wilson wrote. The period from 1836 to 1861, he continued, was one in which, when domestic affairs of many debatable kinds absorbed the country, "Congress necessarily exercised the chief choice of policy" and "Presidents who followed one another in office lacked the personal force and initiative to make for themselves a leading place in counsel." That changed with the Civil War and Lincoln's presidency "when the executive seemed for a little while to become by sheer stress of circumstances the whole government [with] Congress voting supplies and assenting to necessary laws, as Parliament did in the time of the Tudors."⁴

Congress was dominant again from 1865 to 1898, Wilson went on, when domestic questions were again the primary focus of legislative action. However, the war with Spain "again changed the balance of the parts," as "foreign questions became leading questions again. . . and in them the President was of necessity leader." With the emergence of the U.S. as an international power since the Spanish-American war the President has been "at the front of our government, where our own thoughts and the attention of men everywhere is centered upon him."⁵

It was this assessment of the evolution and potential of the presidency that led Wilson to optimistically proclaim in *Constitutional Government* that, "The President is at liberty, both in law and conscience, to be as big a man as he can," and that "his office is anything he has the sagacity and force to make it." Moreover, Wilson went on, "The Constitution bids him speak, and times of stress and change must more and more thrust upon him the attitude of originator of policies."⁶

Where does all that leave Congress in the policy process? While the President is leader of his party and of the nation, Wilson wrote, and can clearly exercise leadership with great effectiveness when he has the personal force to originate policy, "he cannot be said to be the guide and leader of the Government as a whole," since the government also consists of the House and Senate. The Senate "submits to the guidance of a small group of senators, very jealous of the independence of the body they control," while the House is under the command of the Speaker. The two houses in turn regard

the President, “when thinking of their own powers, as an outsider. . . whose advice they are apt to look upon as the advice of a rival rather than a colleague.”⁷

Wilson was particularly cognizant of the rise of the powerful speakership, first under Republican Speaker Thomas Brackett Reed of Maine in the 1890s, and then under Speaker Joe Cannon of Illinois in the first decade of the 20th century. These men were powers the President had to deal with. As Wilson wrote:

As national leader of his party, the President must reckon always with the guide and master of the House, without whose approval and consent it is practically impossible to get any legislative measure adopted. Measures which are to prosper must have his countenance.⁸

While the House had become too numerous to be a deliberative, debating body and instead had evolved into an efficiently organized business body, the Senate had remained an “individualistic, atomistic,” and “talkative, debating” body. Though “guided, no doubt, by a few influential and trusted members,” the Senate was, nevertheless, “a council, not an organization”— a “deliberative assembly.”⁹

How was the President to deal with two such disparate bodies in getting his policies enacted? Wilson argued that the President’s capacity will set the limit as to how successful he will be, “and if Congress be overborne by him, it will be no fault of the makers of the Constitution—it will be from no lack of constitutional powers on its part, but only because the President has the nation behind him and Congress has not.” The President “has no means of compelling Congress except through public opinion,” Wilson continued, and “the personal force of the President is perfectly constitutional to any extent to which he chooses to exercise it, and it is by the clear logic of our constitutional practice that he has become alike the leader of his party and the leader of the nation.”¹⁰

Yet while appeals to the people might work with the more representative and responsive House, the Senate, Wilson wrote, was a different creature entirely, “not so immediately sensitive to opinion,” as the House; and, “in its dealings with the President . . . the Senate [has] shown its pride of independence, its desire to rule rather than to be merely consulted, its inclination to magnify its powers and in some sense preside over the policy of the government.”¹¹

“The Senate has shown itself particularly stiff and jealous in insisting upon exercising an independent judgment on foreign affairs,” Wilson went on, “and has done so so often that a sort of customary *modus vivendi* has grown up between the President and the Senate, as of rival powers.”¹²

Wilson’s ambivalence over how to deal with such an independent institution as the Senate, especially on foreign policy issues, is reflected in *Constitutional Government*. In his chapter on the

presidency, he expressed the belief that presidential authority for the conduct of foreign affairs is “one of the greatest of the President’s powers,” over which “his control . . . is very absolute.” While the President cannot conclude a treaty without the consent of the Senate, Wilson conceded, “he need disclose no step of negotiation until it is complete, and when in any critical matter it is completed the government is virtually committed. Whatever its disinclination, the Senate may feel itself committed also.”¹³

