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## The Paradox of the Progressive Presidency: How the Democratization of the Presidential Selection System has Degraded the Office<sup>1</sup>

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Every U.S. president leaves a lasting mark on the institution, few more significantly than the small number who have impacted the way presidents are selected. This paper examines how the presidential selection system has evolved over time and the negative effects this evolution has produced. The Framers created a complicated selection process hoping the Electoral College would attract and elevate "men of first character." Although the system failed to operate as its architects intended as a result of the early and inevitable development of political parties, Martin Van Buren helped to adapt the selection system to the new environment in a way that preserved many of the intended benefits. Progressive reformers—who believed the process to be insufficiently representative, and too easily dominated by party elites and special interests—worked to democratize the selection process over the course of the twentieth century. Their reforms weakened the role of party elites and led to the open primary and caucus system Americans know today. This paper argues that in so doing, progressive reformers inadvertently opened the presidency to unqualified individuals, incentivizing partisan rhetoric and increasing partisan divisions in the process.

**Key Words:** Presidency; progressivism; Martin Van Buren, primary

A glance at the current presidential field is more disheartening than ever this year. The candidates are predominately unqualified and inexperienced, apparently interested in the presidency for reasons of personal ambition. As a result, the campaign, still in its early stages, has been particularly nasty: full of low intrigue, demagogic appeals to Americans' fears, and language designed to set class against class. This is an urgent problem, revealed for the world to see by the primary and caucus elections currently underway. This paper argues that this problem can be traced to progressive reforms of the presidential selection system.

When the founders of the United States created the presidency, they designed a selection system that was supposed elevate men who had a long

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<sup>1</sup> This paper, which was a co-recipient of the Abdul Rifai Award for best undergraduate paper at the 2016 KPSA, was sponsored by Dr. Jonathan Pidluzny.

record of public service, while discouraging the ambitions of power-hungry demagogues. The system never worked quite as it was intended to. When Martin Van Buren reformed it in the early decades of the republic, he incorporated an important role for political parties, in part to discourage office seekers from whipping up public opinion. Later progressive reformers took a much different approach because they believed that the federal government had become inactive, no longer reflective of the changing will of the nation. In their efforts to make the president more energetic and powerful by tethering it more closely to public opinion, the progressives inadvertently dismantled the barricades that discouraged unqualified individuals from attaining the highest office in the land.

Today we are living with the consequences of the progressives' actions more than ever. Popular leadership and demagoguery have become requirements to run for president. In fact, the current presidential selection system is less a test of true leadership and capability and more a test of how well a candidate can incite emotion in the electorate to obtain this high office. If we wish to elect the President of the United States that our nation requires, we must do away with progressive reforms to the selection process.

#### **THE FRAMERS AND VAN BUREN: CREATORS AND SAVIOR OF THE RESPONSIBLE SELECTION SYSTEM**

The framers of the United States Constitution, having just fought a bloody war of independence to dissolve the bonds that bound them to Britain, could not help but have King George in mind when writing the United States Constitution. They intended to create an executive office strong enough to empower an effective and energetic leader, but not so strong as to threaten American liberties. Drawing from their knowledge of history, the framers created a president very different from the one we imagine today. The president was not created to be a policy-maker in chief, but rather, to serve as the country's chief executive and Commander in Chief, implementing the will of Congress while also serving as a check on its power.

The framers feared that Congress, particularly the House of Representatives, would be susceptible to the continually shifting will of the American people. They hoped the president would be a statesman sufficiently independent and sufficiently enlightened to act as a restraint upon the passions of the people. As Alexander Hamilton summarizes in *Federalist* 71, it is the responsibility of the president to "withstand the temporary delusions [of the people] in order to give them time and opportunity for more cool and sedate reflection".<sup>2</sup> In order for the president to function with this level of independence, it was vital that he have distance from the people. In the original

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<sup>2</sup> Madison, James, Alexander Hamilton, John Jay, and Isaac Kramnick. *The Federalist Papers*. 410.

