

# FROM THE COVENANT TO THE CONTRACT:

## RHETORIC AND MEANING IN THE AMERICAN PRESIDENCY

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I borrow the inspiration for the title from a seminal piece on American Puritanism, *From the Covenant to the Revival*, by Perry Miller.<sup>301</sup> In his essay, Miller outlines America's nineteenth century cultural struggle to apply a covenant theology, a covenant that posited a special relationship among the individual, community, and God, to a society facing the fragmenting forces of liberal, social, and economic theory. What the covenant appealed to was a sense of the closeness of the community, a closeness that involved certain responsibilities and, failing those responsibilities, invited "covenant afflictions:" a corporate punishment for communal transgressions.

With the turn of a new century approaching, the struggle we face is not wholly dissimilar from the struggle Miller identified. And from this perspective, it is perhaps not accidental that President Clinton, in seeking the presidency, sought to articulate a "New Covenant," one that, like the covenant of the nineteenth century, was both a response to and an accommodation of an increasingly fragmented religious, social, and political environment. The "New Covenant" for Clinton was not simply a passing phrase. When it was invoked at Notre Dame, a Clinton campaign advisor suggested that it was a "defining speech."<sup>302</sup> It was a consistent theme of numerous campaign speeches, including his election night acceptance speech, and it was reinvoked midway through Clinton's first term in a 1995 Georgetown address.

My concern here is not with explaining why the "New Covenant" failed to capture the political imagination of the electorate; rather, my interest lies in how the covenant as a political symbol was analyzed by both the media and scholarship. My suggestion is that this treatment is itself symbolic of a far deeper dilemma that faces not only President

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<sup>301</sup> Perry Miller, *From the Covenant to the Revival*, in 1 THE SHAPING OF AMERICAN RELIGION 322 (James Ward Smith and A. Leiland Jamison eds., 1961).

<sup>302</sup> Fred Barnes, *The New Covenant: Clinton's Religious Strategy*, 207 THE NEW REPUBLIC 32 (1992).

Clinton but also future presidents. The problem is this: at the same time that the public turns increasingly to the President to provide a "vision" of a common purpose and direction to government and society, the articulation of that vision rests on a rhetoric that in both media and scholarly accounts has been devalued. By this I mean that rhetoric is no longer viewed as conveying a sense of values, experiences, and purpose. This devaluing has occurred because rhetoric has come to be analyzed as a technical instrument of political persuasion. And though there are certainly technical aspects of rhetoric, our contemporary focus on rhetorical technique excludes from our analysis, and may even undercut, the critical role of rhetoric in providing a meaningful vocabulary that is essential to a continuing democratic discourse.

## I

I take as my point of departure two recent works on the presidency. The first is Jeffrey Tulis's thesis that this century has seen the emergence of the "rhetorical presidency," at the heart of which is a growing expectation that the President will provide "popular leadership" through direct rhetorical appeals to the public. "Today it is taken for granted," writes Tulis, "that [p]residents have a duty constantly to defend themselves publicly, to promote policy initiatives nationwide, and to inspire the population."<sup>303</sup> Among these public duties, presidents (and presidential candidates) are increasingly expected to provide a "vision," an expectation that is born out by even a cursory glance at the media during election time. Writes David Broder, as if on cue from Tulis, there is no role more important for a president than to "mobilize and focus public opinion" by "being communicator-in-chief."<sup>304</sup>

My second point of departure is a recent examination by Richard Ellis and Aaron Wildavsky of presidential challenges through the theoretical lens of cultural theory.<sup>305</sup> Their work can be understood as part of what Tulis describes as an "interpretive" turn in presidential studies, from a search for causes of presidential behavior to an increased interest in the President and presidential rhetoric as a reflection of and on American cultural self-understanding.<sup>306</sup> Ellis and Wildavsky argue that "[p]residential leadership is, in large part, the art of building or sustaining cultural coalitions."<sup>307</sup> Leadership, thus, rests on understanding and responding to different cultural claims, claims that are premised upon

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<sup>303</sup> JEFFREY K. TULIS, *THE RHETORICAL PRESIDENCY* 4 (1987).

<sup>304</sup> David S. Broder, *Clinton Finds His Voice*, WASH. POST, December 12, 1993, at C7.

