

## **Legacies Versus Politics: Herbert Hoover, Partisan Conflict, and the Symbolic Appeal of Associationalism in the 1920s**

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The concept of a policy legacy has come into widespread use among scholars in history and the social sciences, yet the concept has not been subject to close scrutiny. We suggest that policy legacies tend to underexplain outcomes and minimize conventional politics and historical contingencies. These tendencies are evident in the revisionist literature on American politics in the aftermath of the First World War. That work stresses continuities between wartime mobilization and postwar policy, especially under the auspices of Herbert Hoover and the Commerce Department. We maintain that a rupture marks the transition between the war and the Republican era that followed and that the emphasis on wartime legacies distorts the political realities of the Harding–Coolidge era. We conclude by noting the risks of policy legacy approaches in historical analysis.

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### **INTRODUCTION: LEGACIES THICK AND THIN**

Policy history scholars refer often to the idea of a policy legacy to help explain the durability or recurrence of policy patterns. The term “legacy” connotes something that has been handed down from one generation to another, an inheritance. Later generations of policy makers will look to the past as they try to grasp problems or seek lessons about success and failure;

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existing laws, agencies, and personnel remain as the tangible material from which new policy will be fashioned. The likelihood that a policy inheritance will continue to shape subsequent policy outcomes is magnified, moreover, by a decision sequence that makes other courses of action less imaginable. Once a choice is made early in the development of a policy, that choice will “advantage” similar alternatives at the next decision stage, and the similar choices in turn will make like decisions less costly and more attractive in the future.<sup>1</sup> Path dependence, an analytically distinct concept, thus facilitates the transmission of a policy legacy.

For scholars of policy development, the notion of a policy legacy has assumed a range of meanings. Some treat the concept as narrow and concrete, yet note that even in such a strictly limited sense it can have considerable explanatory force. Thus Richard Rose and Phillip L. Davies observe that any incoming government begins not from scratch but with a welter of laws, organizations, and permanent state personnel, most of which it cannot possibly hope to change.<sup>2</sup> Other scholars construe the notion of a policy bequest more broadly or relax the assumption of direct policy continuity over time. It may make sense to speak of a legacy as an ongoing discourse embracing a common policy approach, even where that approach does not find practical expression at any given moment. Legacy here assumes the form of certain conventions about how to understand policy challenges and the means by which they should be addressed. When examining discursive legacies, scholars may focus less on what governments and state personnel do than on the role of nongovernmental organizations and actors seeking to shape policy. Alternatively, the inheritance from the past may be negative or exclusionary, an enduring set of policy constraints that reemerge time and again to limit policy choices. In the context of modern American public policy, for example, the limitations imposed by liberal notions of limited government, by persistent anti-statist attitudes, or by a fragmented federal institutional system may have pushed policy makers to adopt similar responses.<sup>3</sup>

The various meanings of policy legacy, moreover, are not mutually exclusive. Different kinds of inheritance—formal organizations, discursive themes, and extra-state networks—may be woven together to constitute a “thick legacy” of practical policy innovations and dominant ideas that effectively crowd out other policy approaches. (We coin the term “thick legacy” to reflect multiple lines of transmission across time; the term is not intended to evoke or parallel concepts like “thick description” that have gained currency in various social science disciplines.) Thick legacy accounts bear promise of providing robust explanations of policy outcomes. Where discursive or constraining legacies leave space for other, more immediate causal influences to manifest themselves, thick legacies appear to comprise every necessary link in a causal chain. There is no need to look further.

Although a useful tool in historical analysis, policy legacy is a concept scholars employ at some risk. In the first place, legacy may be defined so loosely that it can be invoked at the mere reappearance of a policy orientation at different points in time. Since we can identify antecedents for any policy idea or innovation, the episodic reiteration of a policy approach by itself has no explanatory value and ought not to be treated as evidence of a legacy. Even with more restrictive definitions that presuppose identifiable lines of transmission, the emphasis on policy legacy may account for too little. Systemic constraints operate typically as boundary or limiting conditions that influence outcomes only in the rare moments when political actors appear ready to consider solutions that fall outside the normal range of policy options. To account for most choices, then, the analysis of constraints tells us little. At the other extreme lie thick legacy accounts that embrace all lines of continuity between two points, yet still distort our understanding because of what is excluded. The stress on antecedents and carryovers yields a policy history that is too neat. It can ignore political forces that lie outside the development path and overlook the odd twists and turns of history, the accidents and tricks of fate, that cannot be made to fit the story. The limits and pitfalls of the policy legacy concept prompt us to interrogate it, lest it assume a taken-for-granted status that may be corrosive of good scholarship.

As a vehicle through which to advance our critique, we offer a historical case study that reconsiders the place of associationalism in American national politics in the early 1920s. The period invites a discussion of the policy legacy framework because revisionist scholars have identified various types of legacies in the patterns of business-government cooperation extending from the First World War to the Great Depression and the New Deal. At the center of most such accounts stands Herbert Hoover, an energetic proponent of voluntary business-government planning to meet a range of social problems, first as commerce secretary and later as president. We challenge the legacy perspectives by offering an alternative account of the Harding-Coolidge era that emphasizes the minimal continuity between the war period and the Republican-dominated postwar years and underscores the limited and largely accidental nature of Hoover's policy successes. The story of the 1920s is much more one of intra- and interpartisan conflict than of an emerging policy consensus in support of associationalism. Partisan politics initially stalled the associationalist agenda in the Harding years and then facilitated its very modest advance under the Coolidge administration. Such success as Hoover and his allies enjoyed, moreover, owed much to chance, not to the appeal of their ideas or the power of their network. Our analysis makes clear that no thick legacy connects policy in the 1920s to earlier wartime experiments in business-government cooperation. Further, although we do not doubt the existence of thin discursive or systemic constraint legacies, we

suggest that it would be an error to place much weight on them as an explanation for the pattern of policy outcomes during the Harding-Coolidge era. We maintain it is more productive to start with the partisan context shaped by a splintered Republican regime.

To set the stage for our retelling of the place of associationalism in the early 1920s, we begin with a brief review of revisionist arguments that connect the period to what came before and what followed. The different ways scholars construe the legacy idea all find expression in the revisionist literature, ranging from accounts that trace a thick legacy in policies, personnel, and policy conventions from the First World War through the New Deal to others that claim only ongoing conversations about new policy approaches. We then offer, in the following three sections, our alternative narrative of the early interwar period, in which we show just how tenuous the appeal of associationalism was. That appeal rested not on a war-generated associationalist legacy, but instead on other political forces and on historical accidents the legacy framework does not accommodate. To develop our alternative account of the early interwar period, we first recall the sharp policy rupture that marked the return of full Republican control in 1921 and the partisan context political actors like Hoover would have to negotiate. We next explore the opposition to associationalist innovations from political actors and institutions that did not share the enthusiasm for corporatist policy approaches. Although the pieces of this story have been presented before, we retell it to make plain Hoover's very modest initial impact on policy. The greater success he enjoyed under Coolidge, we indicate in the final substantive section, reflected a combination of chance happenings and partisan calculation by the president that hardly suggests the power of an associationalist policy legacy. We conclude by examining the analytical implications of the case for the concept of a policy legacy.

### **POLICY INNOVATION FROM THE GREAT WAR TO THE NEW DEAL: REVISIONISM AS THE NEW ORTHODOXY**

Revisionist accounts of the American political development from the First World War through the 1920s have dramatically altered the picture of that era that was drawn by the first generation of scholars writing under the influence of the New Deal. The older view depicted the 1920s as a sterile interlude of prosperity in which political leaders ignored festering social problems, culminating in Herbert Hoover's allegedly passive reaction to the Great Depression. From this perspective, the New Deal represented a fundamental break with what had come before, a period of remarkable policy innovation and political reconstruction.<sup>4</sup> Another interpretation of the

postwar era emerges, though, from the seminal work of Ellis Hawley and the recent efforts of other historians and political scientists. The revisionist literature draws a new picture of the 1920s as an era of corporatist policy ferment and experimentation. Of particular significance, the national government developed close ties with the private sector, especially trade associations, to achieve a set of economic ends—to promote long-term growth and stable profits, reduce waste in production, and mitigate severe fluctuations in the business cycle. Even the failures of associationalism contributed to later policy development by revealing the deficit of public authority that characterized the first ventures in business-government cooperation. Corporatist governing arrangements became the policy tool of choice for dealing with the Great Depression and were carried forward by the Roosevelt administration into the New Deal, especially via the National Industrial Recovery Act and the National Recovery Administration.<sup>5</sup>

Among revisionist scholars, the years between the Great War and the New Deal yielded different kinds of policy legacies. One view stresses the discursive carryover from the proponents of associationalism in the 1920s to the architects of the New Deal. In the aftermath of the war, policy advocates in government, the private sector, and intellectual circles recognized the need for planning and public-private cooperation to overcome the uncertainty of the marketplace. Hawley first called attention to the creative policy thought centered on Herbert Hoover and the Commerce Department. Although Hoover tried to implement associationalist ideas during his years as commerce secretary, his tenure there had a greater impact on how political and business leaders, economists, and others understood the weaknesses of a modern capitalist economy and how these might be addressed through some form of collective action.<sup>6</sup>