design of the Electoral College state legislatures nominated presidential electors and trusted them to vote for the president according to their judgement. This method of selection was not only designed to create executive independence but also to elevate the most capable person in the nation. To the founders, this meant someone with a national reputation of service to his country. They understood that enlightened statesmen would not always be at the helm, but nonetheless hoped to ensure presidents would be "noble patriots" and "lovers of the common good".<sup>3</sup>

In his seminal work, *Presidential Selection: Theory and Development*, James Ceaser contends that the presidential selection system has five goals: to minimize the harmful effects of ambitious politicians, to promote a respectable kind of executive leadership, to secure a capable executive, to ensure a legitimate succession, and to provide for the proper level of change within the country.<sup>4</sup> The ideal selection system would then deter and discourage narrow ambition and self-interested politicians, attract and elevate men of first character capable of discerning the true interests of their country, yield a clear result that confers popular legitimacy upon the victorious candidate, and discourage radical and dangerous change while permitting adaptation to circumstances.

Ceaser's conception of the purpose of a selection system provides an effective and unbiased way to assess a system. For example, the founders' system sought an institutional solution to overly ambitious politicians in the hopes of promoting a cool and sedate statesman to hold the highest office in the land. This form of executive would also promote a slow gradual change that the founders thought was superior to constant change deriving from the popular will. The framers of the United States constitution were particularly concerned with creating a system that would discourage demagoguery,<sup>5</sup> emotional appeals to the hopes and fears of the voters designed to further private ambition or the goals of radical factions, even at the cost of the public good.

It became apparent early in the republic's history that the founders' selection system was not viable. The unforeseen development of partisan politics greatly complicated the Electoral College process.<sup>6</sup> The presidential electors were expected to use their independent judgement to select the president, placing ability above factional affinities. Though the founders

<sup>3</sup> Madison, James, Alexander Hamilton, John Jay, and Isaac Kramnick. *The Federalist Papers*.

<sup>4</sup> Ceaser, James W. *Presidential Selection: Theory and Development*. Princeton, New Jersey: Princeton University Press, 1979. 9-24.

<sup>5</sup> Madison, James, Alexander Hamilton, John Jay, and Isaac Kramnick. *The Federalist Papers*.

<sup>6</sup> Ceaser, James W. *Presidential Selection: Theory and Development*. Princeton. 85-106.

expected leaders like Washington to be rare, they hoped that the Electoral College could find a candidate whose record of long public leadership would create a consensus both in the college and the nation at large.<sup>7</sup> These ideal election results rarely came about. Principally because, the electors themselves were chosen by state legislatures based on their political party. What was more the Electoral College often failed to reach a majority decision, which required the House of Representatives to select the president.

After the Jeffersonian revolution of 1800, the Federalist Party quickly imploded. This left the Democratic-Republican Party as the dominant force in American politics, beginning a period of non-partisanship in American history dubbed the "Era of Good Feelings".<sup>8</sup> Ironically, the decline of partisanship did nothing to repair the crumbling presidential selection system. The nation still had trouble producing consensus figures of national prominence, which lead presidential hopefuls to build their national reputations by running on divisive single-issue campaigns. They incited emotions among the electorate, rather than carefully crafting policy and deliberation. This allowed demagogues, rather than public spirited civic servants in Congress and the White House, to set the agenda of the country's national debates.<sup>9</sup>

Demagogic campaigns rarely yielded a true national majority, which frequently threw the election to the House of Representatives. Allowing the House to decide often raised legitimacy questions as the president they chose was usually selected due to backroom political negotiations reminiscent of a Renaissance-style College of Cardinals. A prime example of this was the election of 1824, in which not one of the four candidates managed to win a majority in the Electoral College. The House ultimately elected John Quincy Adams president, even though Andrew Jackson had won the most popular votes. As such, the election lacked legitimacy not only because the less popular candidate had won, but also because it was rumored that the Speaker of the House, Henry Clay, had swung his support behind Adams for a cabinet seat.<sup>10</sup>