<sup>305</sup> RICHARD ELLIS & AARON WILDAVSKY, *DILEMMAS OF PRESIDENTIAL LEADERSHIP: FROM WASHINGTON THROUGH LINCOLN* (1989).

<sup>306</sup> Jeffrey K. Tulis, *The Interpretable Presidency*, in *THE PRESIDENCY AND THE POLITICAL SYSTEM* 47, 49-53 (Michael Nelson ed., 1990).

<sup>307</sup> ELLIS & WILDAVSKY, *supra* note 5, at 6.

different systems of beliefs and social interactions. There are a variety of ways for a president to do this, from Washington's public appearance of power to mask a lack of substantive authority,<sup>308</sup> to Jefferson "dissembling" his publicly stated purposes from his private actions,<sup>309</sup> to Lincoln's subordination of hierarchical claims to individualism made possible through the crisis of the Civil War,<sup>310</sup> to Eisenhower's "hidden-hand style," which allowed him to maintain a public image uncorrupted by political intrigue.<sup>311</sup>

If we bring together the observations of Tulis and of Ellis and Wildavsky, we are confronted with a problem. Following the argument of Tulis, the growing public nature of the presidency makes private deals unseemly, and the rhetorical demands on the President make coyness unlikely. Presidents of the future will have to respond to cultural dilemmas that arise, at least in part, rhetorically through the articulation of a "vision." But underlying this demand for a vision is a fundamental ambiguity: the "vision," as suggested by Tulis, must be popular; but if it is to answer to cultural dilemmas, it must also be meaningful. This is not impossible. But the task is made more difficult by the emergence over the last several decades of an understanding and evaluation of rhetoric primarily as a technique of political manipulation. This understanding works ultimately to undercut any claim to meaning, even as we clamor for it.

## II

The treatment of rhetoric as a technique has been promoted in both scholarly and media- based accounts of the presidency. Research on the presidency has focused overwhelmingly on rhetoric as a political tool of persuasion,<sup>312</sup> as strategic adaptations in public to reach one's undisclosed goals,<sup>313</sup> as acts of public relations<sup>314</sup> or "spin control," or as a means of self- promotion.<sup>315</sup> Recent scholarship on Clinton's rhetoric has similarly

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<sup>308</sup> Tulis, *supra* note 6, at 43-46.

<sup>309</sup> Aaron Wildavsky, *At Once Too Strong and Too Weak: President Clinton and the Dilemma of Egalitarian Leadership*, 23 *PRESIDENTIAL STUD. Q.* 437, 438 (1993).

<sup>310</sup> ELLIS & WILDAVSKY, *supra* note 5, at 177-97.

<sup>311</sup> *Id.* at 732.

<sup>312</sup> See RICHARD E. NEUSTADT, *PRESIDENTIAL POWER AND THE MODERN PRESIDENTS: THE POLITICS OF LEADERSHIP FROM ROOSEVELT TO REAGAN* (1986); SAMUEL KERNELL, *GOING PUBLIC: NEW STRATEGIES OF PRESIDENTIAL LEADERSHIP* (2d ed. 1993); Matthew R. Kerbel, *An Empirical Test of the Role of Persuasion in the Exercise of Presidential Power*, 23 *PRESIDENTIAL STUD. Q.* 347 (1993).

<sup>313</sup> FRED I. GREENSTEIN, *THE HIDDEN-HAND PRESIDENCY: EISENHOWER AS LEADER* 66-72 (1982).

<sup>314</sup> *Id.* at 92-99.

<sup>315</sup> PAUL H. ZERNICKE, *PITCHING THE PRESIDENCY: HOW PRESIDENTS DEPICT THE OFFICE* (1994).

focused on technique. One article, for example, examined "the utility of identification" in Clinton's stump speeches "as a persuasive technique."<sup>316</sup> Another analysis of Clinton's rhetorical style concluded that "this critical assessment largely ignores Clinton's content or substance," which the author argued can be more appropriately judged by "the polls, the press, and ultimately the populace."<sup>317</sup>

