

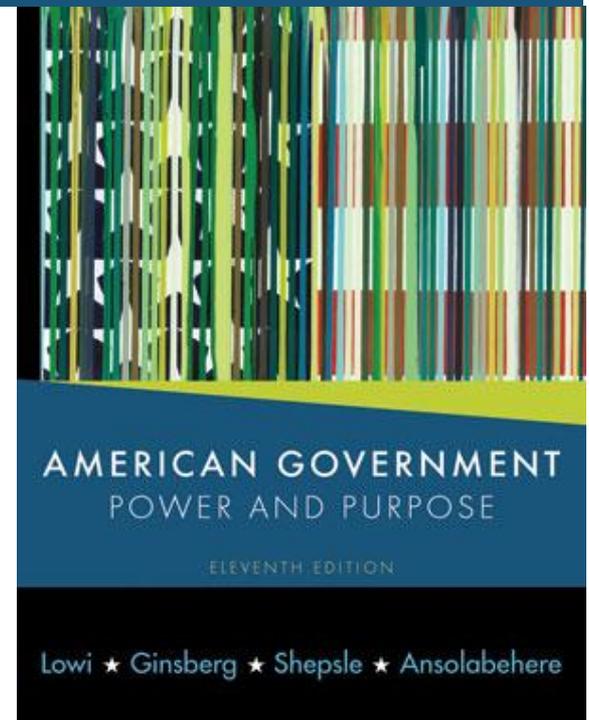
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The Presidency as an Institution

AMERICAN GOVERNMENT

POWER AND PURPOSE

Lowi ♦ Ginsberg ♦ Shepsle ♦ Ansolabehere



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The Presidency and the Founding

The Constitution's framers were ambivalent about executive power.

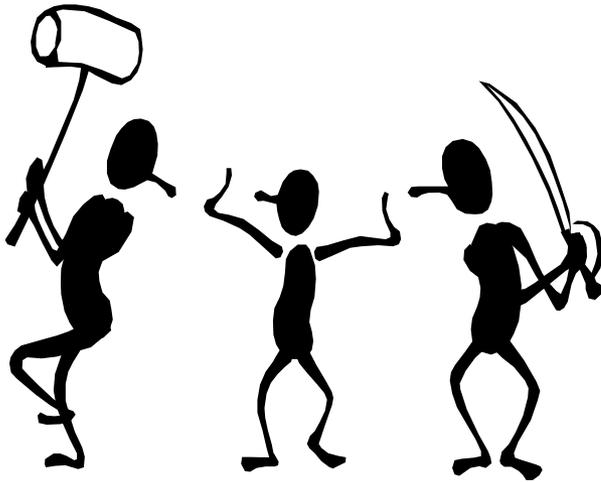
1. The colonial experience with the king of England and royally appointed governors warned Americans of the dangers of strong executives.
2. The weak executive under the Articles of Confederation highlighted the problems of governing without a potent executive.



Led by Alexander Hamilton,
Federalists sought to provide for
a presidency that was:

1. energetic;
2. independent of Congress;
3. endowed with sufficient powers to lead.





The Collective–Action Principle: All politics is collective action.

As the number and diversity of the relevant actors increase, so too does the collective–action problem.

Federalists valued “unity” in the executive so that presidents would be decisive and could act quickly.

Unity was designed to imbue the presidency with the reverse of a collective action problem.

“That unity is conducive to energy will not be disputed. Decision, activity, secrecy, and dispatch will generally characterize the proceedings of one man in a much more eminent degree than the proceedings of any greater number; and in proportion as the number is increased, these qualities will be diminished.”

— Alexander Hamilton, *Federalist 70*



Although they sought an energetic presidency, their ambivalence toward executive power led the framers of the Constitution to remove the president from direct popular control.

1. The four-year presidential term was designed to calibrate this leeway and popular control.
 2. The Electoral College also stood as an important barrier to popular control of the president.
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“The republican principle demands that the deliberate sense of the community should govern the conduct of those to whom they entrust the management of their affairs; but it does not require an unqualified complaisance to every sudden breeze of passion or to every transient impulse it is the duty of the persons whom they have appointed . . . to withstand the temporary delusion.”