A second view identifies systemic constraints as the enduring legacy of the 1920s. Colin Gordon carefully outlines the market conditions that made for widespread instability across industries and notes the failure of many business sectors, even with government backing, to overcome a fragmented political system and their own collective action problems in their quest to rationalize economic conditions. Sectoral instabilities and the collapse of voluntary remedies set the stage for the New Deal.<sup>7</sup> For David Hamilton, the reliance upon voluntary approaches to policy challenges reflected systemic limits arising from the American constitutional order and reinforced by enduring American values. He, too, singles out federalism as a culprit, but he adds that constitutional obstacles to government interference with property contributed to the appeal of associationalism.<sup>8</sup>

If many of the revisionist accounts claim modest bequests from the 1920s to the New Deal, at least one tries to build a case for a thick legacy with greater explanatory power. Marc Eisner asserts a striking degree of policy

continuity from the First World War through the New Deal and beyond.<sup>9</sup> Drawing explicitly upon the policy legacy concept, he anchors his account in “historical inheritance—that is, how existing policy tools, models of administration, and patterns of state-economy relations empowered and constrained policy makers.”<sup>10</sup> New Deal policy makers looked to previous innovations in government-supervised self-regulation by private economic actors, rather than to untried direct government planning. The recovery program introduced by the Roosevelt administration reflected practices dating to First World War mobilization that had evolved through the 1920s. During the war the War Department, unable to direct mass mobilization, secured the cooperation of private interests by delegating authority and providing material benefits. In this manner an interventionist, “quasi-corporatist” state was legitimized in the eyes of public officials, business leaders, and others.<sup>11</sup> Associationalist practices spread after the war into several policy areas, including business regulation, labor relations, agriculture, and macroeconomic policy, thanks largely to the efforts of Hoover at Commerce and his acolytes in other federal departments.<sup>12</sup> Only later, amid the economic collapse of the Great Depression, would the limitations of this kind of state—its tenuous foundation in economic self-interest and prosperity—become visible. Yet even then, the effects of the path chosen, however ineffective, would continue to limit the possible courses of action available to policy makers.<sup>13</sup>

In response to the revisionist accounts of the early interwar period, two questions naturally arise. First, do they lead to a better understanding of the New Deal era? Much of the revisionist work, as we noted, takes issue with the earlier and still influential view that the Democrats from 1933 onward ushered in a new political and policy order. Second, do revisionist works offer us the best framework for understanding the period between the First World War and the onset of the Great Depression in 1929? It is to this question that we turn our attention here. The thick legacy version in particular purports to be a full account of the 1920s—policy making throughout this period can best be seen as an elaboration on wartime corporatist innovations, with many of the same actors involved and significant continuity in programs and institutions, as well as in the intellectual realm. Such an interpretation would become untenable, however, were we to find sharp policy shifts after the war, termination of wartime agencies without direct successors, displacement of wartime administrative leadership, indifference or significant opposition to associationalist schemes among political leaders, and a decrease in the rate of trade group formation. The failure of a thick legacy analysis would still leave space for other accounts that point to more modest legacies. Yet by their very nature, discursive and systemic constraint legacies appear too limited to stand alone as primary explanations for the broad pattern of policy outcomes generated by the central national policymaking institutions (the

presidency, Congress, and the Supreme Court) in a normal political period. To understand what happened in the 1920s, then, we need to restore these institutions to the foreground of the story.

### **ASSOCIATIONALISM AND REGIME POLITICS AFTER THE GREAT WAR**

We begin our recapitulation of the postwar policy story with the reestablishment of a narrow Republican majority in Congress in the 1918 midterm election and the landslide Republican victories in the 1920 presidential and congressional contests. For the Republicans, these triumphs seemed to restore the natural political order that had been disrupted by the Wilson interregnum. Dominant partisan coalitions, as the Republicans had been since 1896, regard the interruptions in their control as historical accidents that confer little legitimacy on the actions taken by the opposition.<sup>14</sup> Republican leaders in the postwar period firmly believed that the Democrats had held power only because of the division within Republican ranks between Progressives and the stand-pat forces of the Old Guard. In more immediate terms, Republicans took their 1920 gains to be the final repudiation of Wilsonian policies, most notably the president's rigid defense of the League of Nations and the administration's failure to manage postwar economic dislocation and domestic turmoil.<sup>15</sup>

Viewed from a 1921 vantage point, we are hard put to find evidence of a thick associationalist legacy emerging from the wartime experience. Experiments in business-government cooperation during the Great War were badly tainted in the eyes of Republicans by their association with the partisan opposition. When the Republicans returned to power, they did not think of themselves as carrying forward the mobilization innovations, but rather as undoing what the Democrats had left in place.<sup>16</sup> Republicans were eager to weaken the governing structures that had empowered trade unions and, in their view, tilted the natural balance of power between capital and labor too far in the direction of the latter; to reduce the excessive taxes the Democrats had enacted for the war but then had left in place; to limit American involvement abroad; and more.<sup>17</sup> One of the first acts by the Republican congressional majority in 1919–1920 was to dismantle the wartime railroad labor relations structure. The Republican alternative, as Ruth O'Brien points out, marked a fundamental break with the corporatist approach the Democrats favored.<sup>18</sup> This move fit a larger pattern of partisan action: as indicated by Table 1, very few wartime administrative bodies survived the return of Republican control. Only where the Democrats themselves had started to “unbuild” their wartime state, as in the case of Treasury

**Table 1.** The Fate of Wartime Mobilization Agencies

Agency	Postwar development
War Industries Board	Abolished, January 1919. Some staff transferred to Commerce Department
U. S. Food Administration	Terminated operations, early 1920
U. S. Fuel Administration	Dismantled, March 1919
U. S. Railroad Administration	Ceased operations with passage of 1920 Transportation Act, which returned railroads to private ownership
U. S. Shipping Board Emergency Fleet Corporation	Continued through 1920s
War Finance Corporation	Continued through 1920s to provide credit to farmers, with reduced scope after 1924
Capital Issues Committee	Terminated operations, December 1918
National War Labor Board	Dismantled, June 1919. Railroad Labor Board created under the Transportation Act to handle arbitration
War Labor Policies Board	Ceased operations, May 1919

Sources: *Congressional Record*, vol.65, 66; Robert Cuff, "Harry Garfield, the Fuel Administration, and the Search for a Cooperative Order During World War I," in Robert F. Himmelberg, ed., *Business–Government Cooperation, 1917–1932: the Rise of Corporatist Policies* (New York: Garland Publishing, 1994); Robert Cuff, "United States Mobilization and Railroad Transportation: Lessons in Coordination and Control, 1917–1945" in Himmelberg, ed. *Business–Government Cooperation, 1917–1932*; Mark A. Eisner, *From the Warfare State to Welfare State: World War I: Compensatory State Building and the Limits of the Modern Order* (University Park, PA: Pennsylvania State University Press, 2000); Robert Himmelberg, "The War Industries Board and the Antitrust Question in November 1918," *Journal of American History* 52 (June 1965): 59–74.

Department tax proposals to lower business tax rates, did the incoming Republicans adopt Democratic initiatives.<sup>19</sup> Further, the personnel carryover between the Wilson and Harding administrations was minimal. The Republicans retained few officials in senior, discretionary positions.<sup>20</sup> Appointees with set terms who could not be removed—e.g., commissioners serving in independent regulatory bodies like the Federal Trade Commission—would be replaced as their terms expired with others who shared the Republican probusiness outlook.<sup>21</sup>

If associationalism were to become a cornerstone of national public policy, then, it would have to be created anew. Associationalist doctrine claimed two important groups of supporters. First, a number of political figures, corporate leaders, and intellectuals embraced the notion of a rationalized social order organized on corporatist lines. They represented one wing of the Progressive movement, linked primarily to the Republican Party's Bull Moose faction. Like other Progressives, this group sought to check the predatory exercise of power, especially economic power. But unlike the Wilsonian Progressives who viewed large corporate organizations as a danger that needed to be countered through antitrust action or New Nationalists who wanted



them placed under strong public supervision, the associationalists wanted to preserve the benefits of corporations by enlisting them in cooperative arrangements outside formal state control.<sup>22</sup> Hoover emerged after 1920 as the leading spokesperson for Republican associationalism, urging the organization of economic sectors into voluntary, self-governing associations to promote economic efficiency, labor peace, and macroeconomic stability.<sup>23</sup> Second, associationalism appealed to a bloc of business supporters who saw the advantages of cooperation in producing a more stable business environment. They had participated in the War Industries Board (WIB) structure during the war, profiting from the guaranteed demand and price-fixing mechanism the board created, and had launched a short-lived movement to eviscerate the Sherman Act when peace returned.<sup>24</sup>

However, we need to be careful lest we read too much into professions of business support for the associational approach. Firms and economic sectors had interests in a wide range of public policies, including the weakening of labor unions, lower personal and corporate taxes, and higher tariffs on imports.<sup>25</sup> To the degree that firms backed cooperative responses to market turmoil, moreover, they often favored private or subnational public solutions.<sup>26</sup> If we conceive of businesses as having a preference ordering—they favor any number of policies, but some are more central and/or more readily attainable and thus become political priorities<sup>27</sup>—it is not clear that associationalist governance under national auspices would rank high on the list in the early 1920s. Certainly the evidence from Republican party platforms and the legislative priorities of Republican Presidents Warren G. Harding and Calvin Coolidge suggests that other policies mattered more. Harding and Coolidge were unabashedly probusiness, yet, as we demonstrate below, their backing for associationalism was tepid at best.