And yet, in his chapter on the Senate, Wilson assumed a more tolerant and prudent approach. Wilson portrayed the Senate in its constitutional role as giving advice and consent to the President on appointments and treaties. As such, the Senate acted “in the spirit of an executive council associated with him upon terms of confidential cooperation rather than in the spirit of an independent branch of the government, jealous lest he should in the last particular attempt to govern its judgment or infringe upon its prerogatives.” Advisers who are entirely independent of the official advised are in a position to be his masters rather than advisers, Wilson went on, and, when the Senate is of a different political party than the President, “its dictation may be based, not upon the merits of the question involved, but upon party antagonisms and calculations of advantage.”¹⁴

Nevertheless, Wilson wrote, there is an alternative to stalemate that the President may follow when blocked by the Senate “which one or two Presidents of unusual political sagacity have followed with satisfactory results,” and that is to “establish intimate relations of confidence with the Senate. . .keeping himself in confidential communication with the leaders of the Senate while his plans are in course, when their advice will be of service to him and his information of the greatest service to them.” In this way, “there may be veritable counsel and a real accommodation of views instead of a final challenge and contest.”¹⁵

Wilson concluded his chapter on the Senate with a statement that, along with the above appeal for common counsel, would come back to haunt him as President in his uncompromising and thus unsuccessful attempt to secure Senate ratification of the Treaty of Versailles after World War I:

It is manifestly the duty of statesmen, with whatever branch of the government they may be associated, to study in a very serious spirit of public service the right accommodation of parts in this complex system of ours . . . And no one can play the leading part in such a matter with more influence and propriety than the President. If he have character, modesty, devotion, and insight as well as force, he can bring the contending elements of the system together into a great and efficient body of common counsel.¹⁶

In summary, Wilson the scholar saw great potential in the President as leader of the nation and his party, both in initiating domestic policies and in playing a dominant, if not always exclusive, role

in the conduct of foreign affairs. As the one person in government elected by all the people, the President alone could speak for the people and help shape and mold public opinion in support of his policies. Congress would have a difficult time resisting such a resourceful, innovative, and persuasive leader if he had the people behind him. This would be particularly true as the country, with the President as its leader, came to play a leading role in international affairs—especially during time of war. In times of international crisis, the powers of the presidency would be magnified even greater. These views on the relative powers and roles of the President and Congress and their inter-relationships in domestic and foreign policymaking would be tested first-hand when Woodrow Wilson became the twenty-eighth President of the United States in 1913, just five years after the publication of *Constitutional Government*.

Woodrow Wilson: The President

As President, Wilson knew how important it was to have Congress with him on both domestic and foreign policy matters if he was to fulfill his dual roles as leader of his party and of the nation. As presidential scholars Sidney M. Milkis and Michael Nelson have observed, “Wilson had believed from the start of his presidency that the full flowering of presidential authority required legislative support, even in wartime, when the expansive character of executive power was well established by constitutional doctrine and historical precedents.”¹⁷

Even with the outbreak of World War I in 1914 and its adverse impact on the shipment of American goods to overseas markets, Wilson learned that Congress would not automatically defer to the President’s every request. In 1915, for instance, he was defeated in Congress on his proposal to establish a federal shipping board to build or purchase and operate merchant ships. The measure was later enacted the following year after an amendment by Senate Minority Leader Henry Cabot Lodge (R-Mass.) was adopted to prohibit the purchase of ships from belligerent nations.¹⁸

Likewise, in 1915, Wilson’s legislation for army and navy preparedness went nowhere initially in the Democratic controlled Congress—a Congress that had fully supported all of his New Freedom domestic legislation in 1913-14. Wilson went public with a campaign for preparedness, but eventually had to settle for a much weaker version. In both instances the issues boiled down to Congress’s prerogatives over spending and war, and resentment against the president’s demanding legislation his executive departments had drafted.¹⁹

In February 1917, when Germany commenced its unrestricted submarine warfare, Wilson asked Congress for authority to arm U.S. merchant ships, even though Treasury Secretary William Gibbs McAdoo advised that he didn’t need legislative authority to do so. Senate Republicans had already vowed to filibuster any essential appropriations bills with the object of forcing the President

to call for an early reconvening of the next Congress, thereby preventing the President from acting unilaterally during the usual nine-month hiatus between Congresses.

