

## C. Challenges & Government Response

### 1. Authoritarian Government

#### a) Constitutional aspects of the New Deal

- (i) Many Conservatives looked at a majority of the New Deal as infringing upon the rights of States and individuals that were protected by the United States Constitution
- (ii) A majority in the Supreme Court declared several major New Deal programs unconstitutional
- (iii) Roosevelt responded by announcing a proposal to increase the number of sitting justices, a thinly disguised attempt to stack the Court with his own appointees
- (iv) Congress and the public strenuously objected to his tampering with system of checks and balances
- (v) The president reluctantly yielded, but was able to stack the court after a series of deaths and retirements created enough vacancies.

#### b) Government in wartime 1941 - 1945

- (i) Following the attack on Pearl Harbor by the Japanese, Congress declared war on Japan the following day, and on December 11, the Axis powers declared war on the United States
- (ii) Congress granted wide emergency powers to the president
- (iii) However, Democratic majorities were slim in both houses, and a coalition of conservatives from both parties limited Roosevelt's freedom to act through fiscal oversight
- (iv) Roosevelt was an inspiring wartime leader but a poor administrator
- (v) Nevertheless, Roosevelt's basic decisions made sense
- (vi) They included financing the war through taxes, basing taxation on ability to pay, rationing scarce resources and consumer goods, and regulating wages and prices
- (vii) A lack of centralized authority impeded mobilization, but production expanded dramatically
- (viii) Manufacturing nearly doubled; agricultural output rose 22%
- (ix) Unemployment virtually disappeared
- (x) Productive capacity and per capita output increased especially dramatically in the South.
- (xi) Roosevelt selected James F. Byrnes as his wartime "economic czar"

- (xii) Byrnes headed the Office of War Mobilization, which controlled production, consumption, priorities, and prices
- (xiii) The National War Labor Board arbitrated disputes and stabilized wages
- (xiv) Despite rationing and wage regulations, American civilians experienced no real hardships during the war
- (xv) Prosperity and stiffer government controls strengthened organized labor; the war did more to institutionalize collective bargaining than the new Deal had done
- (xvi) The war also effected a redistribution of wealth in America
- (xvii) The wealthiest 1% of the population received 13.4 percent of the national income in 1935; by 1944 this group received 6.7%
- (xviii) Income tax was extended until nearly all Americans paid

c) McCarthyism 1950 - 1954

- (i) In February 1950, Joseph R. McCarthy, an obscure senator from Wisconsin, charged that the State Department was “infested” with communists
- (ii) Although he offered no evidence to support his claims, many Americans believed him
- (iii) McCarthy went on to make more fantastic accusations
- (iv) The enormity of his charges and the status of his targets convinced many that there had to be some truth in his accusations
- (v) Events of the early cold war and the public’s resulting fears made people more susceptible to McCarthy’s allegations
- (vi) Even after it came under the control of his own party following Eisenhower’s election to President, McCarthy did not moderate his attacks on the state Department
- (vii) Partly in an effort to blunt McCarthy’s charges, Dulles sanctioned the dismissal of nearly 500 State Department employees
- (viii) Early in 1954, McCarthy finally overreached himself by leveling allegations at the army
- (ix) Televised broadcasts of the Army - McCarthy Senate hearings revealed to the American public McCarthy’s disregard for decency and truth
- (x) With Eisenhower quietly applying pressure behind the scenes, the Senate voted to censure McCarthy in 1954

2. Reform Programs

a) Kennedy’s “New Frontier” 1961 - 1963

- (i) "New Frontier" refers to economic and social programs by president elect John F. Kennedy in his nomination acceptance speech.
- (ii) He pitched his 1960 presidential campaign as a crusade to bring in a "new generation of leadership—new men to cope with new problems and new opportunities."
- (iii) New Frontier was also very much a set of promises, and a legislative agenda that called for advancing the civil and economic rights essential to the human dignity of all men," raising the minimum wage, guaranteeing equal pay for women, rebuilding the inner cities, increasing federal aid for education, initiating a Peace Corps, and developing a Medicare program to assist the elderly.
- (iv) Kennedy was not as successful in implementing his plan as he was at expounding on it. It was more inspiring than effective.
- (v) Many bills were passed while Kennedy was president, but not the important country changing bills he championed.
- (vi) Some successes were the raising of the minimum wage, urban development, and eligibility requirements being broadened for certain programs.

b) Johnson's "Great Society" 1963 - 1969

- (i) Johnson pushed through passage of the Civil Rights Act of 1964, and expanded version of Kennedy's bill
- (ii) Aspiring to be a great reformer in the tradition of FDR, Johnson declared war on poverty in America and set out to create a "Great Society" in which poverty would no longer exist
- (iii) The war on poverty intended to give poor people the opportunity to improve themselves
- (iv) The Economic Opportunity Act of 1964 created the Job Corps, provided for education for small children, and established work study programs for college students
- (v) After his sweeping victory over the unabashedly conservative Barry Goldwater in 1964, Johnson pressed for further reforms
- (vi) Under his leadership, Congress passed the Medicare Act (1965), the Elementary and Secondary Education Act (1965), and the Voting Rights Act (1965)
- (vii) Other programs provided support for the arts and for scientific research, highway safety, crime control, slum clearance, clean air and water, and the preservation of historic sites

- (viii) While the scope and intent of the Great Society programs were truly remarkable, in practice they often failed to have the impact the president had desired.