In media accounts as well, rhetoric appears, for better or for worse, as a matter of technique. After any given speech, media attention is focused overwhelmingly on whether the rhetorical tool was wielded effectively: did the President look relaxed? Did his voice waver or his eyes blink too much? Was the speech too long? How sustained was the applause? What was the reaction of the populace to the speech? And, perhaps most tellingly, what was the immediate response of an assembled group of voters, as recorded via their "perception analyzer," to each moment of the speech?<sup>318</sup> After one news conference, a front page article in The New York Times praised Clinton with this subheading: "Clinton Offers Change, Syntactically Speaking."<sup>319</sup> The article sought to contrast the speaking style of Bush with "the man from Little Rock" who "left not the slightest doubt that the White House will get its syntax tightened when he moves in on Jan. 20."<sup>320</sup> Apart from talk of speech patterns, though, there is the suggestion (and we see this in scholarship on rhetoric as well) that assessments of rhetorical technique are revealing of something more substantive. We see this in an article written some months later that assailed Clinton for his "fractured thoughts," as evidenced, not surprisingly, by the syntax of an ad lib in Cleveland.<sup>321</sup>

Even when the media assesses patterns of rhetoric over time, these assessments are still premised on a notion of rhetoric as a technique. This is why, perhaps, it was so puzzling to one commentator that Clinton could have a "communications problem" since he and his advisors had already "proved their mastery of modern communication techniques during the 1992 campaign."<sup>322</sup> To explain the "communications problem,"

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<sup>316</sup> John T. Llewellyn, *Bill Clinton's Stump Speaking: Persuasion Through Identification*, in BILL CLINTON ON STUMP, STATE, AND STAGE: THE RHETORICAL ROAD TO THE WHITE HOUSE 52, 53 (Stephen A. Smith ed., 1994).

<sup>317</sup> Ronald H. Carpenter, *The Stylistic Persona of Bill Clinton: From Arkansas and Aristotelian Attica*, in BILL CLINTON ON STUMP, STATE, AND STAGE: THE RHETORICAL ROAD TO THE WHITE HOUSE 101, 128 (Stephen A. Smith ed., 1994).

<sup>318</sup> Fred A. Barnes, *The Persona Plays in Peoria...But Will Empathy Be Enough?*, 25 NAT'L J. 474-75 (1993).

<sup>319</sup> R.W. Apple, Jr., *In Command of Language: Clinton Offers Change, Syntactically Speaking*, N.Y. TIMES, Nov. 13, 1992, at A1.

<sup>320</sup> *Id.*

<sup>321</sup> Lloyd Grove, *Clinton's Sudden Visit to Babble-On: What Happened to The Great Articulator?*, WASH. POST, May 12, 1993, at B1, B9.

<sup>322</sup> James A. Barnes, *Bridging Clinton's Communications Gap*, 31 NAT'L J. 1816, 1816 (1994).

commentators have once again found recourse in the failure of technique, whether it is a question of media management, in which Clinton's message gets lost among competing messages from his campaign and administration,<sup>323</sup> or whether it is a failure of style, in which Clinton "uses too many long words and complicated sentences that don't crescendo."<sup>324</sup> When things are not going well, the "mastery" that was heralded now appears as incompetence, and "vision" appears as a last resort to "sell" something.<sup>325</sup> Regardless, in each case rhetoric is understood as a tool of manipulation.

Certainly, there is an element of "manipulation" in rhetoric. We all know from Aristotle that rhetoric is the art of persuasion. And we observe the formation of entire institutions around the notion of rhetoric as a technique in presidential politics: public relations firms, presidential media consultants, polling operations, and, tellingly, institutionalized speech writing corps. Whether this is a cause or an effect, presidential rhetoric has become inextricably tied, to recall Joe McGinniss' words,<sup>326</sup> to the "selling" of the President, in which rhetoric is viewed as a "way of making image rather than policy."<sup>327</sup>

That presidents have used rhetoric to build popular support and craft an image is neither new nor alarming. What has changed is our own assessment of the implications of the role rhetoric plays in this process. We can attribute this change in part to advancing media technology that has made an industry of image. But we can also locate in the aftermath of Vietnam and Watergate a psychological transformation, where rhetoric could no longer be trusted but appeared, instead, as a veil behind which to hide reality.

