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Cover Page Footnote

The Hon. Leon Panetta is the former Secretary of Defense and former Director of the Central Intelligence Agency.

CHALLENGES OF LEADERSHIP IN THE TWENTY-FIRST CENTURY

*Hon. Leon E. Panetta**

INTRODUCTION: LEADERSHIP & THE CONSTITUTION

It is fair to say that the institutions of our democracy have been seriously tested in recent years. Our forefathers understood that the system of governing they had designed in the Constitution would be tested because it was primarily dependent on the quality of elected leadership. After all, they were the sons of the Enlightenment — that period of history where philosophers like Hobbes, Montesquieu, Locke, Voltaire, Kant, and others believed they could improve the human condition on earth by relying on reason, science, tolerance, and a devotion to the fundamental natural rights of life, liberty, and the pursuit of happiness. Our forefathers placed their trust in the ability of elected leaders to do what is right for the nation. Leadership is critical to democracy.

At the Constitutional Convention, it was clear that the delegates did not want to centralize power in a King, a King Parliament, or a Star Chamber Court. They learned the lessons of history that power centralized is power abused. That is why they established three separate but equal branches of government — the executive, legislative, and judicial — each a check and balance on the others. Throughout our history as a nation, it has been an effective formula for limiting power, but it is also a formula for gridlock. The key to breaking that gridlock rests on the leadership of elected officials and their ability to work together, find consensus, and move forward. And if they fail to govern, the ultimate check built into our democracy is the power of the people to vote out failed leaders and elect in new leadership. But all of the hopes of our Founders in the Constitution have been seriously tested throughout our history by unprecedented crises.

I. CRISIS & OUR DEMOCRACY

The Bible refers to the Four Horsemen of the Apocalypse — Conquest, War, Famine, and Death — all known as the harbingers of the Last Judgment. Today, they

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have taken the form of a world-wide pandemic — killing over 500,000 of our own loved ones; the deepest economic recession since the Great Depression — 10 million jobs lost with the prospect that many of those jobs will never return, thousands of small businesses closed, and the restaurant and hospitality industries devastated; growing hunger and inequality — unemployment reached 20% or more for Asians, blacks, Latinos and other minority employees, unemployment for women hit almost 25% with large numbers of families relying on food banks and emergency food distribution centers; and in addition to disease, death, and famine, we are now at war with a growing threat of domestic terrorism here in our own country with the attack on January 6th on the U.S. Capitol by a mob of extremists who brought our democracy to a halt.

While our democracy has survived these unprecedented crises, we are more aware than ever of just how fragile our system of governing is when threatened by an unprecedented crisis, an angry and polarized public, and a dysfunctional political system. And yet, when the institutions our forefathers built into the Constitution were tested again and again by crisis, our system of checks and balances survived. Courageous judges made decisions based on the facts and the law; state election officials under incredible duress stood by the confirmed vote counts in their states and localities; the press continued to report both the truth and the distortions of the truth; and 161 million voters — a record number — in the middle of the Covid-19 pandemic turned out to vote on election day for the candidate of their choice, exercising the most important check in our democratic system: the right to vote. Ordinary citizens — Republicans and Democrats — were willing to stand up for what they believed was right, providing the critical personal leadership essential to overcoming crisis.

II. LEADERSHIP OR CRISIS

The Panetta Institute for Public Policy was established by my wife Sylvia and me because we believe deeply that young people must be inspired to lives of public service. Our democracy can only survive if there are future generations dedicated to serving our country. As the son of Italian immigrants, I was taught by my parents that it was our duty to give back to our country in return for the opportunity this country had given to them. Indeed, our democracy was founded on the principle of national service. The patriots who stepped forward to fight in our War of Independence and frame a new Constitution believed that all citizens had a duty to protect and sustain our newly established nation. In a letter to James Madison in 1788, George Washington wrote: “The consciousness of having discharged that duty which we owe to our Country is superior to all other considerations”¹

The duty to keep our country free and strong still rests with every citizen. This responsibility is embraced most obviously by Americans in uniform who are willing to fight and die in our nation’s defense. But duty to country is discharged in other ways as well: by serving in elective office, by teaching our children, by protecting and strengthening our communities, by preserving our natural resources,

¹ Letter from George Washington to James Madison (March 2, 1788) (on file with National Archives), <https://founders.archives.gov/documents/Washington/04-06-02-0115#:~:text=With%20some%2C%20to%20have%20differed,superior%20to%20all%20other%20considerations.>

by providing for the basic needs of our most vulnerable citizens . . . in short, by serving others. National service can strengthen our citizens' love of country, instill in our youth a needed sense of purpose, and provide the fundamental leadership abilities essential to governing our democracy.

