

David Orentlicher. *Two Presidents Are Better Than One: The Case for a Bipartisan Executive Branch.* New York: New York University Press, 2013. 292 pp. (\$30.00 cloth).

In *Two Presidents Are Better Than One*, David Orentlicher begins by identifying the growth of the imperial presidency and the rising polarization between the two major political parties as two of the major systemic problems plaguing national politics. He proposes a unique solution that metaphorically kills both of the birds with one stone: a dual presidency.

Orentlicher proposes that dividing executive power at the Constitutional Convention, as the Framers did with legislative power through the creation of a bicameral legislature, would have better dealt with their fear that vesting all executive power in a unitary figure would simply reproduce the monarchical system that had tyrannized the colonies. He argues that the perceived failure of the Articles of Confederation caused an over-reaction, which led the framers to adopt the Hamiltonian model of a strong unitary executive.

Initially there was still an ideal of a chief executive ruling for the common good and transcending every-day political squabbles. This was embodied by an idyllic view of George Washington, who might have identified with Charles DeGaulle's famous statement about being a man of neither the right nor the left nor the center but above. However this vision was quickly undermined by the emergence of two competing political parties and by the subsequent growth of executive power within a unitary presidency, even within Washington's time in office. Quite naturally, two parties and one presidency were going to engender conflict across the political system. The mystery is why the Framers ignore the likelihood of this outcome. Like many scholars, Orentlicher misses an opportunity to ask why the Framers, many of whom were familiar with the writings of the political thinker Henry St. James (i.e., 1st Viscount Bolingbroke), ignored the possibility that the growing partisan polarization within British politics over the course of the Eighteenth Century was a signal of what was likely to occur in their new republic.

This battle would inevitably lead to a "bidding war" of sorts between the two parties where each rival camp would campaign by making unrealistic promises to the public, which ultimately undermined public confidence in the institution when the eventual winner was not able to fulfill their campaign rhetoric. Orentlicher makes the case that a dual presidency would have prevented process and lowered the public's unrealistic expectations of a president emerging as a savior and hero.

The author then tackles the question of whether his solution is feasible. Orentlicher argues that popular support would be obtainable because part of the executive branch has already had a plural nature in the form of independent commissions that typically have had appointees from both parties. Many of these entities are well-managed and popular organizations with the public. However the author does ignore a couple of shortcomings with this analogy. The first question is the degree of public awareness of the bipartisan composition of these bodies and whether the public would equate them with the much higher visibility office of President. Secondly, these commissions have often become gridlocked in recent years as politicization has risen, as the case of the Federal Election Commission clearly demonstrates.

A proposal as drastic as this one has many legal, political and historical aspects to it that are so complex that it is difficult to address each piece in a manner that would satisfy experts in every given area of scholarship. Orentlicher, a professor of law and former state legislator, does give shorter shrift to some political and historical examples that would argue for a more conflictual relationship between dual executives than the author imagines. Rome and Sparta both had dual monarchs. The book omits the former and gives a short, idealized discussion of the latter that most classical historians would question. While he cites Switzerland as a modern-day example of collective leadership, he does not give adequate space to how a system that works well for a small, isolationist confederation would work in a large, federal superpower. For a confederal model, he may have been better served by examining previous studies of collective executive decision-making with the European Union. The author also does not address the growing scholarly literature on political polarization.

On the other hand, Orentlicher does an admirable job in Chapter Four of incorporating the literature from comparative politics. He utilizes these findings to not only show how the system might function but how it would minimize certain problems that seem embedded within the U.S. system. He makes a convincing case that the winner-take-all electoral system has led to an escalation of partisan tension that makes it almost seem natural for an opposition leader to wish that the president fails. He also addresses how countries such as Uruguay and Cyprus have attempted to utilize this approach to solve deep political divisions within their societies.

As with most daring proposals, it is easy to criticize the feasibility of the plan and the very book itself. However even this book's most strident critics would have to credit Orentlicher with proposing a serious structural reform for what have become serious structural problems. One of the most common promises of incoming administrations has been to check their predecessors' abuse of unilateral power and to mend the partisan divide within Washington. Their track record of success on either field has been poor at best, and presidents often quickly calculate that there are more short-term advantages to increasing polarization and their own power than decreasing either. The author is well-aware how difficult major, systematic change is to implement and that today's hyper-partisan environment makes the likelihood of that change even more remote. However he sounds a hopeful note and points that party leaders have been able to put aside many times in U.S. history to enact serious reform when the country has needed it.

In some sense, the author undersells one of the major strengths of his reform: the Madisonian values of deliberation and consensus. This system would make choices in a slower manner and often favors non-decisions over decisions. Orentlicher makes an interesting analogy with medical decision-making, which can often be collaborative and are in many ways "better" decisions. He also cites studies showing that consensual processes in collective bodies like the Federal Reserve actually increase speed and efficiency when compared to models of individual decision-making. By contrast, nowhere are shortcomings of having a system based on "the-buck-stops-here" made more clear than George W. Bush's 2003 decision to invade Iraq. While the author mentions group-think and Lyndon Johnson's Vietnam War policymaking in passing, a more detailed discussion would have been a stronger argument that these type of mistakes are not due to the failure of an individual president but the result of systematic flaws lying within the concept of the unitary executive itself.

Two Presidents Are Better Than One is well-written and accessible to a variety of audiences. It would be a welcome addition to any honors class on contemporary U.S. politics or upper-level undergraduate courses on the American presidency or comparative executives. It is also thought-provoking and an enjoyable read for scholarly and non-scholarly audiences alike.

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