We need only go back to the previous century to see how different this is from an America described as a "speech-making country" in which the appeal of rhetoric was precisely its role in the construction of an identity.<sup>328</sup> In an essay on George Bancroft's *History of the United States*, for example, the *North American Review*, the most prominent Whig journal in America, applauded Bancroft's work, even though he was a Democrat, because it reflected more than the "accumulation of facts" in a "timid adherence to what is erroneously called truth."<sup>329</sup> It involved the recalling of the "actual presence" of the past, to make immortal the

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<sup>323</sup> *Id.*

<sup>324</sup> Burt Solomon, *When Clinton Speaks . . . Does Anyone Listen?*, 27 NAT'L J. 378, 379 (1995).

<sup>325</sup> See Burt Solomon, *The President's Morality Play*, 27 NAT'L J. 1122, 1122 (1995).

<sup>326</sup> JOE MCGINNISS, *THE SELLING OF THE PRESIDENT* (1968).

<sup>327</sup> See Carol Gelderman, *All the President's Words*, WILSON Q., Spring 1995 at 68, 78.

<sup>328</sup> *The New England Character*, 44 N. AM. REV. 138, 138 (1837).

<sup>329</sup> *History of the United States by George Bancroft*, 40 N. AM. REV. 99 (1835) (book review).

"enduring zeal, the open-handed liberality, the fortitude, and the heroism, with which, in the day of small beginnings, the first foundations were laid."<sup>330</sup> Such great Whig orators as Edward Everett "meant to create a tradition that would inspire as well as inform. Like the Attic orators and dramatists, Everett knew the power of symbols to create a people's political identity."<sup>331</sup>

This notion of rhetoric is not simply the idiosyncratic expression of a particular historical period. Rather, at a more theoretical level, rhetoric is integral to the process of symbolic construction. Creating references, and the interweaving of these references, is "itself a social process, an occurrence not in the head but in that public world where 'people talk together, name things, make assertions, and to a degree understand each other.'"<sup>332</sup> Speeches are, indeed, meant to persuade, as they are grounded in cultural concerns and orientations toward economic and political life. To this extent, these utterances reflect an attempt to convey ideas and concerns in a publicly accessible language that in part draws upon, and in turn interprets and refashions, cultural referents shared and understood by the audience.

In treating rhetoric solely as a technique, we deprive words and images of precisely this richness and multivocality that draw on an accumulation of meanings over time. We search neither for meaning nor resonance, but rather we scrutinize each word in its relationship with every other word, looking for the inconsistencies and vagaries that, in fact, inhere in symbolic expression. I am reminded of the words Edmund Burke used in describing attempts by revolutionaries in France to strip away tradition: All the pleasing illusion, which made power gentle, and obedience liberal, which harmonized the different shades of life, and which, by a bland assimilation, incorporated into politics the sentiments which beautify and soften private society, are to be dissolved by this new conquering empire of light and reason. All the decent drapery of life is to be rudely torn off. All the super-added ideas, furnished from the wardrobe of a moral imagination, which the heart owns, and the understanding ratifies, as necessary to cover the defects of our naked shivering nature, and to raise it to dignity in our estimation, are to be exploded as a ridiculous, absurd, and antiquated fashion.<sup>333</sup>

Words no longer clothed in shared meaning appear naked and shivering.

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<sup>330</sup> *Id.* at 101-02.

<sup>331</sup> GARRY WILLS, *LINCOLN AT GETTYSBURG: THE WORDS THAT REMADE AMERICA* 51, 51 (1992).

<sup>332</sup> Clifford Geertz, *Ideology as a Cultural System*, in *THE INTERPRETATION OF CULTURES* (1973) (quoting W. Percy, *The Symbolic Structure of Interpersonal Process*, 24 *PSYCHIATRY* 39-52 (1961)).

<sup>333</sup> EDMUND BURKE, *REFLECTIONS ON THE REVOLUTION IN FRANCE* 90 (Dolphin Books 1961) (1790).

And woe be unto that president who talks of meaning, for what once was the clothing of tradition now appears as a guise, a costume worn to mask our nakedness. When we strip rhetoric of meaning, there can be no stated beliefs. The search for truth, instead, becomes a process of unmasking in which the first charge is that of hypocrisy.<sup>334</sup>

### III

Before turning to how this cultural separation of rhetoric and meaning manifests itself in accounts of the Clinton administration, I want to suggest how we see this expressed in the Reagan and Bush administrations. My argument is that the twin demand that "vision" be both popular and meaningful comes into conflict at the point at which rhetoric is viewed as a technique. Viewing rhetoric as a technique shifts our focus away from the cultural meanings that inhere in rhetoric to appraisals of style. But more dangerously, viewing rhetoric as a technique fundamentally undercuts expressions of meaning by casting such expressions as acts of political manipulation. This places the President in a bind: rhetoric will be judged a failure if it does not mobilize public opinion; yet, if the rhetoric succeeds in mobilizing public opinion, we will explain this success by pointing to how it was "used." This use, in turn, casts suspicion on the meaningfulness of the rhetoric by raising doubts about its sincerity.