—Alexander Hamilton,
Federalist 71



Constitutional Powers of the Presidency

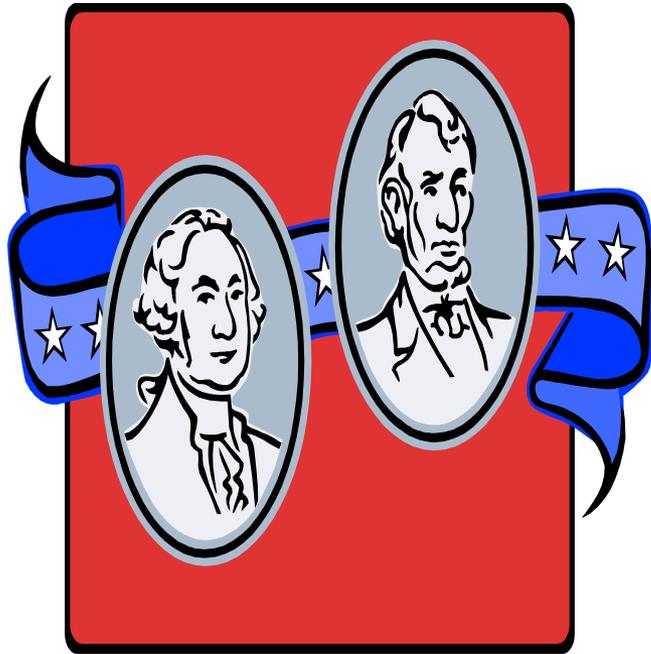
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Most of the constitutional provisions concerning the president and executive power are to be found in Article II, which demonstrates the framers' considerable ambivalence about executive power.

Presidential powers combine those expressly stated in the Constitution, delegated powers, and powers inherent to executive leadership.

Delegated powers are constitutional powers that are assigned to one governmental agency but that are exercised by another agency with the express permission of the first.

Inherent powers are powers claimed by a president that are not expressed in the Constitution but are inferred from it.



The president's expressed powers, as defined by Article II, Sections 2 and 3, fall into several categories, including **military, diplomatic, judicial, executive, and legislative** powers.

Military Powers

Article II, Section 2, makes the president “Commander in Chief of the Army and Navy of the United States.”

In addition, the president is the head of intelligence agencies like the Central Intelligence Agency (CIA), the National Security Council (NSC), the National Security Agency (NSA), and the Federal Bureau of Investigation (FBI).



Diplomatic Powers

Article II, Section 3, provides the president the power to “receive Ambassadors and other public Ministers.”

In practice, presidents have expanded this diplomatic power to include the ability to recognize certain world governments as legitimate.



Increased foreign policy power to make **executive agreements** and the presidential practice of engaging the U.S. military without formal congressional declarations of war are but two examples of expanding—some argue imperial—presidential powers.

In an effort to curb the growth of presidential power, Congress passed the War Powers Resolution in 1973 over President Richard M. Nixon's veto.



Despite the War Powers Resolution, presidents have employed military power without Congress's approval.

President **George H. W. Bush** ordered the 1989 Panama invasion and President **Bill Clinton** ordered the bombing in Yugoslavia, both without congressional authorization.

Even when presidents get congressional approval, they often insist that they do not need such authorization.

Judicial Powers



Article II, Section 2, provides the president the power to “grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.”