The filibuster was conducted by 11 senators (six Republicans and five Democrats), and succeeded in blocking action on the President's armed neutrality bill. Wilson retaliated by condemning the "little group of willful men" who had left "the great government of the United States helpless and contemptible." He consequently went ahead and armed the ships anyway, falling back on his Treasury Secretary's advice that he already possessed the necessary constitutional authority. As Daniel Stid writes of this experience, "His leadership during the controversy over armed neutrality anticipated the general direction his presidency would take during U.S. involvement in World War I."²⁰

Wilson nevertheless did call a special session of the Senate on March 8, 1917, to deal solely with the problem of filibusters. He so shamed the body with the spotlight of public attention he had focused on the practice that, after just six hours of debate, the Senate overwhelmingly adopted its first cloture rule, 76 to 3. The new Rule 22 allowed a two-thirds majority to terminate what is euphemistically referred to as "unlimited discussion."

On April 2, 1917, after Germany's renewed attacks on U.S. vessels, Wilson called another special session of Congress in which he asked it to declare that "a state of war had been thrust upon" the United States. The Senate passed the declaration of war on April 4, 82 to 6, and the House passed it in the early morning hours of April 6, 373 to 50. Wilson signed it later that day.²¹

In his war message Wilson said he was "taking the liberty of suggesting through the various cabinet departments legislation necessary to the war effort," and added that he hoped "that it will be your pleasure to deal with them as having been framed after very careful thought by the branch of the Government upon which the responsibility of conducting the war and safeguarding the nation will most directly fall."²²

The President subsequently sent Congress a number of sweeping bills to implement his plans for the conduct of the war, covering such matters as conscription, espionage, censorship of the press, export controls and the regulation of food production and consumption. While the President would eventually get most of what he asked for, Congress demonstrated in numerous ways that it was not convinced of the infallibility of the President's legislative draftsmen, nor, for that matter, of the President's omniscience when it came to the proper conduct of the war.

The first skirmish came over the conscription bill. Key members of the President's own party in the House, including Speaker Champ Clark (D-Mo.), Majority Leader Claude Kitchin (D-N.C.), and House Military Affairs Committee Chairman Hubert Dent (D-Ala.), all refused to support the

legislation. Dent went so far as to say he would resign his seat before he would accept “the argument . . . that, in time of war the executive department shall draft its legislation and send it to Congress, and Congress shall not exercise the right to cross a ‘t’ nor dot an ‘i’”²³ After bitter debate, both houses passed the first Selective Service Act by large majorities, and the President signed it on May 18.

The second major clash between the branches occurred over the Food and Fuel Control Act—one of the most far-reaching delegations of power ever made to a President. The bill, introduced by Representative A.F. Lever, granted authority to the President “to regulate by license the importation, manufacture, storage, mining or distribution of necessities.” As Milkis and Nelson observe, because the Lever bill amounted to an unprecedented grant of power “in effect, to regulate the entire economy,” it was attacked by many lawmakers as laying the ground for a dictatorship. To offset this concern, the Senate added an amendment to create a bipartisan and bicameral committee to oversee the conduct of the war.²⁴

Wilson reacted angrily to this affront on his authority and judgment, firing off a letter of protest to the bill’s sponsor, Congressman Lever, with the aim of killing the provision in the House-Senate conference committee. In his letter Wilson called the proposed oversight committee “nothing less than an assumption on the part of the legislative body of the executive work of the administration” which invoked “the ominous precedent” of the Committee on the Conduct of the War which Congress has created during the Civil War. Wilson said that committee was the source of “constant and distressing harassment and rendered [Lincoln’s] task all but impossible.” In this instance, Wilson’s persuasive powers with congressional leaders paid off and the provision was removed.²⁵

Even without a special joint committee on war expenditures, Congress could pursue its oversight responsibilities through its existing committee system. In July 1917, Democratic Senator George Chamberlain of Oregon, chairman of the Senate Military Affairs Committee, conducted hearings into the problems of inefficiencies in the war effort. The hearings revealed horror stories of poorly constructed and disease ridden military camps. Soldiers lacked guns and equipment to train, not to mention warm winter clothing. As a result of the hearings’ revelations, Senators Chamberlain and Gilbert Hitchcock drafted legislation to create a three-member Munitions Ministry to coordinate the war effort. Wilson again was outraged over this interference with his prerogatives as chief executive and commander-in-chief. “I would be willing to have a minister of munitions if I had a superman to put in the place,” he said, “but it requires a superman, and there is no superman.” He drew on all his powers to resist the proposed new ministry—veto threats, arm-twisting, and public confrontation.²⁶