By all appearances, Reagan presents a challenge to this thesis since he was heralded throughout his two terms as "The Great Communicator." Yet this name is revealing of the separation of rhetoric and meaning in two ways. First, the name itself was used to describe Reagan's technical mastery of the "communication age;" namely, his ability to appear spontaneous while reading a TelePrompter, to script his schedule, to surround himself with visually stimulating images, to focus on a single theme for the day or week by controlling the flow of information to the media, and, of course, to "act." Reagan, writes Neustadt, "may simply have come from the right profession for the technological moment."<sup>335</sup>

So distinct was rhetoric from meaning in both popular and scholarly accounts that Reagan could be called "The Great Communicator" even as he was assailed for being out of touch, for seeking contradictory goals, for not having his facts straight, and for his seeming ability to escape responsibility or blame for charges against the Administration. There is an irony here that leads to the second aspect of the separation of rhetoric and meaning in the Reagan Administration. By focusing on the technique of

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<sup>334</sup> See HANNAH ARENDT, *ON REVOLUTION* 91-101 (1963); JUDITH N. SHKLAR, *ORDINARY VICES* 45-86 (1984).

<sup>335</sup> NEUSTADT, *supra* note 12, at 276.

"The Great Communicator," we lead ourselves to believe that Reagan's popularity was largely a manufactured one, a rhetorical duping in Teflon coating of the American public.

The perspective offered here suggests a different approach. We can explain much of Reagan's rhetorical success because his words resonated with the shared interests and concerns of a large portion of the American populace, and that resonance provides considerable leeway in how speeches will be judged. Reagan's technical mastery did not make these symbols meaningful; rather, his mastery allowed him greater control so that he was able largely to bypass or minimize a media filter that insisted on this separation of rhetoric and meaning. By focusing on Reagan's communication as a theatrical act, we lost an important opportunity to engage in a sustained discussion, perhaps even a critique, of the values and meanings conveyed in the rhetoric.

President Bush paid dearly for this media focus on rhetorical technique, for what the media and populace came to demand of Bush was what he could not deliver: a rhetorical vision. I have argued elsewhere that his inability to do this was attributable to his "Oakeshottian" ways,<sup>336</sup> but what is important in this regard is that Bush's rhetorical failure was taken as evidence of lack of purpose. Once told to provide a vision, any vision articulated at that point could not help but sound contrived and politically self-serving. By the end of the re-election campaign, Bush had become the "visions" President who, like the cookware (but lacking the Teflon coating), the American people were convinced they could see through.

The charge of rhetorical inconstancy that has been leveled against Clinton is consistent with, and given force by, the separation of rhetoric and meaning. I am not arguing that Clinton has advanced a consistent agenda or message (though I believe there is more consistency than is often assumed); rather, I argue that media and scholarly approaches to Clinton's rhetoric begin by divesting the rhetoric of any meaning. This assumption justifies both a critique when rhetoric proves unpopular and a casting of suspicion when it is popular. The examples are not difficult to find. One article, for example, in suggesting that Clinton's "own words haven't mattered much," seemed to assess the rhetoric by its ability to mobilize popular and congressional opinion.<sup>337</sup> As evidence, the author pointed to Clinton's failure to "dislodge" the "labor-management impasse" in baseball, to secure popular support for loan guarantees to Mexico, to win public and congressional support for his health care plan, to gain support for intervention in Haiti, and to secure Republican support for

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<sup>336</sup> Dean Hammer, *The Oakeshottian President: George Bush and the Politics of the Present*, 25 *PRESIDENTIAL STUD.* Q. 301 (1995).