I often tell the students at the Panetta Institute that in our democracy, we govern either by leadership, or by crisis. If leadership is there and willing to take the risks of leadership, we can avoid, or certainly contain, crisis. But if leadership is not there, then we will govern by crisis. Too often in recent years, we have governed by crisis after crisis. Having been in elective office, that is frankly the easy way out. Rather than having to make difficult choices on policy, simply wait for a crisis to happen. And when a crisis gets so bad, blame the crisis for having to make tough choices . . . or better yet, place a temporary fix on the crisis that seemingly kicks the problem down the road. Let others in the future be forced to make the hard choices. You can govern by crisis, but there is a price to be paid. And the price is the loss of the trust of the American people in our system of governing. It is the loss of that trust that feeds the anger and frustration that nearly brought down our democracy. It does not have to be that way.

III. LEADERSHIP AT ITS BEST & AT ITS WORST

In my over fifty years of public service, I have seen leadership at its best and leadership at its worst. The good news is that I have seen leadership work.

As an intelligence officer in the U.S. Army, I learned very quickly that without leadership and discipline, no military mission could be achieved. When I left military service in 1964, I had the opportunity to become a legislative assistant to a United States Senator and experience legislative leadership in the halls of Congress. I went to work for Senator Thomas Kuchel, a California Republican who came out of the legacy of progressive Republicanism established in California by Hiram Johnson, Earl Warren and others. Kuchel was the minority whip under the minority leader Everett Dirksen from Illinois. He was elected whip because there were a number of moderate Republicans in the Senate at that time — among them were Senator Jacob Javitz of New York, Senator Hugh Scott of Pennsylvania, Senator Clifford Case of New Jersey, Senator George Aiken of Vermont, Senator Margaret Chase Smith of Maine, Senator John Sherman Cooper of Kentucky, Senator Mark Hatfield of Oregon, and others — who worked with key Democratic leaders like Senator Mike Mansfield of Montana, Senator Henry Jackson of Washington, Senator Warren Magnuson of Washington, Senator Stuart Symington of Missouri, Senator Bill Fullbright of Arkansas, Senator Dick Russell of Georgia, Senator Sam Ervin of North Carolina, Senator Hubert Humphrey of Minnesota, Senator Ted Kennedy of Massachusetts and others. Did they have their political differences? Of course. Did they fight each other in elections? Yes. But when it came to the big issues of the day — civil rights, education, environment, Medicare, Medicaid — they worked together to produce landmark legislation.

When I was elected to the Congress in 1976, Speaker Thomas O'Neill, a Democrat's Democrat from Massachusetts, had a close relationship with the minority leader, Bob Michel from Illinois. Again, they had their share of political differences, but when it came to the big issues facing the country, they worked together whether the President was a Democrat or a Republican. During the Reagan administration,

the Congress worked together to pass Social Security Reform — the so-called third rail of politics, major tax reform that simplified the U.S. Tax Code, immigration reform that addressed border enforcement, worker programs and legalization, Medicare reforms, and efforts to reduce budget deficits. The House committees reflected the same kind of bipartisanship between chairmen and ranking members. When I was Chair of the House Budget Committee, I worked closely with my ranking member Bill Frenzel of Minnesota to fashion budget resolutions. We listened to one another; we were civil to one another; we respected each other's views; we were able to agree on a common set of facts defining the problem, if not the solution; we were willing to compromise in order to arrive at a consensus. In a word, we were willing to govern. And whether we were Democrats or Republicans, governing was good politics.

But I have also seen leadership at its worst in recent years . . . refusing to work together, divided by partisanship, refusing to listen or respect one another, unable to agree on basic facts, unwilling to find consensus . . . and the result has been political gridlock for the country.

The cause of this divisiveness is rooted in five factors that forced each political party into trench warfare: (1) margin of power; (2) reapportionment; (3) media; (4) money; and (5) a lack of leadership.