### 3. Presidency Power and Prestige

#### a) Watergate Scandal 1972 - 1974

- (i) On March 19, 1973, James McCord, an employee of the Committee to Re-Elect the president (CREEP) and accused burglar, wrote a letter to Judge John Sirica revealing that high level Republican officials had prior knowledge of the break-in at the Democratic headquarters in the Watergate Hotel in Washington, D.C., on June 17, 1972
- (ii) Nixon denied the involvement of anyone in the White House
- (iii) Soon after, however, Jeb Stuart Magruder, head of CREEP, and John W. Dean III, legal counsel to the president, admitted their involvement
- (iv) Subsequent to these revelations, Nixon dismissed Dean; and most of the president's closest advisers, including H. R. Haldeman, John Ehrlichman, and Richard Kleindienst, resigned
- (v) Dean then charged that the president had participated in an attempted cover-up of the affair
- (vi) Subsequent grand jury investigations and the findings of a Senate investigation headed by Sam Ervin of North Carolina revealed that the president had acted to obstruct investigations into the matter
- (vii) Investigations also revealed that the president and his staff had abused the powers of their offices and orchestrated a vast array of illegal and unethical practices during the election campaign
- (viii) The Senate Watergate committee learned of the existence of tapes Nixon had made of White House conversations
- (ix) Nixon refused to surrender tapes to committee
- (x) This led to calls for his resignation, even impeachment
- (xi) In response, Nixon appointed a special prosecutor to investigate the affair
- (xii) Archibald Cox, the prosecutor, soon aroused the president's ire by seeking access to records, including the tapes which caused him to be fired by Nixon
- (xiii) Rather than dismiss Cox, Attorney General Elliot Richardson and his deputy, William French Smith, resigned
- (xiv) Robert Bork, the solicitor general, carried out Nixon's order

- (xv) The “Saturday Night Massacre” outraged public
- (xvi) The House Judiciary Committee considered impeachment
- (xvii) Nixon backed down; he named new prosecutor, Leon Jaworski, and turned tapes over to Sirica
- (xviii) However, some of the tapes were missing, and an important section of another had been deliberately erased
- (xix) In March 1974, a federal grand jury indicted Haldeman, Ehrlichman, Mitchell, and four other White House aides on charges of conspiracy to obstruct justice in the Watergate investigations
- (xx) Nixon was named as an “unindicted co-conspirator”
- (xxi) Nixon released edited transcripts of the White House tapes to the press
- (xxii) Not only were the tapes incriminating, they also exposed a sordid side of Nixon’s character
- (xxiii) Even some of his strongest supporters demanded Nixon’s resignation
- (xxiv) Moreover, once Judiciary Committee obtained the tapes, it became clear that the transcripts had excluded material adverse to the president
- (xxv) In 1974, the House Judiciary Committee, in televised proceedings, voted to adopt three articles of impeachment against the president
- (xxvi) Nixon was charged with obstructing justice, abusing the powers of his office, and failing to comply with the committee’s subpoenas
- (xxvii) On the eve of the debates, the Supreme Court ruled that Nixon had to turn over 64 additional tapes to the special prosecutor
- (xxviii) Nixon considered defying the Court but, in the end, complied
- (xxix) The tapes proved conclusively that Nixon had been in on the cover-up from its earliest stages
- (xxx) Virtually all of his remaining support in Congress evaporated
- (xxxi) The Meaning of Watergate
- (xxxii) Facing certain impeachment and conviction, on August 9, 1974, Nixon became first president to resign; Gerald Ford became president
- (xxxiii) Shortly after taking office, Ford pardoned Nixon for any crimes he had committed in office
- (xxxiv) Nixon’s policy of détente marked an easing of cold war tensions; failure of his interventionist domestic policies signaled growing disillusionment with Johnsons Great Society

b) Iran – Contra Affair

- (i) 1984 Congress forbade the expenditure of federal funds to aid the Nicaraguan Contras
- (ii) Iran and Iraq, had been engaged in a bloody war since 1980
- (iii) Many blamed Iran for the holding of a number of Americans hostage by terrorists in Lebanon
- (iv) Reagan opposed bargaining with terrorists, but he wanted to find a way to free the hostages
- (v) During 1985, he made a decision to allow the indirect shipment of arms to Iran by way of Israel
- (vi) When this failed to work, he authorized the secret sale of American weapons directly to Iranians
- (vii) Marine Colonel Oliver North, and aide to the president's National Security Advisor, Admiral John Poindexter, devised a plan to supply the Contras without directly using federal funds
- (viii) He used profits from the arms sales to Iran to provide weapons for the Contras
- (ix) Disclosure of this "deal" led to Senate hearings, court trials, and the resignations of many involved
- (x) Although he remained personally popular, Reagan's influence with Congress and his reputation as a leader plummeted

c) 2000 Election

- (i) The Gore Paradox: Campaigning on his VP record, but not the president's
- (ii) Republican Primary becomes 2 horse race between McCain & Bush
- (iii) Television networks predicted a Gore victory, and then announce a Bush victory by 1 vote
- (iv) Ballots, Chads, Recounts, and the Supreme Court
- (v) Bush lost the popular vote, but won the presidency due to Electoral College
- (vi) Electoral College Debate

d) Relations between the President and Congress

- (i) Insert Op-Ed piece