Restoration of Republican control over the policy making branches of the national government may have spelled the end of Wilsonian approaches at home and abroad, but what would follow remained uncertain. Republicans were deeply divided. In addition to the longstanding split between the Old Guard and Progressives, the bitter debate over the League of Nations had left its mark on the party, while the worsening crisis in American agriculture drove farm state Republicans to form an autonomous and often unruly bloc. Some of these different factional divisions overlapped on the political map, with Old Guard Republicans tending to come from eastern industrial regions and Progressives cohering in the farm bloc.<sup>28</sup> Even if the number of major factions within the party reduces to only two, the fact remains that Republicans found it very difficult to work together as a governing coalition from 1921 onward. Simply put, the North-South core-periphery split that distinguished the political system after 1896 gave way in the 1920s to an unstable three-sided sectional division, with the West acting as a political wild

card throughout the decade.<sup>29</sup> Leading eastern Republicans wanted to aid their business constituents with higher tariffs and lower taxes intended to promote investment. Absent farm bloc cooperation, however, a Republican majority in Congress would be hard pressed to fulfill a legislative program to satisfy policy seekers linked to the party.

With Congress divided and often deadlocked by intra-party disputes, the locus of policy initiative would shift elsewhere—to the executive branch and the courts. Harding and Coolidge were largely unknown quantities in 1921, the former having been an obscure senator and the latter a little-known governor from Massachusetts whose chief claim to fame (and to the party's vice presidential nomination) had been a strong stance against a Boston police strike the previous year.<sup>30</sup> There seemed little doubt, however, that Harding stood closer to the party's stand-pat wing than to the Progressives. As a general proposition, conservative Old Guard Republicans looked askance at associationalism because of its link to wartime mobilization and Wilson. To further complicate the administrative picture, Democratic holdovers occupied important positions that would let them shape economic policy in the early years of Republican control. Of particular importance to the future of business-government corporatist arrangements was the Federal Trade Commission (FTC). With its members having been appointed entirely by Wilson, the commission reflected his belief that business cooperation invited collusion. The FTC had had its wings clipped by Congress in 1920 when it launched an aggressive investigation of the meat packing industry, but it still remained a factor in economic policy and it continued to support vigorous antitrust enforcement in the early 1920s.<sup>31</sup> Finally, the judicial branch bore the imprint of different varieties of Progressivism in ways that made its decisions difficult to predict.

### ASSOCIATIONALISM IN LIMBO, 1921–1923

In the political context that framed the Republican return to power in 1921, any possible resurrection of associationalist practices required a strong champion. The leading spokesperson for corporatist arrangements within Republican ranks was Herbert Hoover. As revisionists observe, his entrepreneurial leadership of the Commerce Department was largely responsible for the creation of what revisionist scholars have come to label the “associative state.” Eisner recounts how Hoover initially focused on building the department's capacity, drawing upon business leaders and reorganizing the agency along lines suggested by the WIB, and then expanding the role Commerce played in voluntary economic planning and in self-government by economic sectors under its auspices.<sup>32</sup> Though correct to a point, this

version of events leaves much out. Hoover's position in Republican circles was precarious; he did not enjoy the initial confidence of either Harding or Coolidge<sup>33</sup>; and other domestic policy actors contained Hoover's influence very effectively in the Harding administration. Far from being a deliberate first step in a long-term strategy to make Commerce the instrument of associationalist doctrine, Hoover's initial moves reflected the defeat of his grander aspirations at the hands of other political leaders.

When Hoover assumed control of the Commerce Department at the outset of the Harding administration, his popularity with segments of the public ranked higher than his political standing in Republican circles. He had earned plaudits for his administration of relief efforts in Belgium at the close of the war. From this had arisen a brief 1920 presidential trial balloon. Hoover sought the Republican nomination, but he could not turn his popularity into the kind of political strength required to prevail at the convention.<sup>34</sup> Harding emerged as the compromise party nominee and went on to win over Democrat James M. Cox and assorted third-party candidates.<sup>35</sup> The president elect hesitated before selecting Hoover for his cabinet because of strong opposition among conservative party leaders. Yet Harding also did not wish to become captive to the Old Guard, and he decided on Hoover as a counterweight to conservative influence. To get the stand-patters to accept Hoover, Harding tied his selection to that of Andrew Mellon, whom the Old Guard wanted to install atop the Treasury Department.<sup>36</sup>

Hoover set out to make the Commerce Department an effective policy tool for implementing associationalist business-government cooperation. He enlisted allies in the private sector, including Arch W. Shaw and Robert Brookings (both veterans of the WIB), to help him refashion the department<sup>37</sup> and met with an advisory council created by the Chamber of Commerce to set new goals.<sup>38</sup> From Hoover's meetings with the council, a department agenda for economic stabilization soon emerged that rested upon expansion of worldwide markets, improvement of national statistical services, and elimination of waste in production. To foster improved trade, the department needed to be restructured and enlarged. Hoover and his business advisors persuaded Congress to support the reorganization and to increase the department's appropriation so it could add staff recruited from export-oriented industries.<sup>39</sup> Hoover also held that accurate economic information would help businesses avoid destabilizing surpluses or shortages, and the department accordingly began to publish a detailed monthly survey of current business conditions. Reflecting another of his pet concerns—his conviction that excessive variety contributed to inefficiency and ultimately to unemployment<sup>40</sup>—Hoover also initiated programs to reduce waste in industry. A new Division of Simplified Practices organized standardization committees in different industries and organized conferences with manufacturers

to develop industry-specific simplification plans that the Commerce Department would use as the basis for official recommendations and voluntary producer compliance.<sup>41</sup> The dynamic and imaginative Hoover of revisionist accounts emerges clearly in the steps he took to remake the department.

Without the backing of other governing institutions, however, Hoover could not expect to take his ideas very far. Congress proved to be a major obstacle. Following the September 1921 President's Unemployment Conference held at Hoover's initiative, he accepted the principle that the national government could support economic stability through countercyclical public works spending.<sup>42</sup> A bill introduced later that year by Iowa Senator William Kenyon sought to direct the heads of executive departments to advise the president on the expansion or contraction of public works based upon information published monthly by the Commerce Department.<sup>43</sup> Despite support from both business and organized labor, the measure was blocked by southern Democrats.<sup>44</sup> Bills designed to link federal public works to the condition of the economy resurfaced from time to time over the course of the next decade but never mustered congressional majorities.<sup>45</sup> (See Table 2.) Hoover fared no better during the Harding years with legislation that would expand the regulatory authority of the Commerce Department over emerging economic sectors. Congress did not approve bills that would let the department regulate radio broadcast licenses or commercial aviation.<sup>46</sup>

Hoover's determination to make his department the center of domestic policy initiatives in the new administration also invited conflict with other cabinet members and their agencies. Some department heads caved in before his imperial ambitions.<sup>47</sup> Others, though, held different policy views and enjoyed advantages Hoover found difficult to overcome, including close personal ties to the president or powerful political constituencies. Foremost among Hoover's foes within the administration were Attorney General Harry M. Daugherty and Agriculture Secretary Henry C. Wallace. Daugherty, a longtime friend of the president and his 1920 presidential campaign manager, comes across in historical accounts as an Ohio political fixer of dubious ethics, a characterization consistent with his political demise amid the scandals that followed Harding's death.<sup>48</sup> Yet the attorney general was also an official with strong conservative policy views who had the president's ear, displayed a keen sensitivity to the political winds that Hoover lacked, and occupied an institutional position that permitted him to thwart Hoover's program. Wallace had a reputation as a moderate Progressive who, while editing an Iowa paper with a farm audience, had antagonized packing and food-processing interests. He would serve as the principal voice of distressed farmers within the administration and would lend his support to agriculture policies very different from those Hoover endorsed. Given the pivotal role of the farm bloc in Congress as the margin that could make or

Table 2. The Failure of Countercyclical Public Works Proposals in the 1920s

Proposed legislation	Outcome
67th Congress, 1921–1923 To prepare for future cyclical periods of depression and unemployment by a system of public works. (S. 2749, H. R. 10353)	Debated in Senate, amended, and returned to Committee on Education and Labor. House bill referred to Committee on Labor. No final floor vote.
To investigate national need for public works by federal, state, and municipal agencies in periods of business depression and unemployment. (S. 4472, H. R. 14185)	Reported from Senate Committee on Education and Labor and House Committee on Labor. No final floor vote.
68th Congress, 1923–1925 To investigate national need for public works by federal, state, and municipal agencies in periods of business depression and unemployment. (S. 2543)	Referred to Senate Committee on Education and Labor.
69th Congress, 1925–1927 To investigate national need for public works by federal, state, and municipal agencies in periods of business depression and unemployment. (S. 981, H. R. 4546)	Referred to Senate Committee on Education and Labor and House Committee on Labor.
70th Congress, 1927–1929 To create a prosperity reserve and stabilize industry and employment by expansion of public works during periods of unemployment and industrial depression. (S. 2475, H. R. 13568)	Debated in the Senate; no final floor vote. House bill referred to Committee on the Judiciary.
To provide for emergency construction of public works for relief of unemployment during periods of business depression. (S. 4307)	Referred to Senate Committee on Education and Labor

Source: *Congressional Record*, vol. 61–70.

break any Republican majority, Wallace would be a powerful force in the cabinet. These officials could impede and even undo the work Hoover was doing at the Commerce Department or steer the administration toward a very different policy course from the one he envisioned. (Though of less direct concern to our argument, which focuses on Hoover’s associationalist program, he also collided at times with Treasury Secretary Mellon and Secretary of State Charles Evans Hughes.<sup>49</sup> Further, outside the cabinet itself, Hoover after 1923 often met sharp opposition from Benjamin Strong and other Federal Reserve Board leaders.<sup>50</sup>)