When Martin Van Buren became a United States Senator, he was horrified by the election process that the non-partisan Era of Good Feelings had brought about. His remedy was to re-invent the American party system and create a more organized selection process for the president.<sup>11</sup> He knew the party system would not completely eradicate popular leadership appeals like

<sup>7</sup> Madison, James, Alexander Hamilton, John Jay, and Isaac Kramnick. *The Federalist Papers*

<sup>8</sup> Baily, Thomas, Cotton, Lizibeth, Kennedy, David. *The American Pageant*. Thirteenth. Tryon, North Carolina: Houghton Mifflin Company, 2006. Print.

<sup>9</sup> Ceaser, James W. *Presidential Selection: Theory and Development*. Princeton University Press.

<sup>10</sup> Baily, Thomas, Cotton, Lizibeth, Kennedy, David. *The American Pageant*.

<sup>11</sup> Ceaser, James W. *Presidential Selection: Theory and Development*. 123-170.

those that arose during the Era of Good Feelings, but he hoped to constrain them to manageable levels. Under the system he devised, the parties convened a meeting of their senior members to select a presidential nominee. In practice this ensured that an individual who had long commanded the respect of the party leadership and who could unite the varying factions found within each party, received the nomination while minimizing divisive public debates. This system allowed the American voters to pick which of the two candidates they wished to be the chief executive, but ensured that both candidates were qualified public servants rather than firebrands who obtained power through popular appeals. This new system, sought to realize the founders' vision after the old system proved impracticable. Van Buren's conception of executive leadership would promote a politician who could unify their party, which is to say, the best form of executive leadership to Van Buren was a power broker who could strike compromise among the different political factions.

#### THE PROGRESSIVES AND THE BIRTH OF THE MODERN SELECTION SYSTEM

The party-dominated system created by Martin Van Buren lasted for nearly a century, but it began to face opposition at the turn of the 19<sup>th</sup> century. The progressives disagreed with the principles behind the party-dominated system and sought to reform it. Woodrow Wilson, a leading progressive thinker and two term president, was one of the Van Buren system's many critics. Wilson believed that society was constantly advancing for the better<sup>12</sup> and concluded that government should be "Darwinian in Structure and Practice"<sup>13</sup>. Despite this, Wilson did not trust the people entirely and sought to set up a system that would enable political leaders to guide public opinions, and therefore, the trajectory of the nation.<sup>14</sup> Progressives rejected the status quo orientation of Van Buren, and the founders, who contended that change must be stunted to allow for calm, cool, and sedate reflection. In contrast, Wilson believed that government should drive change so as to promote society's continuous progress.

Because of his reservations about Congress, which he believed had been corrupted by special interest, Wilson thought the president was the best hope to serve as leader of the masses. In his book *Constitutional Government in the United States*, he argues that the president is uniquely placed as the only nationally elected figure to serve as the direct link between the federal government and the citizens. He saw reliance upon public opinion as an

<sup>12</sup> Pestritto, Ronald J. *Woodrow Wilson and the Roots of Modern Liberalism*. Lanham, Md.: Rowman & Littlefield Publishers, 2005.

<sup>13</sup> Wilson, Woodrow. *Constitutional Government in the United States*. New York: Columbia University Press, 1961. 32

<sup>14</sup> Pestritto, Ronald J. *Woodrow Wilson and the Roots of Modern Liberalism*.

advantage that would allow him and future presidents to overcome Congress. He states that "The President is at liberty, both in law, and conscience, to be as big a man as he can. His capacity will set the limit; and if Congress be overborne by him ... [it is only because] the President has the nation behind him, and Congress has not. He has no means of compelling Congress expect through public opinion".<sup>15</sup>

While the founders' saw popular leadership as an opportunity for demagoguery, Wilson only saw it as an opportunity for presidential greatness. In Wilson's view the party served to weaken the president, subordinating his influence to amoral party bosses for his continued election. To free the president from the chains of bondage that parties placed upon him, Wilson advocated for a national primary. The primary, Wilson believed, would make the president the true head of the party by leveraging public opinion. The candidate would create the ideas that the party was centered around and, through his role as chief executive, implement them. In short, Wilson believed the parties should serve as an institution whose primary purpose was to provide a basis of leadership to the president.