<sup>337</sup> Solomon, *supra* note 24, at 378.



raising the minimum wage.<sup>338</sup> In a striking reversal of what we often count as evidence of leadership, the author noted that on many of these issues, including the loan guarantees to Mexico and a more active role in Haiti, the President "went ahead anyway."<sup>339</sup> Leadership, as judged by this criteria, rests not on conviction nor on the merits of particular action, but on the ability to manufacture popular appeal for a particular proposal.<sup>340</sup>

Only three months later, this same author applied a different standard for judging rhetoric. Now he considered the rhetoric sincere only if at no point did the President flinch from political exigency or legitimate his actions through popular appeal. After Clinton's address in the wake of the terrorist bombing in Oklahoma City, the article opened with an appraisal of the instrumentality of Clinton's comments by noting: "Personally as well as politically, it suits President Clinton to act as a moral leader in a time of national grief."<sup>341</sup> Yet the article concluded that "the notion of Clinton as a moral leader still sounds a little like a punch line."<sup>342</sup> The reason for this, the author suggests, is because the President had backed away from past "moral forays," specifically health care, teenage pregnancy, and gays in the military, and because of his own "personal shortcomings."<sup>343</sup>

Clinton's rhetoric is viewed as merely a matter of technique, even when seen as "compelling"<sup>344</sup> or as "touching those he meets."<sup>345</sup> For if rhetoric is only a matter of technique, then sincerity is simply an act of "artfulness," a term employed by Paul Greenberg in giving Clinton the nickname "Slick Willie."<sup>346</sup> Who could argue? Certainly not Morton Kondracke who, in one early assessment of Clinton in *The New Republic*, titled his piece "Slick Willy," even though the article was about whether Clinton would be able to garner sufficient popular support and political capital to challenge the liberal wing of the party.<sup>347</sup> Certainly Burt Solomon would not argue since, on the one hand, he would pronounce Clinton's rhetoric a failure because it did not move people, yet, on the other hand, he could attribute to Clinton a "cultural suppleness" when he

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<sup>338</sup> *Id.*

<sup>339</sup> *Id.*

<sup>340</sup> See Barnes, *supra* note 18, at 474-75.

<sup>341</sup> Burt Solomon, *The President's Morality Play*, 27 NAT'L J. 1122, 1122 (1995).

<sup>342</sup> *Id.*

<sup>343</sup> *Id.*

<sup>344</sup> Morton Kondracke, *Slick Willy: Bill Clinton, Postliberal Man*, 205 THE NEW REPUBLIC 18 (1991).

<sup>345</sup> Michael Kelly, *A Man Who Wants to Be Liked, and Is*, N.Y. TIMES, Nov. 4, 1992, at A1, B2.

<sup>346</sup> *Id.* at B2.

<sup>347</sup> Kondracke, *supra* note 44, at 18.

actually was able to engage voters rhetorically and respond to their concerns.<sup>348</sup>

We can make all of this consistent, though no more satisfactory, by positing that rhetoric will be judged by its ability to shape outcomes. This seems to be the guiding assumption of discussions of presidential rhetoric. Kondracke asks, "Does the record match the rhetoric?"<sup>349</sup> Fred Greenstein suggests that it really would not matter to "members of the Washington community that a President seemed insincere" so long as "he were seen as having the public behind him."<sup>350</sup> Rhetoric that counts is rhetoric that works.

We are back where we began. So let us ask, instead, about rhetoric that does not speak directly to specific policy issues but addresses broader issues of history and community purpose. Of this, appraisals are no different. In one address, for example, Clinton talked about how "the seeds of our new difficulties that we face in such stark reality today were sown beginning three decades ago in changes in our social fabric and two decades ago in changes in our general economic condition."<sup>351</sup> When this speech was critiqued, however, the author never took up any of the issues actually raised. Instead, the article brought us back to appraising the instrumentality of the speech, this time suggesting that Clinton really only pays "lip service to history" because he "doesn't harbor any cherished historical lessons or invoke historical myths to order his world."<sup>352</sup> This is both bad and good: bad because Clinton says he uses history but really does not; good because history really is not a "reliable guide," is "crammed with contradictory lessons," has been used in making "some of the worst decisions in history," and because "it's tempting for a President to think *too* much about history."<sup>353</sup>

So what of one historical myth that the President did in fact invoke: that of the "New Covenant?" The notion of a covenant forms a rich part of the American past, figuring most prominently in Puritan theology and rhetoric to explain the responsibilities of a chosen people to God and to each other. There are several aspects of this covenant as articulated in America's past that are noteworthy. First, the covenant is initiated by God, and must be initiated by God, because of the human fallen condition. Second, the covenant is a commitment by God to save those who believe rather than those who can perform uncorrupted works. Third, though

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<sup>348</sup> Burt Solomon, *His Public Embrace of Religion . . . Gives Clinton a Political Boost*, 26 NAT'L J. 912 (1994).