At the core of associationalist doctrine lay a benign view of business cooperation through trade associations that, as Hoover soon learned the hard way, other agencies and influential political actors did not share. Here we must take a short step backward in time. Before the Wilson administration left office, its appointees began to question the role of trade associations in stimulating postwar inflation. The Federal Trade Commission in 1919 challenged the legality of open-price associations—trade groups that shared detailed information about prices for current (and sometimes future) transactions, with an understanding that prices would not be changed without prior notice to competitors.<sup>51</sup> Prodded by the FTC, A. Mitchell Palmer, Wilson's attorney general, criticized open-price associations as instruments for price-fixing and began legal action against several such groups, most notably the Hardwood Lumber Manufacturer's Association. The legal threat to trade groups was not confined to the national level. In New York, an investigative committee established by the state legislature enlisted noted attorney Samuel Untermyer as counsel to assist an inquiry into the building trades industry. By late 1920 he had attracted much publicity with charges of nationwide price-fixing arrangements, and he used his press contacts to embarrass Palmer and force him to subordinate the federal antitrust litigation to his state committee.<sup>52</sup>

The change in administration would silence neither Untermyer nor the FTC, a fact that incoming Attorney General Daugherty grasped more readily than did Hoover. After being rebuffed by the new commerce secretary, who declined to support tighter regulation of trade associations at the national level,<sup>53</sup> Untermyer next sought Daugherty's support. He proved more receptive, not only because of his more conservative outlook on economic cooperation but also because he appreciated the political damage that could be done to the administration by charges it was indifferent to price fixing schemes or, worse, actually promoted them. An early sign of what to expect came from the FTC, which still had a Democratic majority and which remained unchastened by the congressional reaction to its inquiry into the food processing industry. Asked by President Harding shortly after his inauguration to explain why during the current recession consumer prices did not decline along with the prices of food and raw materials, the FTC in a published letter pointed to the role that open-price associations played in maintaining prices.<sup>54</sup> Harding picked up the theme in his April 12th message to Congress. He voiced his concern about high consumer prices and wondered whether these were the consequence of "'open-price associations,' which operate, evidently, within the law, to the very great advantage of their members and equal disadvantage to the consuming public."<sup>55</sup> Even before the speech, Daugherty had met with Untermyer to promise vigorous antitrust action. This took the form of a broad-ranging federal litigation campaign against

open-price associations. Within months federal civil litigation and criminal prosecutions had placed trade associations on the defensive and had set the Justice Department at odds with Hoover and the Commerce Department.<sup>56</sup>

The hand of the Justice Department was soon strengthened by another institutional player, the Supreme Court. In December 1921 the Court handed up a decision in favor of the government in the hardwood trade group case that had commenced under the Wilson administration.<sup>57</sup> Although no explicit agreements on prices or production levels were reached within the lumber association, the Court held that the actions of the group constituted an unlawful restraint of trade: "Genuine competitors do not make daily, weekly, and monthly reports of the minutest details of their business to their rivals." In the view of the Court, the purpose of the association's activities was "to restrict production and increase prices."<sup>58</sup> Initially, Daugherty and his Antitrust Division head Guy E. Goff were inclined to regard the decision as a virtual prohibition of open-price associations, though other antitrust and trade association lawyers held the language in the opinion was not so definite. After complaints from businesses and following discussions with Hoover, Daugherty settled in February 1922 for an intermediate and conditional position. He approved the collection of information by trade associations and its full, public circulation by the Commerce Department, provided that such interchanges did not lead to price-fixing. As Robert F. Himmelberg observes, the attorney general reserved the prerogative of rescinding the trade group rights he had conceded and thus left associationalists uncertain about what they would be allowed to do.<sup>59</sup>

Political forces ultimately led Daugherty to revive the sweeping attack on trade associations. Business interests, as events soon made evident, were poorly organized to pursue revisions in the antitrust statutes and no political leader stepped forward to assume the burden of broad business mobilization.<sup>60</sup> Senator Walter Edge, a New Jersey Republican, introduced legislation that merely sought to clarify the grey area between legal and illegal association activity. Yet even with such a moderate measure and heightened business concern about runaway antitrust enforcement, Edge could not overcome the divisions among trade groups and ultimately gave up in frustration. He complained to Hoover that "the representatives of trade associations that have called on me are so divided in their view point that I have simply permitted the matter to drift."<sup>61</sup> On the other side of the ledger, Daugherty felt pressure from those who thought his agreement with Hoover and the Justice Department's cautious approach represented unacceptable backsliding toward legitimizing cartels. Untermeyer reappeared with charges that Daugherty had shied away from prosecution of antitrust cases against firms with Republican ties. The accusations became the substantive basis for hearings by the House Judiciary Committee in late 1922 on a resolution to

impeach the attorney general for lax antitrust enforcement.<sup>62</sup> Underscoring the political vulnerability of the administration, Republicans lost much of their congressional majority in the off-year election, with the greatest losses coming from the ranks of probusiness party regulars in the eastern states.<sup>63</sup> Daugherty concluded that a strong stance against trade associations was the safer political course and he directed his subordinates accordingly. The net effect of Justice Department enforcement, court rulings, and publicity during the Harding era was the reduced formation of trade groups between 1920 and 1924 by comparison with the preceding and following five-year periods.<sup>64</sup>

Hoover and Daugherty clashed in another policy area important to associationalism, labor relations, and again the attorney general prevailed. In Hoover's vision of associational cooperation, organized labor would assume a constructive role as a junior partner in voluntary, corporatist arrangements intended to foster commonality of purpose between business and labor.<sup>65</sup> His conciliatory approach stood sharply at odds with Daugherty's frankly reactionary view that strikes represented illegal combinations that should be fought through injunctions. (Neither view, it should be noted, reflected majority Republican sentiment at the time, which emphasized state oversight of labor to keep its power well in check.<sup>66</sup>) When several railroad unions went on strike in 1922, Hoover sought to negotiate a settlement between the two sides while Daugherty, who believed the workers were led by communists, urged strong repressive action. Secretary of Labor James J. Davis negotiated a possible settlement that offered the workers little, but it was the railroad managers who rejected the deal despite an appeal from Hoover. At that point President Harding gave up any pretense of neutrality and directed Daugherty to take whatever steps he deemed necessary, including the use of force, to end the strike. Even though it was already unraveling due to a lack of support from other unions and the uncompromising management stance, the attorney general obtained a harsh injunction that antagonized organized labor.<sup>67</sup>

Tensions also beset Hoover's relations with Agriculture Secretary Wallace. Both men were bureaucratic empire-builders and they collided over which agency would deal with the commercial side of agriculture.<sup>68</sup> For instance, when Nebraska Senator George W. Norris introduced a farm relief bill that would create a public export corporation to dispose of farm surpluses, Hoover rejected it as excessive government interference in business while Wallace opposed it primarily because the corporation would have been chaired by the commerce secretary.<sup>69</sup> Apart from the bureaucratic stakes (and the apparent personal hostility Hoover's poaching provoked), the two also parted ways on the appropriate policy to address postwar farm problems. Initially the differences were not pronounced. For example, a January



1922 farm conference controlled by Wallace yielded a set of very moderate proposals that included some associationalist initiatives. One proposal led to the Capper-Volstead Act, which gave legal protection to farm cooperatives that trade associations could only envy.<sup>70</sup> But where Hoover regarded himself as a visionary economic modernizer, Wallace adopted a pragmatic approach designed to offer farmers whatever aid might be of use in preserving their economic status and ignored ideological considerations when these got in the way. As it became clear that farmers were not sharing in the general economic recovery of the Harding years, the policy conflicts between Hoover and Wallace widened. Wallace's close friendship with the president and his ties to a powerful group of lawmakers helped him neutralize Hoover. For instance, against objections by Hoover, Wallace convinced Harding to support a conference proposal for preferential railroad freight rates for farmers.<sup>71</sup>

The principal difference between the two department heads involved how to deal with overproduction in agriculture. Hoover believed that rapid advances in agricultural productivity should be addressed through cooperative controls over production to limit output and, in the long run, by the exodus of surplus farmers from the agricultural sector. By contrast, the agriculture secretary concluded that direct subsidies for farmers were essential, since they could not effectively control output and tie it to market conditions. At the 1922 conference participants discussed—but did not endorse—a scheme to restore agricultural price parity to prewar levels. The plan called for preserving the 1914 price ratio between farm commodities and industrial commodities in the domestic market by selling agricultural surpluses abroad at lower prices through a government agency. Republican farm policy at that point rejected direct price supports for farmers, however, so the proposal was tabled. It would be taken up by Senator Charles L. McNary of Oregon and Iowa Representative Gilbert N. Haugen, and McNary-Haugenism would become the source of fierce contention between farm bloc lawmakers and Republican chief executives.<sup>72</sup> Wallace recognized the inadequacy of administration policy and lent his backing to the subsidy plan in 1923. When Coolidge succeeded to the presidency and was distracted by scandals and election concerns, the Agriculture Department helped frame the first version of the McNary-Haugen bill.<sup>73</sup> Once again Hoover found himself outflanked by another agency, with control over the agenda passing to his policy competitors in Congress.