Today, both parties hold conventions to select their nominee for the general presidential election. The vast majority of party delegates are selected in popular state primary and caucus elections that take place in the year leading up to the general election. The primary selection system we know today dates to the 1970's. Prior to this a mixed system prevailed, in which roughly half of the delegates to the nominating convention were selected by party bosses, while the other half of the delegates were pledged to a particular candidate. The mixed system was gently phased out due to a desire to strengthen the party and its candidates mandate by democratizing the selection process. For the framers the presidential selection process, was designed above all to elevate public spirited and wise representatives who would refine and enlarge the public view. The modern primary understands representation differently and endeavors to translate the public view into policy, even without refinement.

#### A CRITIQUE OF THE MODERN SELECTION SYSTEM

An in-depth look at our current selection system would lead one to believe that the progressive reforms have impacted our country for the worse. Wilson's attempts to free the president from the corrupt clutches of the party bosses was admirable, but he has replaced this form of corruption with something equally pernicious. The open primary has unleashed personal ambition, fostered promises of radical change, and brought the presidency within reach of unqualified aspirants. An examination of the current system using the five purposes of presidential selection set forth by Ceaser guides one to the discovery that the current system meets few of the criteria in an adequate

<sup>15</sup> Wilson, Woodrow, *Constitutional Government in the United States*. 40.



manner. In some cases, the modern election system meets the criteria so poorly that it is alarming.

The current system's greatest deficiency is its inability to properly restrain ambitious individuals with little regard for the good of the nation and the lengths they may go to in order to acquire power. Most other major problems in our selection system derive from this deficiency. By extinguishing all checks on popular leadership, Wilson opened the door to the potential damages of rampant ambition. All popular leadership is not bad; if used correctly it can educate the people and bring about a well thought out policy by guiding the popular opinion. As Wilson said

Whoever would effect a change in a modern constitutional government must first educate his fellow-citizens to want some change. That done he must persuade them to want the particular change he wants. He must first make public opinion willing to listen and then see to it that it listens to the right things.<sup>16</sup>

This is how Wilson thought most candidates would behave. However, Wilson like most progressives thought too optimistically of human nature. The century of political campaigns since has demonstrated that it is generally easier to whip public opinion into a frenzy than it is to guide public opinion.

Donald Trump is the candidate most often accused of being an ambitious demagogue in the current election cycle. This accusation comes from fellow Republicans like Senator Lindsey Graham who said "He's just trying to get his numbers up and get the biggest reaction he can"<sup>17</sup> as well as political commentators like Megan Garber of *The Atlantic*, who said no figure deserved to be called a demagogue more "since Huey Long and Joe McCarthy".<sup>18</sup> It is unfair to say he is the only demagogue in the current election cycle, as our entire election system demands that candidates abuse the art of popular leadership in order to drive supporters to the polls.

One of the reasons Trump resorts to inflammatory popular appeals is that he has never held office and therefore has no record to run on. Trump often uses language that can only be described as fear mongering. He uses his speech to slam the President and appeal to the fears, whether justified or not, many

<sup>16</sup> Stillman, Richard Joseph. *Teaching Public Administration Creatively: Instructor's Resource Manual to Accompany Public Administration, Concepts and Cases*: Eighth Edition. Boston: Houghton Mifflin, 2005. 9.

<sup>17</sup> "Lindsey Graham: 'Tell Donald Trump to Go to Hell'" CNN. December 8, 2015. <http://www.cnn.com/2015/12/08/politics/lindsey-graham-donald-trump-go-to-hell-ted-cruz/>.