At the same time, he recognized the wisdom of countering the proposed new ministry with a constructive alternative. He consequently sent up a bill, drafted within the Administration, that would give the commander in chief virtually complete freedom to create, reorganize and fund executive agencies as he deemed appropriate for the war effort. Introduced in the Senate by Democratic Senator Lee Slater Overman of North Carolina, the bill raised a furor inside Congress over the vast powers the bill delegated to the President. According to Senator Hitchcock, the bill amounted to nothing less than “an abdication by Congress of its lawmaking power.” Wilson countered with an incisive metaphor: “Senator after Senator has appealed to me most earnestly to ‘cut the red tape.’ I am only asking for the scissors.” Congress recognized it had little choice but to give the President the authority he had requested, and handed over the scissors. The Overman Act became law in May, 1918.²⁷

Likewise, Wilson got almost all he had asked for in the Espionage Act in June, 1917, notwithstanding the protests of civil libertarians inside and outside the Congress. The law gave the Attorney General and Justice Department the power to prosecute those deemed to have jeopardized recruitment for or loyalty in the armed forces. It also empowered the Postmaster General to withhold from the mail printed materials that undermined the war effort or could be construed as fomenting treason or insurrection. The Espionage Act was followed by the even harsher Sedition Act in May, 1918, which covered a broad range of loosely worded crimes, including using “disloyal, profane, scurrilous or abusive language” about the American government, the Constitution, the flag, or the military forces.²⁸

Wilson did make some concessions to Congress, such as eliminating certain censorship provisions in order to secure passage of the key components of his legislative package. Nevertheless, Wilson got most of what he had requested. Subsequently, both the Attorney General and the Postmaster General, “liberally interpreting the illiberal new law. . . cracked down on socialist and pacifist leaders and publications,” according to Daniel Stid, Wilson was “sensitive to the criticism [of his liberal supporters],” says Stid, “but he was not a civil libertarian. . . . [H]e believed that the war necessitated a curtailment of personal freedoms,” and he accepted the judgments of his Attorney General and Postmaster General “in almost every case.”²⁹

A little over a month after war was declared, a revolt broke out in the Senate on May 16, 1917, over a \$4 billion emergency supplemental appropriations bill for the army and navy that had been drafted and submitted by the Administration. The Senate was furious over the nature of the submission and voted to go into executive session. According to reports emanating from the closed session that lasted three hours, members from both parties railed against the administration’s

presumptuous treatment of Congress. Notwithstanding the senators' pique, the bill was eventually passed and signed into law.³⁰

It would not be the last of the emergency war financing measures Wilson would ask of Congress. The emergency supplemental was just the opening round in the ongoing process to finance the war effort. Another early emergency funding measure, the Liberty Loan Act (April, 1917), provided for the sale of bonds to the public to help finance the war. Four Liberty Loan drives during the war and a Victory Loan Act in 1919 raised a total of \$20.5 billion. But the war also necessitated raising additional revenues, and Congress responded with the War Revenue Act (Oct., 1917) which increased income and corporate taxes, instituted a graduated excess profits tax, and imposed increase excise taxes on amusements, tobacco, alcoholic beverages, transportation, and various luxuries.³¹

The Democratic tax program transformed the fledgling and experimental income tax into the foremost instrument of federal taxation, according to W. Elliot Brownlee. The War Revenue Act imposed the first significant tax on corporate profits and personal incomes. Moreover, it adopted the concept of taxing excess profits of corporations, making the U.S. the only nation among the belligerents to place excess profits taxation at the center of wartime finance. It proved to be the government's biggest revenue raiser during the war.³²

The new tax system was the brainchild of Ways and Means Committee Chairman Claude Kitchin of North Carolina and a group of fellow insurgents in the House and Progressive Senator Robert LaFollette of Wisconsin who were critical of concentrations of wealth, special privilege, and public corruption, and believed that taxation was the means to achieving social justice and recapturing the ideals of the early Republic. Wilson and his Treasury Secretary went along with the progressives' tax plan because they saw re-distributive taxation as a means of steering between capitalism and socialism and carrying forward the anti-monopoly themes of Wilson's New Freedom campaign.³³