When taken as a whole, the Harding period offers few policy outcomes that can be explained by any of the policy legacy frameworks. The hostility of most leading policy makers to the associationalist agenda, the legislative defeats Hoover suffered when he sought to extend Commerce authority to new industries or to expand federal macroeconomic management, and the

decline in the rate of trade group formation are the exact opposite of what we would anticipate if wartime corporatism had left behind a thick legacy. Some evidence indicates that systemic constraints hindered the push for a weak law to make clear what trade associations could do—Senator Edge was thwarted when trade groups could not overcome their collective action dilemma. Yet the pattern of Hoover's legislative losses points to the greater explanatory significance of partisan factional tensions. A discursive legacy from the war did continue to influence policy debate, aided by Hoover's good press and his vigorous promotion of the theme of voluntary public-private cooperation. Corporatist thinking, however, had little impact on what the national government did because many key positions in all branches were occupied by policymakers who subscribed to different schools of thought.

### **CHANCE EVENTS, PARTISAN STALEMATE, AND THE APPEARANCE OF SUCCESS**

Developments after Harding's death in 1923 created an opening for advocates of associationalism and increased its visibility. Leading opponents of Hoover's ideas abruptly left the scene due to scandal or death in the first year of the Coolidge administration. Their replacements often were Hoover proteges. Just as important, the ongoing stalemate between Republican factions continued to impede legislative action. In the face of congressional inaction, President Coolidge realized that Hoover could be a useful instrument for signaling administration commitments to important Republican constituencies. The forward march of associationalism, in other words, reflected a combination of chance events and partisan calculation—not the allure of corporatist ideas or the growing power of a proassociationalist policy network.

Both of Hoover's leading cabinet antagonists were gone by the end of 1924. Although Daugherty aspired to play the same role for Coolidge that he had for Harding, the two men did not have a similar personal association. Whatever prospects the attorney general had for retaining influence quickly vanished as he became embroiled in the controversies that arose after Harding's death. Daugherty had acted as an informal sponsor for Jesse Smith and came under a cloud when the latter was implicated in a scandal that led to his suicide. Some accounts indicate that Daugherty became emotionally unstable amid the investigations and revelations, while others suggest leading Republican lawmakers demanded his removal.<sup>74</sup> Either way, Coolidge decided his attorney general had become a political liability and forced him to resign. Daugherty was replaced with Harlan Stone, who cooperated with Hoover in the preparation of a test case to elicit from the

courts a more permissive interpretation of the Sherman Act.<sup>75</sup> Another significant change at the Justice Department saw the appointment of William J. Donovan to head the Antitrust Division. In sharp contrast with the policy under Goff, Donovan applied a “rule of reason” standard that accepted price fixing when the economic benefits justified such practices.<sup>76</sup> Agriculture Secretary Wallace died in the summer of 1924, and his successor, William M. Jardine, was a Hoover man (after Hoover himself declined the position).<sup>77</sup> Within the space of a few months, then, Hoover found himself with allies rather than adversaries in the highest reaches of the administration.

Threats to the associationalist agenda from other institutional players also subsided in the mid-1920s. To begin with, Republican efforts to remake the independent regulatory agencies also bore fruit under Coolidge. The appointment of William E. Humphrey as FTC chairman in 1925 resulted in a Republican majority openly sympathetic to business. As Eisner notes, the new chairman acted swiftly to revise FTC procedures in such a way as to preclude effective antitrust action. No longer would businesses need to fear that the exchange of information or other forms of cooperation would incur the commission’s wrath. Indeed, to the contrary, the FTC began to organize industry conferences to define the rules of competition and to enforce those rules against firms that deviated from them.<sup>78</sup> The Supreme Court in *Maple Flooring Manufacturer’s Association v. United States* (1925) also clarified its stance on trade association activity in a way that relieved much of the anxiety such groups had felt since the 1921 decision and the subsequent restrictive interpretation pursued by Daugherty’s Justice Department. The Court raised no objection when association meetings did not discuss prices or output and the resulting prices members charged were not uniform.<sup>79</sup>

As the personnel changes and shift in judicial doctrine removed impediments to associationalism, partisan divisions in Congress made Hoover’s approach more attractive to President Coolidge. The obstructionist tactics of farm state lawmakers rendered GOP control over the legislative branch ever more precarious.<sup>80</sup> By 1926 the party retained the power to organize the Senate only because of deals GOP leaders made with insurgents. Since the arrangement did not extend to agreement on substantive matters, Republicans could do little to shape the legislative agenda.<sup>81</sup> Coolidge consequently saw most of his legislative proposals buried by Congress. Indicative of his difficulties is the fate of a tax cut proposal that the president put before Congress in March 1924 with an eye on the approaching election. Treasury Secretary Mellon wanted to reduce the maximum income surtax from 50% to 25% and repeal the 25% estate tax, measures designed to spur higher-risk investments by high income earners. Instead, Congress approved a smaller reduction in the surtax (to 40%) and raised the estate tax to 40%, effectively neutralizing any benefit wealthy—and Republican—taxpayers might have received.<sup>82</sup>

Meanwhile, the farm bloc continued to press its own agenda at odds with that of the administration. Although Wallace had died, his influence continued through McNary-Haugenism. Its proponents proved themselves adroit at coalition building in Congress: by extending the program to cover cotton, they attracted strong Democratic support from the South. Twice they mustered congressional majorities in favor of farm subsidy legislation, which Coolidge in turn vetoed because he rejected the notion that the national government should keep failing farms afloat (his unsentimental view) or that it needed to preserve a balance between agrarian society and the relentless march of industry (as proponents saw it).<sup>83</sup> The bipartisan and cross-sectional alliance also made its weight felt in the protracted battles over the proposal to develop the Muscle Shoals fertilizer and power-generating facilities in Alabama under public auspices. Southern Democrats conditioned their backing for McNary-Haugen on farm-state Republican support for Muscle Shoals, only to be blocked again by Coolidge.<sup>84</sup> With the South-West farm program thwarted by the White House, the farm bloc reciprocated by impeding legislative action on other measures central to the industrial Republican program. Only minor legislation, including weakened versions of the commercial aviation and radio industry regulatory measures Hoover had been pushing since the early 1920s, secured passage.<sup>85</sup>

An astute politician, especially where his own political future was at stake, Coolidge recognized the need to build a strong probusiness record. Here lay Hoover's political value to the president. Although Coolidge evinced no particular enthusiasm for Hoover's ideas, the commerce secretary had a knack for attracting positive publicity. What he could offer, in short, was the appearance of doing something, a political necessity for the party when actual accomplishments had become impossible.<sup>86</sup> The publicity Hoover generated for his associationalist program thus became an end in itself.

The political imperative of demonstrating symbolic support for the concerns of policy seekers linked to the GOP explains one of the more striking features of Hoover's tenure at the Commerce Department. Some revisionists see the 1920s as a period of reform, but it would be more accurate to call it one of reform *talk*—the “Conference Decade.” The precedent was set in Harding's first months, when he approved high-profile conferences on unemployment and the farm crisis. Coolidge found it prudent to encourage similar conclaves, including an agriculture conference in February 1924.<sup>87</sup> The sessions, often organized by Hoover, drew together leading intellectuals, businessmen, labor leaders, and politicians. Many proposals were developed, recommendations for legislative action issued, and reports compiled. That so many meetings yielded so few real results hardly mattered, for the conferences gave the administration the political cover it required.

Although Hoover believed strongly in the associationalist remedies that his conferences and commissions urged, Coolidge was content, Robert H. Ferrell argues, with the image of concern.<sup>88</sup> For example, when speaking to a business audience in late 1925, the president singled out the activities of the Commerce Department (without mentioning its head by name) as a key element in the nation's recent economic prosperity.<sup>89</sup>

The impact of the scandals that came to light after Harding's death and the adroit political use of associationalism by his successor seem to have misled at least one scholar. Eisner considers it remarkable that Teapot Dome and other examples of public corruption did not doom business-government cooperation of the sort Hoover advocated. "That such scandals did not foreclose associationalism as an option," he asserts, "stands as a testament to the power of the wartime legacy and Hoover's advocacy."<sup>90</sup> But this conclusion misses the more obvious effect of the scandals: they helped remove the most determined opponents of associationalism, notably Daugherty, whose hostility to that point had effectively checked the associationalist project. Moreover, while Hoover was certainly relentless in agitating for voluntary self-regulation of business under the oversight of the Commerce Department, much of what he did served Coolidge's symbolic purposes. We need to be cautious about reading too much into gestures. Though they may contribute to a discursive inheritance, they do not make for a thick bequest that imposes real obligations on later officeholders. Initiatives in associationalism during the 1920s can be better appreciated, then, as Republicans (others than Hoover) saw them: stopgap measures to satisfy core regime supporters in the business community when more substantial policies were blocked by divisions within the party coalition.

## CONCLUSION

The foregoing account leads us to both empirical and theoretical conclusions. On the empirical side, the evidence cannot sustain the revisionist policy legacy perspectives as the best framework for understanding the period between the First World War and the onset of the Great Depression in 1929. Least defensible is a thick legacy account grounded in the continued influence of wartime mobilization. The swift dismantling of the mobilization apparatus, its discredited status in the eyes of Republicans, their incentive-oriented views of how to promote economic recovery and growth, and the stalled associationalist program under Harding belie claims that mobilization continued to enthrall key national policy makers. We suggest Ellis Hawley is closer to the mark when he depicts associationalists in the early 1920s as "keepers of the flame," often reduced to wandering in the political

wilderness.<sup>91</sup> They did nourish a corporatist discursive legacy. Yet such a legacy explains little about what happened in the Harding-Coolidge era. To understand central policy debates and outcomes, including the blocked Republican legislative agenda and the furious battles over McNary-Haugen and Muscle Shoals, we need to look elsewhere. Similarly, to dwell upon systemic constraints on the national government does not take us far because policy makers during the 1920s rarely tested the limits of the system. Even the very real collective action problems faced by many business sectors did not often shape national policy debates.