Margin of power. Because the margin of power had become narrower in both the House and Senate, each party has demanded greater loyalty within its ranks in order to defeat the other side. Winning became more important than governing.

Reapportionment. In the reapportionment process every ten years, the parties have found it more convenient to agree on safe seats for each party rather than on more competitive districts based on common sense geographic lines. The result of safe districts is to force each party to the extreme because primary opposition comes from the extreme — Republicans are challenged from the right and Democrats from the left, forcing candidates to the more ideological base of their party — the result is the loss of the political center where consensus has the best chance to succeed.

Media. With twenty-four-hour news and social media, conflict brings a bigger audience than compromise. The result is that parties play to the sound bite for the evening news rather than the more boring story that parties are working together . . . it is not so much about what you have accomplished as it is about tearing each other up.

Money. *Citizens United vs. FEC*² and *Buckley v. Valeo*³ were Supreme Court cases that virtually opened up campaign financing by getting rid of limits on contributions and allowing political action committees to proliferate and provide huge contributions to candidates. That resulted in both parties being beholden to special interests who generally oppose any form of compromise that might impact their interests. Rather than raising funds primarily from local constituents, the major fundraising happens in Washington with political PAC representatives bringing handfuls of checks to present to members and candidates at countless receptions each night.

² 558 U.S. 310 (2010) (holding that under the First Amendment, the government cannot restrict a corporation's political expenditures).

³ 424 U.S. 1 (1976) (holding that under the First Amendment, political expenditures and money equate to speech).

No leadership cover for tough decisions. The key to compromise is the willingness of the leaders in both parties to provide the leadership cover for members to cast a vote that otherwise would be unpopular with their party base. For example, in the bipartisan budget agreement worked out by the Bush administration with the Congress in 1991, the Democrats were willing to find savings in entitlement programs in exchange for the Republicans agreeing to raise taxes. Neither position was popular in their respective parties, but both were required if deficits were to be reduced in the federal budget. The leaders, including President Bush, supported the agreement, and it passed both the House and the Senate providing \$500 billion in deficit reduction, \$250 billion in spending savings, and \$250 billion in taxes. That agreement, plus a similar Clinton Budget adopted in 1993, is what largely produced a balanced federal budget. Today, it is rare that the leaders are willing to break from the base of their party. The consequence is legislative gridlock.

Because of the partisanship and polarization, major issues are impossible to resolve: comprehensive immigration reform which both parties acknowledge is necessary has failed to pass the Congress in the last twenty years or more; infrastructure funding, which is recognized by both parties as critical, is blocked because of a dispute over how to pay for it; health care reform has been paralyzed by partisan conflict over the Affordable Care Act; tax reform, which would bring greater clarity and fairness to the tax code, is blocked by the fear of daring to touch anyone's taxes; the national debt has risen to a record \$28 trillion because neither party is willing to be disciplined about spending or taxes; Covid-19 aid, which provided some semblance of bipartisanship in the past aid packages, has now become totally partisan, making it that much more difficult to pass. Aside from defense spending and a few rare bills enjoying bipartisan support, the Congress is largely dysfunctional. Presidents frustrated by the dysfunction have resorted to the use of more and more executive orders that bypass the Congress, but last only as long as that President remains in office. They create the façade of action but are easily undermined by court disputes and injunctions. Confrontation, rather than governing, is the politics of the day. There is a general unwillingness to take the time to listen to each other, to work through disagreements, to agree to a basic set of facts, to compromise, to find consensus, and to trust one another. The essence of our democracy going back to our forefathers has been the clash of ideas in a forum of respect, civility, dialogue, and understanding with the principal goal of finding agreement to the problems facing the nation. Without this discipline, we have democracy by crisis.

SIGNS OF DESPAIR AND HOPE

As polarization has increased, so has the distortion of the truth. Social media is a reflection of the extremes in our society, and when the facts do not support a particular attack, lies become the weapon of choice. When 161 million voters went to the polls last November to vote for President, it was a hopeful sign that in the middle of the COVID-19 pandemic and a highly disputed election, the voters embraced the ultimate check in our Constitution—the right to vote. It was a record turnout. Seventy-four million voted for President Trump. Eighty-one million voted for Vice President Biden. Despite the allegations of fraud, every court found that there was no evidence to support these allegations. Election officials, Republican and

Democrat, courageously determined and verified the final vote. The Electoral College, by a vote of 306 to 232, determined that Joe Biden was the next President.