<sup>18</sup> Garber, Megan. "What We Talk About When We Talk About 'Demagogues'." *The Atlantic*. December 10, 2015. Accessed February 16, 2016. <http://www.theatlantic.com/entertainment/archive/2015/12/what-we-talk-about-when-we-talk-about-demagogues/419514/>.



American feel about foreigners. When speaking of the border situation, Trump was hardly statesmen-like when he said

It is so terrible. It is so unfair. It is so incompetent. And we don't have the best coming in. We have people that are criminals, we have people that are crooks. You can certainly have terrorists. You can certainly have Islamic terrorists. You can have anything coming across the border. We don't do anything about it. So I would say that if I run and if I win, I would certainly start by building a very, very powerful border.

A great deal of his rhetoric also expresses his anger and dissatisfaction with the progressive policies of President Barack Obama. He rouses those members of the population who are unhappy with the changing times and believe that these changes are destroying the core value of America. In the same speech about immigrants, he also says of President Obama,

Our country is really headed in the wrong direction with a president who is doing an absolutely terrible job. The world is collapsing around us, and many of the problems we've caused. Our president is either grossly incompetent, a word that more and more people are using, and I think I was the first to use it, or he has a completely different agenda than you want to know about, which could be possible.<sup>19</sup>

Trump's quote about President Obama is an example of demagoguery at its worst. He is clearly playing to the fears that many conservatives hold regarding the Obama presidency. He even goes so far as to imply that Obama does not have the best interest of the country at heart.

The Republican candidates are not alone in their demagoguery. Bernie Sanders uses a form of demagoguery that Wilson himself found most despicable of the three classical varieties<sup>20</sup>. He pits the lower and middle classes against the wealthy. Sanders speeches portray America as a country seized by oligarchic forces, in which the wealthy have made it nearly impossible for anyone to climb the social ladder. Sanders views are summated in a speech he gave at Georgetown University

The rich get much richer. Almost everyone else gets poorer. Super PACs funded by billionaires buy elections. Ordinary people don't vote. We have an economic and political crisis in this country and the same old, same old establishment politics and economics will not effectively address it.<sup>21</sup>

<sup>19</sup> "Jan. 24, 2015-Democracy in Action Transcript of Donald Trump Speech at Iowa Freedom Summit." Jan. 24, 2015-Democracy in Action Transcript of Donald Trump Speech at Iowa Freedom Summit. Accessed February 04, 2016.

<http://www.p2016.org/photos15/summit/trump012415spt.html>.

<sup>20</sup> Ceaser, James W. *Presidential Selection: Theory and Development*, 322.

<sup>21</sup> "Senator Bernie Sanders on Democratic Socialism in the United States - Bernie

His campaign is built on flamboyant denunciations of titans of finance and grandiose promises to take America back. Sanders' rhetoric appeals to voters because it speaks to real economic anxieties: economic inequality is reaching Gilded Age levels at a time economic opportunity appears to be contracting.

The problem is that Sanders' popularity is rooted in the visceral appeal of his rhetoric as opposed to sensible and measured policy proposals. The costs of Sanders policy proposals would be astronomical, a point not even Sanders denies this.<sup>22</sup> He justifies such spending by making the wealthy take the brunt of the taxes that would be required to pay for his socialistic programs. Despite his insistence that his progressive taxes could pay for his policies, a truly policy examination proves that they could not. A prime example is his method of paying for his free college education for every American. His proposed method of payment is a tax on every trade that takes place on Wall Street. This tax serves the dual purpose of not only paying for free college but also discouraging what he considers financial gambling.<sup>23</sup> The only problem is that his policy would no doubt discourage trades on Wall Street, and in so doing raise significantly less revenue.<sup>24</sup>