A better starting point for understanding policy patterns in the years after the First World War may be found in partisan politics, especially in the intra-partisan dynamics of the restored but fragile Republican governing coalition. Partisanship accounts for the dismantling of mobilization agencies and the purge of senior government personnel, for the failure to enact tax cuts or measures to tie public works spending to the business cycle, and for the defeat of various regulatory measures. At the same time, the deep fractures within the Republican party that led to legislative stalemate also left President Coolidge with political needs that gave Hoover and his fellow associationalists a modest opening. They were useful to others, but hardly powerful in their own right. Through the partisan context we also encounter the one systemic constraint that mattered in the 1920s—the sectional character of the American political economy. This had a powerful impact by turning many key policy debates into three-sided battles with no stable majority solution.

From our empirical findings we draw certain theoretical conclusions about the limited value of policy legacy perspectives. Thin legacies (discursive networks or systemic constraints) tend to under-explain outcomes. When the participants in a discursive network do not occupy key policy positions, their ideas have limited impact and will likely be made to serve the agendas of other political actors.<sup>92</sup> By the same token, mainstream political leaders do not often choose to push against the accepted boundaries of the American political system. Cultural and constitutional limits usually do not enter into the actual political calculus in which leaders engage. Thick legacy accounts suffer from other faults, notably a tendency toward tunnel vision. Scholars eager to demonstrate the power of carryovers may produce “lawyer’s brief” policy history – one-sided narratives that identify and amplify evidence of policy inheritance while ignoring everything else. The picture that results is unbalanced, for it neglects the other political dynamics that are at play. Certainly no account of policy outcomes can be complete that ignores the political forces shaping the major policymaking institutions. These forces, including partisan coalitions, the impact of legislative rules, the proximity of national elections to a decision, and more, tend to be slighted

when discursive conventions and informal public-private networks are thrust into the foreground.

The policy legacy construct also induces scholars to overlook another political dynamic, the role of contingency—chance events and choices by key actors—in shaping policy development. No theory can anticipate specific chance events, of course, but a framework should not lead us to overlook their possible importance. We believe the policy legacy framework, preoccupied with continuity, directs attention away from happenstance. It is no accident that pivotal events that loom large in our account, such as the deaths of President Harding or Agriculture Secretary Wallace, scarcely figure in the thick legacy story of the interwar years. Political choice also matters more than legacy explanations appreciate. Even were we to build a legacy analysis of the 1920s around sectionalism as a systemic constraint, the explanation would be radically incomplete. It would leave out a host of political choices with far-reaching consequences for the political economy of the early interwar period: Harding decided to include Hoover in his cabinet to demonstrate his independence from the party's Old Guard; Harding selected Daugherty and Wallace; the conservative Daugherty agreed to work with the flamboyant Progressive Untermyer; Coolidge opted to retain Hoover despite his personal feelings about the holdover commerce secretary; and Coolidge chose to appoint Hoover men to a number of key posts. Not one of these decisions was compelled by the sectional tensions plaguing the GOP.

We do not suggest that policy bequests have no influence upon the course of policy development. But the revisionist literature on the 1920s points to the limits of legacy explanations. We need policy history that pays close attention to core institutions like Congress, the presidency, and parties. We need policy history that grapples with chance and choice, not that brushes them aside. Any explanation of policy development that neglects such things is too thin, no matter how thick it tries to be.

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generous help at the library and in response to additional requests for materials.

## ENDNOTES

1. Paul Pierson, "Increasing Returns, Path Dependence, and the Study of Politics," *American Political Science Review* 94 (2) (June 2000): 251–67. The concept of path dependence has a long lineage in the social sciences. It has been employed by political scientists at least since James G. March and Johan P. Olsen, "The New Institutionalism: Organizational Factors in Political Life," *American Political Science Review* 78 (3) (September 1984): 734–49.
2. Richard Rose and Philip Davies, *Inheritance in Public Policy: Change Without Choice in Britain* (New Haven: Yale University Press, 1994).
3. David M. Hart, "Herbert Hoover's Last Laugh: The Enduring Significance of the 'Associative State' in the United States," *Journal of Policy History* 10 (4) (1998): 419–44.
4. The classic expression of this position may be found in Arthur M. Schlesinger, Jr.'s "Age of Roosevelt" trilogy: *The Crisis of the Old Order: 1919–1933* (1957; reprint ed, Boston: Houghton Mifflin, 1988); *The Coming of the New Deal* (1958; reprint ed, Boston: Houghton Mifflin, 1988); and *The Politics of Upheaval* (1960; reprint ed, Boston: Houghton Mifflin, 1988). See also John D. Hicks, *Republican Ascendancy, 1921–1933* (New York: Harper & Row, 1960). In several recent works on the New Deal era by political scientists, it continues to be treated as a fundamental innovation. See Stephen Skowronek, *The Politics Presidents Make: Leadership from John Adams to George Bush* (Cambridge: Harvard University Press, 1993), chap. 7; David Plotke, *Building a Democratic Political Order: Reshaping American Liberalism in the 1930s and 1940s* (New York: Cambridge University Press, 1996).
5. This brief summary of a wide-ranging literature does not reflect the differences among scholars, a number of which we address below. See Ellis W. Hawley, "Herbert Hoover, the Commerce Secretariat, and the Vision of an 'Associative State,' 1921–1928," *Journal of American History* 61 (June 1974): 116–40; Ellis W. Hawley, "Three Facets of Hooverian Associationalism: Lumber, Aviation, and Movies, 1921–1930," in Robert F. Himmelberg, ed., *Business-Government Cooperation, 1917–1932* (New York and London: Garland Publishing, Inc., 1994); Joseph Brandes, *Herbert Hoover and Economic Diplomacy: Department of Commerce Policy, 1921–1928* (Pittsburgh: University of Pittsburgh Press, 1962); Butler Shaffer, *In Restraint of Trade: The Business Campaign Against Competition 1918–1938* (London: Associated University Presses, 1997); David E. Hamilton, "Building the Associative State: The Department of Agriculture and American State-Building," *Agricultural History* 64 (Spring 1990): 207–18; Colin Gordon, *New Deals: Business, Labor, and Politics in America, 1920–1935* (Cambridge: Cambridge University Press, 1994); Mark Allen Eisner, *The State in the American Political Economy* (Englewood Cliffs, NJ: Prentice-Hall, 1995), chap. 5; Marc Allen Eisner, *From Warfare State to Welfare State: World War I, Compensatory State Building, and the Limits of Modern Order* (University Park, PA: Penn State Press, 2000); Guy Alchon, *The Invisible Hand of Planning: Capitalism, Social Science and the State in the 1920s* (Princeton: Princeton University Press, 1985); William J. Barber, *From the New Era to New Deal: Herbert Hoover, the Economists and American Economic Policy, 1921–1933* (Cambridge: Cambridge University Press, 1985); Evan B. Metcalf, "Secretary Hoover and the Emergence of Macroeconomic Management," *Business History Review* 49 (Spring 1975): 60–80; Patrick D. Reagan, "From Depression to Depression: Hooverian National Planning, 1921–1933," *Mid-America* 70 (1988): 35–60. Not all of the work on this period emphasizes associationalism. See, for example, Ruth O'Brien, *Workers' Paradox: The Republican Origins of New Deal Labor Policy, 1886–1935* (Chapel Hill: University of North Carolina Press, 1998).
6. Hawley, "Herbert Hoover, the Commerce Secretariat, and the Vision of an 'Associative State.'" See also Barber, *From the New Era to New Deal*; Reagan, "From Depression to Depression"
7. Gordon, *New Deals*, chaps. 2 and 4.