<sup>349</sup> Kondracke, *supra* note 44, at 18.

<sup>350</sup> Fred I. Greenstein, *The Presidential Leadership Style of Bill Clinton: An Early Appraisal*, 108 POL. SCI. Q. 589, 598 (1993-94).

<sup>351</sup> Burt Solomon, *Dabbling in History – To What End?*, 26 NAT'L J. 1257, 1257 (1994).

<sup>352</sup> *Id.*

<sup>353</sup> *Id.*

salvation comes to the individual, the covenant occurs among an already constituted people.

What is so important about the covenant in this regard, and is lost in contemporary commentary on this notion, is that the covenant arises out of, and in turn confirms, a sense of community responsibility that presupposes some authority that stands outside the community itself. While contractual obligations arise out of the arbitrary agreement between two or more parties, the covenant, instead, provides a way for the fulfillment of already felt responsibilities. This is why John Winthrop, in his lay sermon pronounced before landing on American soil, spoke of the promise of the "City upon a Hill" as resting upon "charity" toward others.<sup>354</sup> If the people failed in this task, the community, and not just the individual, would perish. This is why in subsequent generations, and we can see this happening through Lincoln, there were continual calls to renew this covenant as a way for the community to remember its responsibilities.

President Clinton's words, press and scholarly commentary to the contrary, suggest that he understood this. Though much of the "New Covenant" as expressed by Clinton had been secularized to accommodate itself to broader economic and social concerns, there were three prominent aspects of the covenant that arose from this tradition. First, the "New Covenant" rested upon a sense of promise for the future: a "city upon a hill" for Winthrop and the fulfillment of the "American dream" for Clinton.<sup>355</sup> Second, the "New Covenant," like the covenants of old, arose as a response, in part, to a sense that this promise was itself endangered by a fragmented community that had "wandered" from "the lessons of our faiths and our history," traditions that had served as "the ties that bind us."<sup>356</sup> As Clinton suggested in another speech, "our government stands discredited, our people disillusioned. There's a hole in our politics where a sense of common purpose used to be."<sup>357</sup> Finally, the "New Covenant" served, like previous covenants, as a "renewal."<sup>358</sup> What Clinton meant by this is that a "New Covenant" does not create something new but serves as a reaffirmation of already existing responsibilities that we have toward each other. We are already bound together by our traditions and the promise of our future is similarly "bound up with the destiny of every American."<sup>359</sup>

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<sup>354</sup> John Winthrop, *A Model of Christian Charity*, in *THE PURITANS* 195-99 (Perry Miller & Thomas Johnson eds., 1963).

<sup>355</sup> President Bill Clinton, Speech at the University of Notre Dame (Sept. 11, 1992); President Bill Clinton, Speech at Georgetown University (Oct. 23, 1991); President Bill Clinton, Speech at Georgetown University (Nov. 20, 1991).

<sup>356</sup> Clinton, Speech at the University of Notre Dame (Sept. 11, 1992).

<sup>357</sup> *Id.*

<sup>358</sup> Bill Clinton, *Victory Speech*, N.Y. TIMES, Nov. 4, 1992, at B3.

