



Gitterman, Daniel P. Calling the Shots: The President, Executive Orders, and Public Policy

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Gitterman, Daniel P. ***Calling the Shots: The President, Executive Orders, and Public Policy***. Washington, DC: Brookings Institution Press, 2017. 288 pages. \$30 (softcover).

In *Calling the Shots*, author Daniel Gitterman says that the president “is the CEO of the largest and most powerful enterprise in the United States” (2). Music to the ears of our current president, perhaps—but Professor Gitterman is not referring to the Trump organization. Instead, the corner office in this book is oval.

The federal government is, indeed, a huge enterprise. More than 2.5 million civilians and 1.5 military personnel are on its payroll, comprising nearly three percent of the American workforce (13). Even this pales in comparison to the jobs it supports indirectly: a quarter of all U.S. workers are employed by firms who contract with the government, the world’s largest buyer of goods and services to the tune of \$500 billion or so annually. (This figure does not include more than a trillion dollars each year spent on health care through employee health insurance, the Veterans Administration, Medicaid, Medicare, etc.) Professor Gitterman’s basic argument is that this sheer size and scope bestows on the modern president a series of neo-Rossiterian (Rossiter 1956) titles: he is “purchaser-in-chief,” “employer-in-chief,” and “payer-in-chief.” That is, he contends, every president has the chance to leverage power over procurement and personnel to shape national policy well beyond the federal workforce, and every president does just that.

As in other areas of executive action, presidents have interpreted vagaries in statutory language in their own favor. For instance, the 1949 Federal Property and Administrative Services Act requires policies governing contracting with the private sector to be based on “economy, efficiency, or service,” grounded not just in price but also in “other factors” (24). Through that generously elastic phrase, presidents have imposed conditions on contractors governing unionization, affirmative outreach to oft-excluded groups, minimum wages, workplace safety, matters of gender identity, and many “other factors.” Such actions are hard to overturn in court—a 1994 Clinton order banning contractors from hiring replacement workers during strikes is an exception—and, more often than not, Congress has wound up formalizing presidential initiatives in statute. Indeed, prompting others to act, whether on Capitol Hill or in the private sector, is a key purpose of presidents’ desire to be “first mover” here—along with the aim of gaining electoral or political advantage by delivering benefits to key constituencies.

In the book, Professor Gitterman makes a convincing case for presidential power in this specific arena. He traces the ways that successive administrations extended or adapted their predecessors’ administrative actions—or sometimes reversed them, in the “ping pong of

presidential power” (41) often associated with directives like the “Mexico City” foreign aid limitations imposed and removed every time a different party takes the White House. The narrative is organized by subject matter: procurement, employment and employee ethics, and health care purchasing appear in separate chapters. Barack Obama’s actions in these areas get two chapters of their own, as the author claims Obama expanded the “use and reach” of these administrative techniques “perhaps more than any prior chief executive” (40). If so, it goes to show the array of tools available to a managerially minded president. Obama famously played down the number of executive orders he had issued in the face of Republican criticism of his general “imperialism.” Thus, despite the book’s subtitle, the story necessarily goes beyond executive orders to include presidential memoranda, agency directives, and a range of other administrative tactics.

The key contribution of the book is in its empirical heft. Professor Gitterman adds rich historical detail to a key assumption of presidential unilateralism: the simple equation that the growth of the administrative state empowers the president. One suspects some possible editorial interference with authorial instinct in this regard, since the main text of the book totals fewer than 150 pages. The interested reader will mourn that the color commentary elaborating on particular directives has been exiled from the narrative flow. Without disciplined reference to the book’s 100 pages of substantive back matter, the rapid sequential accounting of executive actions can obscure the relative importance of each—as when Senior Executive Service bonus pay gives way to texting and driving, jumps to domestic violence, and switches to gender pay gaps in quick succession (95–96).

The streamlining also risks the implication that all directives catalogued here are implemented with equal thoroughness. In this telling, presidents order, require, establish, demand, and mandate. Do bureaus comply? The author concedes they do not, at least, not always (see 76, 99), but without going on to speculate about the conditions affecting differential real-world impact. Professor Gitterman is likewise well aware that government is not a business (136), but the repeated trope touting the president “as CEO” effectively elides the key differences between presidents and private sector chief executives. If nothing else, the very breadth of the federal enterprise that the book clearly outlines means that the president’s “unitary vision” (5) must contend with a distinctly plural executive branch. Even if the president “calls the shots,” the success of—indeed, even the formulation of—his administration’s managerial initiatives may have little to do with the White House itself.

If those details await additional research, Professor Gitterman provides all of the evidence needed to begin the task in *Calling the Shots*. As Donald Trump begins to write his own chapters as “purchaser-in-chief”—starting by rolling back numerous Obama initiatives—it is hard to dispute the notion that “executive power will increasingly define the institutional presidency” (21).

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