8. David E. Hamilton, "The American State in the Interwar Era: Perspectives on the American State-Building Experience," paper presented at the Political History Workshop, Organization of American Historians meeting, April 2000. David Hart carries this argument forward to the present. See Hart, "Herbert Hoover's Last Laugh."
9. See especially Eisner, *From Warfare State to Welfare State*. The book elaborates upon the argument Eisner makes in *The State in the American Political Economy*, chap. 5. Eisner's argument about the carryover from the war into the 1920s is stronger than that made by Hawley, who notes that Hoover sought to "resurrect" (rather than continue) the corporatist elements of wartime mobilization. Hawley, "Herbert Hoover, the Commerce Secretariat, and the Vision of an 'Associative State,'" pp. 121–22.
10. Eisner, *From Warfare State to Welfare State*, p. 3.
11. *Ibid.*, pp. 11–14.
12. *Ibid.*, chap. 3. Associationalist patterns of voluntary public-private cooperation sometimes developed without the involvement of Hoover. For example, under the 1920 National Defense Act, the War Department was authorized to maintain ongoing procurement and mobilization planning with private industry to avoid many of the problems that had arisen with the First World War mobilization efforts. See Paul A.C. Koistinen, *Planning War, Pursuing Peace: The Political Economy of American Warfare, 1920–1939* (Lawrence, KS: University Press of Kansas, 1998), chaps. 1–3.
13. Eisner, *From Warfare State to Welfare State*, chap. 1.
14. For discussions of partisan regimes as governing instruments, see Skowronek, *Politics Presidents Make*, esp. chaps. 1–3; Plotke, *Building a Democratic Political Order*; Martin Shefter, "Party, Bureaucracy, and Political Change in the United States," in Shefter, *Political Parties and the State* (Princeton: Princeton University Press, 1994), pp. 61–97.
15. George H. Mayer, *The Republican Party, 1854–1964* (New York: Oxford University Press, 1964), chaps. 9–11. On the labor strife following the war and its partisan impact, see O'Brien, *Workers' Paradox*, chap. 4.
16. Mayer, *Republican Party*, pp. 375–76.
17. Eugene P. Trani and David L. Wilson, *The Presidency of Warren G. Harding* (Lawrence: Regents Press of Kansas, 1977), pp. 48–49, 96–97; O'Brien, *Workers' Paradox*, pp. 73–75.
18. O'Brien, *Worker's Paradox*, pp. 77ff.
19. Lawrence L. Murray, "Bureaucracy and Bi-partisanship in Taxation: The Mellon Plan," *Business History Review* 52 (Summer 1978): 200–225.
20. Among the officials who remained were those in the Treasury Department who had helped develop the plans to lower taxes for those in higher income brackets and to reduce excess profits taxes on business. *Ibid.*, pp. 217–20.
21. Trani and Wilson, *Presidency of Warren G. Harding*, pp. 49–50.
22. We are mindful of the hazards associated with using the term "Progressive" to cover political actors with such disparate views, yet we maintain that they recognized among themselves a common set of concerns and agreed on remedies to some social evils. On the divisions among Progressives in the 1920s, see Paul W. Glad, "Progressives and the Business Culture of the 1920s," *Journal of American History* 53 (June 1966): 75–89.
23. For statements of Hoover's views, see H. Hoover, "Foreword to 'America and the New Era' by M. Friedman," February 4, 1920 (Public Statements File, vol. 2, no. 42A, Herbert Hoover Presidential Library [cited hereafter as HHPL]); H. Hoover, "Inauguration Address to the American Institute of Mining and Metallurgical Engineers," February 17, 1920 (Public Statements File, vol. 2, no. 45, HHPL); H. Hoover, "Economic, Social and Industrial Problems Confronting the Nation: Maintenance of our National Ideals," April, 1920 (Public Statements File, vol. 3, no. 55A, HHPL). See also Gary Dean Best, *The Politics of American Individualism: Herbert Hoover in Transition, 1918–1921* (Westport and London: Greenwood Press, 1975), chap. 6; Eisner, *From Warfare State to Welfare State*, pp. 106–9.
24. Eisner, *State in the American Political Economy*, chap. 5; Eisner, *From Warfare State to Welfare State*, chap. 2; Robert F. Himmelberg, *The Origins of the National Recovery Administration: Business, Government, and the Trade Association Issue, 1921–1933* (New York: Fordham University Press, 1976), pp. 5–7, Robert Himmelberg, "The War Industries Board and the Antitrust Question in November 1918," *Journal of American History* 52 (June

- 1965): 59–74. Hoover did not support the business effort to modify the Sherman Act. Ellis W. Hawley, “Herbert Hoover and the Sherman Act, 1921–1933: An Early Phase of a Continuing Issue,” *Iowa Law Review* 74 (July 1989): 1067–1103.
25. Hicks, *Republican Ascendancy, 1921–1923*, chap. 3
  26. On the variety of policies favored by businesses based upon their widely varying market and competitive positions, see especially Gordon, *New Deals*. Some scholars contend that business support for associationalism was selective and relatively narrow, with only a small core of business leaders endorsing the full set of policies Hoover advocated. See Kim McQuaid, “Corporate Liberalism in the American Business Community, 1920–1940,” *Business History Review* 52 (Autumn 1978): 342–68.
  27. On the role of politicians in refashioning business interests, see Andrew J. Polsky, “When Business Speaks: Political Entrepreneurship, Discourse, and Mobilization in American Partisan Regimes,” *Journal of Theoretical Politics* 12 (4) (October 2000): 451–72.
  28. Indeed, some accounts of the GOP in the 1920s reduce postwar Progressivism to agricultural reform and little more. Mayer, *Republican Party*, p. 386.
  29. See Richard F. Bense, *Sectionalism and American Political Development: 1880–1980* (Madison: University of Wisconsin Press, 1984), chaps. 3–4. See also Peter Trubowitz, *Defining the National Interest: Conflict and Change in American Foreign Policy* (Chicago: University of Chicago Press, 1998), chaps. 2–3.
  30. On Coolidge’s selection as the Republican vice presidential nominee in 1920, see Robert H. Ferrell, *The Presidency of Calvin Coolidge* (Lawrence: University Press of Kansas, 1998), pp. 15–16.
  31. Eisner, *State in the American Political Economy*, pp. 143–44. The power to regulate the meat packing and food processing industries were transferred to the Agriculture Department. Ironically, as we note below, the new Republican Agriculture Secretary, Henry C. Wallace, was a professed foe of the two industries.
  32. Eisner, *From Warfare State to Welfare State*, pp. 114ff.
  33. Indeed, Coolidge seems to have had a personal dislike for Hoover. See Donald R. McCoy, *Calvin Coolidge: The Quiet President* (New York: Macmillan, 1967), esp. p. 390. An early Coolidge biographer observed that Coolidge turned more readily to his treasury secretary Andrew Mellon for advice. Later, when Hoover won praise for his relief efforts during severe Mississippi River flooding, Coolidge referred to his commerce head derisively as “the wonder boy.” William Allen White, *A Puritan in Babylon: The Story of Calvin Coolidge* (New York: Macmillan, 1938), pp. 250–51, 353. However, personal feelings would not necessarily inhibit Coolidge from making use of Hoover, as we demonstrate.
  34. On Hoover’s political backers at this stage, see David Burner, *Herbert Hoover: a Public Life* (New York: Alfred A. Knopf, 1979), pp. 153–55. See also Best, *The Politics of American Individualism*, chaps. 4–5.
  35. Mayer, *Republican Party*, pp. 370ff.; Trani and Wilson, *Presidency of Warren G. Harding*, pp. 21–28.
  36. Trani and Wilson, *Presidency of Warren G. Harding*, pp. 39–41.
  37. Letter from Arch W. Shaw to Herbert Hoover, March 26, 1921 (Commerce Papers, Box 556, Shaw File, HHPL); telegram from Hoover to Shaw, March 28, 1921 (Commerce Papers, Box 556, Shaw File, HHPL). On the role of Brookings and Shaw in the WIB, see Eisner, *From Warfare State to Welfare State*, pp. 63–65. On Shaw and Brookings advice to Hoover, see Metcalf, “Secretary Hoover and the Emergence of Macroeconomic Management,” p. 68.
  38. Letters from Elliot Goodwin, Vice-President of the U.S. Chamber of Commerce, to Hoover, February 28, 1921, March 11, 1921, March 28, 1921; April 6, 1921 (Commerce Papers, Box 83, U.S. Chamber of Commerce File, HHPL); letter from Hoover to Goodwin, May 16, 1921 (Commerce Papers, Box 83, U.S. Chamber of Commerce File, HHPL); letter from Joseph H. Defrees, President of the U.S. Chamber of Commerce, to Hoover, March 4, 1921 (Commerce Papers, Box 83, U.S. Chamber of Commerce File, HHPL). The council, chosen with Shaw’s help, consisted of A.C. Bedford (Standard Oil Co.), George E. Smith (Royal Typewriter Co.), John H. Fahey (a Boston publisher), Homer L. Ferguson,

- (Newport News Shipbuilding and Drydock Co), and Philip H. Gadsden (American Railway Association).
39. Letter from Ben H. Lamb to [Christian A.] Herter, April 9, 1921 (Commerce Papers, Box 83, U.S. Chamber of Commerce File, HHPL); Donald Wilhelm, "Mr. Hoover as Secretary of Commerce" *World's Work* 43 (February 1922): 407–10; letter from Eliot Goodwin to Hoover, June 3, 1921 (Commerce Papers, Box 83, U.S. Chamber of Commerce File, HHPL); letter from Chauncey D. Snow to Hoover, February 11, 1922 (Commerce Papers, Box 83, US Chamber of Commerce File, HHPL).
  40. During Hoover's tenure as president of the American Institute of Mining and Metallurgical Engineers in 1920, it conducted the study of waste in industry which culminated in the published report *Waste in Industry*, providing a detailed study of causes of unemployment and waste. See Edwin T. Layton, Jr., *The Revolt of the Engineers: Social Responsibility and The American Engineering Profession* (Cleveland and London: The Press of Case Western Reserve University, 1971), pp.192–95.
  41. Letter from E.W. McCullough to F.M. Feiker, August 4, 1921 (Commerce Papers, Box 83, U.S. Chamber of Commerce File, HHPL); Hawley, "Herbert Hoover, the Commerce Secretariat, and the Vision of the an 'Associative State'"; George T. Odell, "Herbert Hoover, Super-Business Man," *Nation* 121 (September 23, 1925): 325–27.
  42. Summary of the Report of Economic Advisory Committee to the President's Unemployment Conference (Commerce Papers, Box 649, Unemployment—Edward E. Hunt File, HHPL). On Hoover's model of macroeconomic management see Barber, *From the New Era to New Deal*. On the 1921 conference, see also Alchon, *Invisible Hand of Planning*, chap. 5; Metcalf, "Secretary Hoover and the Emergence of Macroeconomic Management," pp. 71–72.
  43. S.2749 (67th Congress, 1st Session) November 21, 1921; memorandum from Otto T. Mallery to Hoover and Colonel Arthur Woods, November 21, 1921 (Commerce Papers, Box 653, Otto Mallery File, HHPL); memorandum from Mallery to Hoover, February 4, 1922 (Commerce Papers, Box 548, Senator William Kenyon File, HHPL); Joseph Dorfman, *The Economic Mind in American Civilization* (New York: Viking, 1959), Vol. 4, pp. 36–37.
  44. Dorfman, *Economic Mind*, pp. 366–37; Hearings before the Senate Committee on Education and Labor (67th Congress, 1st Session), December 21–22, 1921.
  45. Reagan, "From Depression to Depression," p. 53; Trani and Wilson, *Presidency of Warren G. Harding*, pp. 93–94.
  46. Trani and Wilson, *Presidency of Warren G. Harding*, p. 88. Opposition to regulation of radio broadcasts was led by midwestern Progressives and southern Democrats who feared a government monopoly over radio broadcasting. See Daniel E. Garvey, "Secretary Hoover and the Quest for Broadcast Regulation," in Robert F. Himmelberg, ed., *Business-Government Cooperation, 1917–1932: The Rise of Corporatist Policies* (New York: Garland Publishing, 1994), pp. 76–81.
  47. Eisner chronicles well Hoover's empire building, noting a number of bureaus and administrative units that he managed to relocate under Commerce Department auspices. Eisner, *From Warfare State to Welfare State*, pp. 111ff.
  48. See Mayer, *Republican Party*, pp. 378–79; Trani and Wilson, *Presidency of Warren G. Harding*, pp. 42–43.
  49. Murray, "Bureaucracy and Bi-partisanship in Taxation," p. 224; Brandies, *Herbert Hoover and Economic Diplomacy*.
  50. Silvano A. Wueschner, *Charting Twentieth-Century Monetary Policy: Herbert Hoover and Benjamin Strong, 1917–1927* (Westport, CT: Greenwood Press, 1999).
  51. Himmelberg, *Origins of the NRA*, p. 7.
  52. *Ibid.*, pp. 7–9.
  53. Letter from Samuel Untermyer to Hoover, March 18, 1921 (Commerce Papers, Box 678, Untermyer File, HHPL); letter from Hoover to Samuel Untermyer, March 22, 1921 (Commerce Papers, Box 678, Samuel Untermyer File, HHPL); letters from Samuel Untermyer to Herbert Hoover, April 8, April 13, April 17, 1922 (Commerce Papers, Box