And yet, the former President of the United States refused to concede the election and indeed continues to this day to state that he was the winner, and that the election had been stolen. He convinced many of his supporters that despite all of the facts (the final vote, the court rulings, the certification of the winner by the Electoral College), the truth is not the truth. A lie became the grist that turned the wheels of violence on January 6th. Domestic terrorism is now a real threat in the United States, and it breeds conspiratorial theories fueled by lies. It drives our polarization and undermines our fragile democracy.

There are, however, some signs of hope for the future. President Biden ran on the basis that he would unify the country and work across the aisle to seek bipartisan solutions. That promise was based on a long career in the Senate, where he was often willing to work with ranking Republicans on compromise. He is a man of faith and character who believes in the truth and the rule of law. He treats people with respect and listens to what they have to say. At the same time, he wants to get things done for the country, particularly in dealing with the pandemic and its consequences. Unfortunately, after all of the years of polarization and partisanship, it is not always easy to restore the trust essential to consensus. Both sides have to be willing to offend members of their own party in order to achieve bipartisan compromise. The challenge is whether the leadership in both parties believes it is more important to govern and work together than score political points. Not an easy hurdle to overcome.

IV. CAN LEADERSHIP RISE TO THE CHALLENGE?

I believe in American leadership. This country has faced many crises throughout our history — the Civil War, two World Wars, depressions, recessions, natural disasters — and somehow leadership has always risen to the occasion. I saw that leadership as Secretary of Defense when I looked into the eyes of our young men and women in uniform. They are willing to put their lives on the line for their country . . . to fight and die to protect the American people. Our elected leaders need a little of that courage in order to govern. There are members of Congress who are tired of the political gridlock and want to work together in order to find bipartisan solutions. The Problem Solvers Caucus, made up of twenty-five Democrats and twenty-five Republicans, has tried with some success to develop bipartisan legislation on Covid-19, health reform, and immigration. There is a group of Senators that also believes that working together to achieve consensus makes better sense than partisan confrontation. But producing real change requires the support of the elected leadership of the nation, reforms in the way they do business, and a dedication of the American people to truth and to duty to country.

CONCLUSION: SEND ME

When I was Director of the CIA, we lost seven intelligence officers to a suicide bomber in Ghost, Afghanistan. We were trying to set up a meeting with someone who could lead us to the key leaders of Al Qaeda. Unfortunately, that someone turned out to be a double agent who set off a powerful suicide vest of explosives. When I visited the site of the bombing, I brought a plaque to mark their sacrifice. The plaque had a saying from Isaiah: “And the Lord said, ‘whom shall I send . . . who will go for me?’ And I said, ‘Here I am Lord, send me.’”⁴ Send me. That is the sound of the trumpet that calls all of us to action. I have described the challenges of leadership in the twenty-first century. There is no question that elected leaders bear the primary responsibility for making the difficult decisions required by leadership. And there are steps that can be taken to inspire leaders to action. But leaders are ultimately held accountable by the voters. It was inspiring to have a record number of voters turn out for the presidential election. We the people remain the ultimate check in our Constitution. But beyond the election, we have to hold our leaders accountable at all times. Otherwise, it is we who fail our democracy.

A Jesuit at my alma mater, the University of Santa Clara, once said to me that God gives us life, but it is up to us to make a life. He then told me the story of the rabbi and the priest who decided to go to events together to better understand each other’s religion. One night, they went to a boxing match and just before the bell rang, the boxer made the sign of the cross. The rabbi nudged the priest and asked, “What does that mean?” The priest said, “It doesn’t mean a damn thing if he can’t fight.” We bless ourselves that our democracy will somehow survive, but it does not mean a damn thing if we are unwilling to fight to make it better. Ultimately, it is the American people who will determine the quality of leadership we have and determine whether we defend and protect a government of, by, and for all people. In a very real way, it is not just our leaders but all of us who must swear an oath to preserve, protect, and defend our Constitution. Because in the end, it is we the people who will determine the future of leadership and the future of our democracy.

⁴ *Isaiah* 6:8.