According to one historian, Kendrick A. Clements, however, Wilson's Administration did not wholeheartedly support the progressives' "soak-the-rich" scheme to cover the war's expenditure because the cost of the war was much greater than anyone had anticipated. Despite the tax increases, the revenues covered the costs of only about one-third of the war, and the public debt climbed from just \$1 billion in 1915 to \$24 billion by 1920. Estimated costs of the war were difficult to calculate with any accuracy. Whereas the Federal budget was just \$1 billion in 1916, it doubled the next year, grew seven-fold to \$14 billion in 1918, and stood at \$19 billion in 1919. Treasury Secretary McAdoo had originally set government spending at \$6.5 billion in 1919, then revised it to \$15 billion, and later to \$18.4 billion—still over a half-billion short of the final total.³⁴

When President Wilson appeared before yet another joint session of Congress on May 27,

1918, to ask for a doubling of existing taxes, proclaiming that “politics is adjourned” and that voters would reward those who supported higher taxes, he was being “spectacularly unrealistic,” according to Clements.³⁵ Politics did not adjourn, but Congress did, putting off the vote on further taxes until after the election. The vote then became moot when Republicans recaptured control of both houses in the elections of 1918.

The Democrats’ tax system had raised the ire of the nation’s businessmen who saw it, and the greatly expanded bureaucracy that accompanied it, as a long-term threat to American business. Wilson’s call for a doubling of taxes had given Republicans and their business allies the opening they needed for running an anti-tax, anti-government campaign. As Brownlee writes, “The conflict between advocates of democratic-statist, soak-the-rich taxation, on the one hand, and business leaders on the other hand, would rage on for more than two decades.”³⁶

Other factors contributed to the Democrats’ loss of Congress in 1918, not the least of which was Wilson’s attempt to make it a partisan referendum on his presidency. Not only did he become involved in a primary campaign to purge incumbent Democrats who had voted against the declaration of war, but he urged voters to elect Democrats to Congress, “not for my own sake, not for the sake of a political party, but for the sake of the nation itself.” While it would be difficult to pinpoint any single factor for the switch in party control of the Congress-- after all, such a loss for a President’s party was normal in mid-term elections--the President had nevertheless revived partisanship and fell the victim to it.³⁷ The consequences would become even more fatal, both politically and physically, for Wilson, in the subsequent fight over ratification of the Treaty of Versailles and the issue of U.S. participation in the League of Nations in which Wilson failed to adopt the consultative posture towards the Senate that he had urged as a scholar.

Conclusions

It would be presumptuous to extrapolate from one war experience any general set of rules or lessons that might apply in all instances of war, especially when it comes to the inter-relationships and interactions between the President and Congress. Not only is every war unique, but every President and every Congress have a character and agenda of their own, shaped by so many internal traits and drives, and external pressures and circumstances. Nevertheless, in looking at the interactions between President Wilson and Congress leading up to and through World War I, we can identify certain issues, trends, actions, and reactions that reappear with some regularity throughout the history of the U.S. during wartime.

This is especially so with the emergence of the modern presidency and modern Congress in the twentieth century. It is clear that Wilson’s forceful brand of leadership was largely successful,

though not always popular, with the Democratic-controlled Congress which remained jealous of its prerogatives and resentful of being taken for granted. Below are some of the conclusions drawn from this and subsequent experiences.

First, in times of war, the public looks to the President as its national leader and commander-in-chief, and Congress tends to defer to the President's judgment in the conduct of the war.

Second, wars require increased military manpower, equipment, weapons, transport, etc., and all these result in increased budgetary costs.

Third, Congress retains control of the purse strings, and is expected to work closely with the President in raising sufficient resources for the war effort. While Congress may take issue with some of the President's specific funding requests, it normally provides the President with most of what he asks. Raising additional revenues to finance the war is usually accepted as part of the Nation's patriotic duty and spirit of sacrifice for the national good, but can meet resistance as a war drags on.

Fourth, Congress will still insist on exercising some oversight responsibilities over the war effort and the expenditures for it, though presidents may resist providing certain information.

Fifth, presidents ask for greater internal security controls during wartime and Congress tends to defer to such requests, notwithstanding a perceived diminishment of civil liberties.