- 604, Trade Associations-Untermeyer File, HHPL); letter from Herbert Hoover to Samuel Untermeyer, April 11, 1922, (Commerce Papers, Box 604, Trade Associations-Untermeyer File, HHPL).
54. Himmelberg, *Origins of the NRA*, pp. 9, 12.
  55. *Congressional Record*, April 1921, pp. 169–70.
  56. Himmelberg, *Origins of the NRA*, pp. 12–16. On the conflict between the Justice Department and the Commerce Department, see also Hawley, “Herbert Hoover and the Sherman Act.”
  57. *American Column and Lumber et al v. United States* (257 US 377).
  58. Quoted in George W. Stocking, *Workable Competition and Antitrust Policy* (Nashville: Vanderbilt University Press, 1961), pp. 36–38.
  59. Himmelberg, *Origins of the NRA*, pp. 16–21.
  60. On the problems of organizing business for effective class-wide political action, see Polsky, “When Business Speaks.” Gordon chronicles the many unsuccessful efforts business sectors made during the 1920s to overcome collective action problems. See Gordon, *New Deals*.
  61. Letter from Senator Walter Edge to Hoover, June 14, 1922 (Commerce Papers, Box 545, Senator Walter Edge File, HHPL). On Edge’s efforts, see also Hawley, “Herbert Hoover and the Sherman Act,” pp. 1078–79.
  62. Hawley, “Herbert Hoover and the Sherman Act”; Himmelberg, *Origins of the NRA*, pp. 30–37.
  63. Mayer, *Republican Party*, pp. 385–86.
  64. Himmelberg, *Origins of the NRA*, pp. 37–40, 28.
  65. H. Hoover, Address before the Boston Chamber of Commerce, March 24, 1920 (Public Statements File, vol. 3, no. 53, HHPL); H. Hoover, Industrial Conference—Hearings before Education and Labor Committee, May 14, 1920 (Public Statement’s File, vol. 3, No. 64A, HHPL).
  66. O’Brien, *Worker’s Paradox*, chap. 4.
  67. Trani and Wilson, *Presidency of Warren G. Harding*, pp. 97–100. Daugherty’s willingness to alienate a significant bloc of potential voters on the eve of an election suggests, contrary to some depictions, that he did not always place political calculation before principle. The strike is discussed in detail in O’Brien, *Worker’s Paradox*, chap. 5.
  68. Eisner, *From Warfare State to Welfare State*, pp. 192–95.
  69. Trani and Wilson, *Presidency of Warren G. Harding*, pp. 68–69.
  70. *Ibid.*, pp. 90–91; James L. Guth, “Farmer Monopolies, Cooperatives, and the Intent of Congress: Origins of the Capper-Volstead Act,” *Agricultural History* 56 (1) (1982): 67–82; Eisner, *From Warfare State to Welfare State*, p. 205.
  71. Trani and Wilson, *Presidency of Warren G. Harding*, pp. 69–70, 91.
  72. *Ibid.*, pp. 90–91, 70. Eisner asserts that McNary-Haugenites could look to the wartime experience as “a source of support” for their approach, but it is unclear what that means. The war produced an enormous surge in demand for agricultural commodities, as wars usually do, and boosted agricultural exports and farm incomes. We do not see that as a foundation for the export-subsidy scheme that formed the basis for McNary-Haugen. See Eisner, *From Warfare State to Welfare State*, p. 218.
  73. Ferrell, *Presidency of Calvin Coolidge*, p. 88.
  74. Trani and Wilson, *Presidency of Warren G. Harding*, pp. 179–81; Ferrell, *Presidency of Calvin Coolidge*, pp. 48–51; William Allen White, *A Puritan In Babylon: The Story of Calvin Coolidge* (New York: Capricorn Books, 1938), p. 267.
  75. Hawley, “Herbert Hoover and the Sherman Act, 1921–1933,” pp. 1082–83.
  76. Himmelberg, *Origins of the NRA*, chap. 3.
  77. Ferrell, *Presidency of Calvin Coolidge*, p. 30.
  78. Eisner, *State in the Political Economy*, pp. 143–46. See similarly Eisner, *From Warfare State to Welfare State*, pp. 128–32.
  79. 268 US 563 (1925); Eisner, *From Warfare State to Welfare State*, pp. 124–25. For a contemporary analysis of these developments, see Odell, “Herbert Hoover, Super-Business Man,” pp. 325–26. The Supreme Court majority opinion in the maple flooring case was

- written by Stone, who as a justice had the opportunity to help decide the case he had helped ready when he was attorney general. Hawley, "Herbert Hoover and the Sherman Act," pp. 1082–83.
80. Ferrell, *Presidency of Calvin Coolidge*, p. 42.
  81. Mayer, *Republican Party*, pp. 401–2.
  82. Ferrell, *Presidency of Calvin Coolidge*, pp. 42–43, 168–71.
  83. On the struggles over McNary-Haugen, see Bensel, *Sectionalism and American Political Development*, pp. 130–36; Mayer, *Republican Party*, p. 401. On the respective views of the meaning of price supports for farmers, see Ferrell, *Presidency of Calvin Coolidge*, pp. 86, 90; Eisner, *Warfare State to Welfare State*, pp. 210–12.
  84. Bensel, *Sectionalism and American Political Development*, pp. 134–36; Ferrell, *Presidency of Calvin Coolidge*, pp. 116–20.
  85. Contemporary observers credited the final congressional approval of these measures to Hoover's improved political skills, acquired over the course of his tenure at the Commerce Department. See William Hard, "The New Hoover," *Review of Reviews* 76 (November 1927): 478–84. But it should also be noted that legislation did not give Hoover the kind of control over emerging industries that he sought. Opposition in the Senate from Republican Progressives and southern Democrats forced a compromise in the 1927 Radio Act in which a new Federal Radio Commission was given much of the power to regulate broadcasts that Hoover hoped to keep in the Commerce Department. Garvey, "Secretary Hoover and the Quest for Broadcast Regulation."
  86. *Ibid.*, pp. 481, 483.
  87. Ferrell, *Presidency of Calvin Coolidge*, pp. 84–85.
  88. *Ibid.*, pp. 86–87. Kendrick A. Clements also remarks upon the "endless conferences" staged by the Commerce Department. See Clements, "Herbert Hoover and Conservation, 1921–33," *American Historical Review* 89 (1) (1984): 72.
  89. Calvin Coolidge, "Government and Business," speech to the New York State Chamber of Commerce, November 19, 1925, in Coolidge, *Foundations of the Republic* (1926; reprint ed., Freeport, NY: Books for Libraries Press, 1968), pp. 324–26.
  90. Eisner, *From Warfare State to Welfare State*, p. 133.
  91. See Hawley, "Herbert Hoover, the Commerce Secretariat, and the Vision of an 'Associative State,'" pp. 136ff. For another modest assessment of the degree of associationalist success in the 1920s, see Hart, "Herbert Hoover's Last Laugh." For an example of Hoover scholarship that recognizes his innovativeness without crediting him with great influence over later policy development, see Kendrick A. Clement, *Hoover, Conservation, and Consumerism: Engineering the Good Life* (Lawrence: University Press of Kansas, 2000).
  92. This idea is developed more fully in Andrew J. Polsky, *The Rise of the Therapeutic State* (Princeton: Princeton University Press, 1991).