Just as demagoguery can help some candidates soar, those who are less adept in its usage will flounder and die in the political arena. The two best examples of this in recent memory are Hillary Clinton and Jeb Bush. In the 2008 democratic primary Hillary Clinton lost to the young, inexperienced, Senator Obama. Obama achieved fame by appealing to Americans desire to overcome partisanship and create a land of prosperity centered on liberal values. In other words, Obama played to the average American desire for a better tomorrow. As Ceaser points out, promises of prosperity divorced from sound policy proposals are also a hallmark of a demagogue. Clinton ran on her experience and made no such appeals. In fact, she was honest about the need for a personal health insurance mandate on the campaign trail, while candidate Obama criticized her mercilessly he was forced to admit the truth of her statements once he took office.<sup>25</sup> Jeb Bush, who recently withdrew from the Republican race, has been greatly harmed by his inability to appeal to the people's emotions. At the beginning of the election cycle, Jeb Bush was the

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Sanders." Bernie Sanders 2016. 2015. Accessed February 04, 2016.

<https://berniesanders.com/democratic-socialism-in-the-united-states/>.

<sup>22</sup>"How Bernie Pays for His Proposals - Bernie Sanders." Bernie Sanders RSS.

Accessed February 20, 2016. <https://berniesanders.com/issues/how-bernie-pays-for-his-proposals/>.

<sup>23</sup>"How Bernie Pays for His Proposals - Bernie Sanders." Bernie Sanders RSS.

<sup>24</sup>"A Vote for What?" The Economist. February 13, 2016. Accessed February 19, 2016.

<sup>25</sup>Todd, Chuck. "The Stranger: Barack Obama in the White House." Boston: Little, Brown, 2014.

front runner but he was rather quickly overtaken by his more demagogic opponents. His emphasis on capability has proven to hold less weight with the American people than the broad and emotional generalizations of numerous competitors.

The greatest argument in favor of democratizing the selection process was that the open primary selection system was truly democratic and therefore more legitimate. Despite the modern assertion that direct popular elections are more democratic, the current system undermines the perception of democratic legitimacy in several ways. The current primary system has made our presidential races similar to the non-partisan ones of the era of good feelings that were such a failure. Without a strong party to restrain the candidate, they build their own reputation through demagoguery which is in essence a way to deceive the American people. The primary system has also extended the presidential election cycle. Now candidates announce a full two years before the election. This long cycle diverts the American people from other smaller elections in their state that are important as well as taking clout from the current president who no longer sets the national debate. The role of money and big business in campaigning, made necessary by the primary process, undermines perceived legitimacy giving the appearance that elections can be bought. This problem has been raised by several progressives including Woodrow Wilson.<sup>26</sup>

The modern selection system does tragically little to encourage cool and sedate reflection in American politics, but rather accelerates see-saw like policy change in accordance with the will of the people. Despite being the modern conception of democracy, this continuous change is one of the major problems with our nation. Pure and undiluted democracies have historically been unstable. Athens, the cradle of democracy, was destroyed because its government, was too responsive to the self-interested and changing will of the people. .<sup>27</sup> In Federalist 10, James Madison says that "Democracies have been ever spectacles of turbulence and contention; have ever been found incompatible with personal security, or the right of property, and have in general been as short in lives as they have been violent in their deaths".<sup>28</sup> The framers preferred the term "republic". A republic is rule by the representatives of the people, the idea being that the representatives can gauge public opinion and restrain it when it becomes radical. In Federalist 71, Alexander Hamilton argues that it is the duty of government officials, particularly the president, to withstand the popular delusions and do what is best for the country.

<sup>26</sup> Ceaser, James W. *Presidential Selection: Theory and Development*, 320-342

<sup>27</sup> Strassler, Robert B. *The Landmark Thucydides: A Comprehensive Guide to the Peloponnesian War*. New York: Free Press, 1996.

<sup>28</sup> Madison, James, Alexander Hamilton, John Jay, and Isaac Kramnick. *The Federalist Papers*.

To conclude, the current presidential selection system is a serious threat to American republicanism. We are a proud and noble republic, founded to encourage government by reason and reflection. Our current selection system relies on neither and instead works against both. In order to promote the selection of presidents of first character we must scale back the democratic reforms of the progressives. People often complain that the quality in presidential candidates is deteriorating. One cannot help but agree with this opinion, but the only way we can improve is by changing the way we choose our president.

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