<sup>359</sup> *Id.*

With few exceptions, the "New Covenant" was read not for its meaning but was appraised for its political expedience. Fred Barnes, for example, in an article devoted to a discussion of the "New Covenant," subtitled the argument, "Clinton's religious strategy."<sup>360</sup> We need to read only three paragraphs into the article before we discover that "Clinton and his handlers have understood" from the beginning that religion is "a plus with most voters."<sup>361</sup> Clinton and Gore, therefore, "have taken the next step, affirming the value of religion and touting their own faith."<sup>362</sup> Burt Solomon, who in an article on the need for Bush to demonstrate "a vision for guiding the nation's future," describes the "New Covenant" as the vision "hawked by his Democratic opponent, Bill Clinton."<sup>363</sup> Thus, we demand vision while simultaneously devaluing the rhetoric used to craft this vision. Two years later, Solomon would comment on Clinton's suggestion that one "can't have a value-free society," interpreting this, in the next sentence, as "merely the latest in a succession of episodes of public religiousness."<sup>364</sup> The language here is important, because we have the denigration of the message through the qualifier "merely," a casting of suspicion on the sincerity of the religious convictions by referring to their "publicness," and a description of these statements as "episodic," as words stripped of any connection to or continuity with a system of beliefs or values but merely understood as discrete acts of political expedience. As evidence, the article points to Billy Graham's deliverance of the invocation and benediction at Clinton's inauguration, Clinton's propensity to quote from the Bible, Clinton's reading of Stephen Carter's *The Culture of Disbelief*, and Hillary Clinton's statements about "the politics of meaning."<sup>365</sup> So that we don't miss the point, the article suggests that "Clinton returned to his religious roots only when it was politically useful," joining the more conservative church "that put him in the center of the choir on the state's top-rated television show at noontime on Sundays."<sup>366</sup>

My suggestion is not that the "New Covenant" failed as a political expression because of this focus on technique; for it is certainly possible, as we saw during the Reagan years, that symbols can find resonance. My point is that media and scholarly appraisals of the "New Covenant" found it difficult to even approach the rhetoric of the covenant, just as they were unable to approach Reagan's rhetoric, as an articulation of meaning. There is a significant implication to this devaluation of rhetoric, for it makes it

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<sup>360</sup> Fred Barnes, *The New Covenant: Clinton's Religious Strategy*, 207 THE NEW REPUBLIC 32, 32 (1992).

<sup>361</sup> *Id.*

<sup>362</sup> *Id.*

<sup>363</sup> Burt Solomon, *What's the Mission?*, 24 NAT'L J. 1880, 1884 (1992).

<sup>364</sup> Solomon, *supra* note 48, at 912-13.

<sup>365</sup> *Id.*

<sup>366</sup> *Id.* at 913.

difficult to carry on a political dialogue about any collective purpose. E.J. Dionne, Jr.,<sup>367</sup> in response to Clinton's speech in Memphis, lamented that there has been an "absence of more public talk and thinking along the lines the President laid down on Saturday."<sup>368</sup> But such a dialogue becomes unnecessary, and is even inhibited, if we view rhetoric only as technique. For then we encourage a politics not of deliberation but of either cynicism, in which we distrust the rhetoric, or "felt need,"<sup>369</sup> in which policy and discourse are driven by the vicissitudes of opinion.

Clinton invoked the "New Covenant" most recently in response to the Republican "Contract With America." The contrast could not have been greater. Where the notion of a "Covenant" rests on a responsibility and interdependence that emerges from our history, contracts create obligations that arise out of the wills of the respective parties. In many ways, the "Contract" is the perfect symbol that conjoins the rhetorical demand for both popularity and meaning, for there is no meaning in a contract other than what arises out of the popular, and momentary, agreement of the parties. This seems to have been recognized by its drafters, who crafted both the terms and the words of the "Contract" through careful use of polling research. But the "Contract" points, as well, to the danger of political rhetoric that rests its authority entirely on popular agreement, for there is no referent outside the agreement for what is right or just or fair. Certainly, democracies rest upon popular support. But political discourse, if it is to endure, must be able to answer more than "how" to create this support; it must also be able to ask "why." This final question cannot be answered when rhetoric has no meaning.

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<sup>367</sup> E.J. Dionne, Jr., *Clinton's Bully Pulpit*, WASH. POST, Nov. 16, 1993, at A21.

<sup>368</sup> Orlando Patterson, *Our History vs. Clinton's Covenant*, N.Y. TIMES, Nov. 13, 1992, at A29.

<sup>369</sup> Michael Oakeshott, *Rationalism in Politics*, in RATIONALISM IN POLITICS AND OTHER ESSAYS 22 (Expanded ed. 1962). Other references include President Bill Clinton, Speech at Cleveland City Club, Cleveland, Ohio (May 21, 1992); President Bill Clinton, Speech at Georgetown University (July 6, 1995); Alexander Cockburn, *Anything for Political Advantage*, in NEW STATESMAN & SOCIETY 22-24 (1994).