Sixth, the Federal bureaucracy tends to expand during war to handle war-related activities, and Presidents ask for increased flexibility to reorganize government, suspend regulations, and shift funds within it.

Seventh, presidents and Congress alike will sometimes use the national defense rationale during war to achieve other domestic goals and priorities, even if not directly related to the war effort.

Eighth, politics does not always take a moratorium during war; legitimate partisan differences over the conduct, degree or duration of the commitment eventually emerge. Partisan conflict over domestic issues and priorities will continue to be considered legitimate areas for debate and conflict.

Ninth, attempts to equate partisanship with patriotism can backfire.

Tenth, a successful war president does not have a lock on future electoral successes.

Eleventh, Congress's skepticism, suspicion, mistrust, and resistance to a president grows in direct proportion to the perceived growth in a president's powers and his condescending or dismissive attitude toward Congress.

And, twelfth, a president will do all he can to shape public opinion in support of his policies, while Congress will do all it can to use public opinion to oversee, test, and question presidential policies.

As Lincoln once put it, "With public sentiment, nothing can fail; without it nothing can

succeed.”³⁸ In times of war, Congress and the President are usually united on the goal of ensuring that the country’s war effort will succeed. At the same time, both branches are ever-sensitive to the vicissitudes of public opinion and exploit the shifting subtleties of sentiment for the sake of their institutional independence and perpetuation.

The current war on terrorism as well as its potential expansion to Iraq are no exceptions to these general observations, though the nature of the current hostilities differs considerably from past wars. It is hoped that the seminar series on “Governing Post-9/11” will further illuminate these differences and similarities and provide a richer understanding of how the policy process, issues, and inter-branch relations are affected by a state of war.

Notes

1. Daniel D. Stid, *The President as Statesman: Woodrow Wilson and the Constitution* (Lawrence, Kansas: University of Kansas Press, 1998), 124. The quote is from an interview with the President conducted by Ray Stannard Baker.
2. Quoted in Donald R. Wolfensberger, “The Return of the Imperial Presidency,” *The Wilson Quarterly*, Spring, 2002, 36.
3. Woodrow Wilson, *Constitutional Government in the United States* (New Brunswick, New Jersey: Transaction Publishers, 2002; originally published in 1908 by Columbia University Press), 57.
4. *Ibid*, 58.
5. *Ibid*, 58-59.
6. *Ibid*, 71, 69, 73.
7. *Ibid*, 107.
8. *Ibid*, 99.
9. *Ibid*, 88, 99, 106.
10. *Ibid*, 70-72.
11. *Ibid*, 138-139.
12. *Ibid*, 139.
13. *Ibid*, 77-78.
14. *Ibid*, 138-39.
15. *Ibid*, 139-40.
16. *Ibid*, 140-41.

17. Sidney M. Milkis and Michael Nelson, *The American Presidency, 1776-1998: Origins and Development* (Washington, D.C.: CQ Press, 1998), 234.
18. Stid, op. cit., 120.
19. Ibid, 121.
20. Ibid, 124-125.
21. Ibid, 127.
22. Ibid.
23. Ibid, 128.
24. Milkis and Nelson, 234-35.
25. Ibid, 235.
26. Stid, op. cit., 129-31.
27. Ibid, 132.
28. Alvin M. Josephy, Jr., *The American Heritage History of the Congress o the United States* (New York: American Heritage Pubishing Co., 1975), 327.
29. Stid, op. cit., 128, 138.
30. Ibid, 128.
31. Josephy, op. cit., 326.
32. W. Elliot Brownlee, "Tax Regimes, National Crisis, and State-Building," in *Funding the Modern American State, 1941-1995* (Cambridge, Eng.: Woodrow Wilson Center Press and Cambridge University Press, 1996), 62.
33. Ibid, 61.
34. Kendrick A. Clements, *The Presidency of Woodrow Wilson* (Lawrence, Kansas: The University Press of Kansas, 1992), 156-57.
35. Ibid, 157.
36. Brownlee, op. cit., 66.
37. Clements, op. cit., 161.
38. *The Collected Works of Abraham Lincoln*, Roy P. Basler, editor, vol. 3, p. 27 (1953), from the first debate with Senator Stephen A. Douglas, Ottawa, Illinois, August 21, 1858.