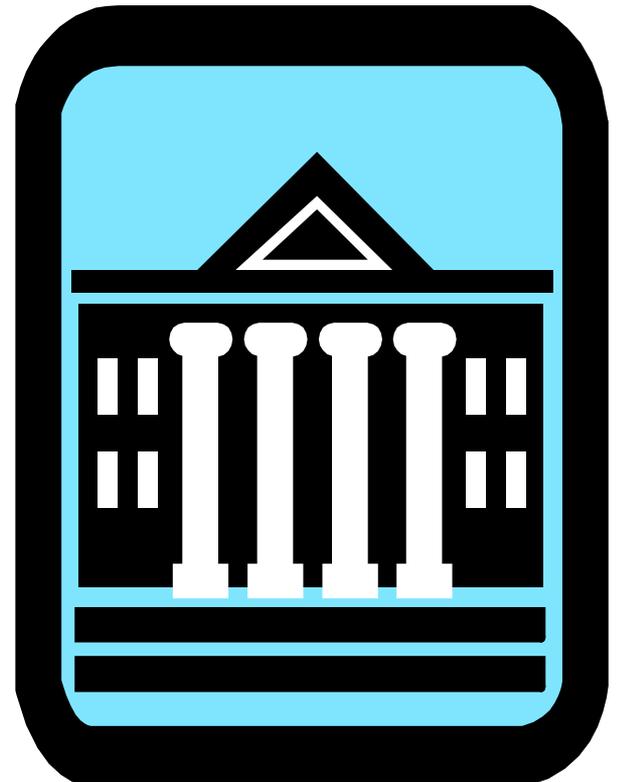
This “kingly” power repeatedly has been the subject of controversy.

The president's **executive powers** are based on the Article II, Section 1, provision that the president must see that the laws are “faithfully executed” and appoint executive officers and federal justices and judges.



Thus, when Congress passes a law it often **delegates power** to the president to execute that law.

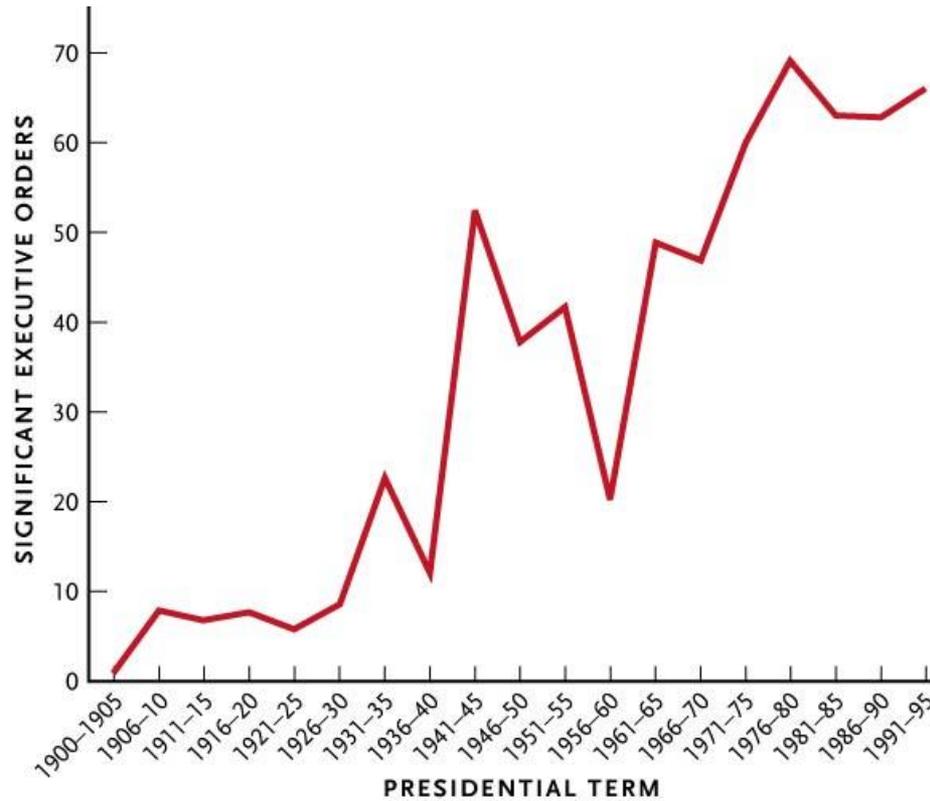
Over time, as Congress has created more executive departments and agencies and as the federal government does more in society, presidential executive authority has grown.



In recent years, presidents increasingly make policy through **executive orders**, which often direct executive branch officials and agencies to implement policies in accordance with the president's policy preferences.

Executive orders are rules or regulations by the president that have the effect and formal status of legislation.

Significant Executive Orders, 1900-1995



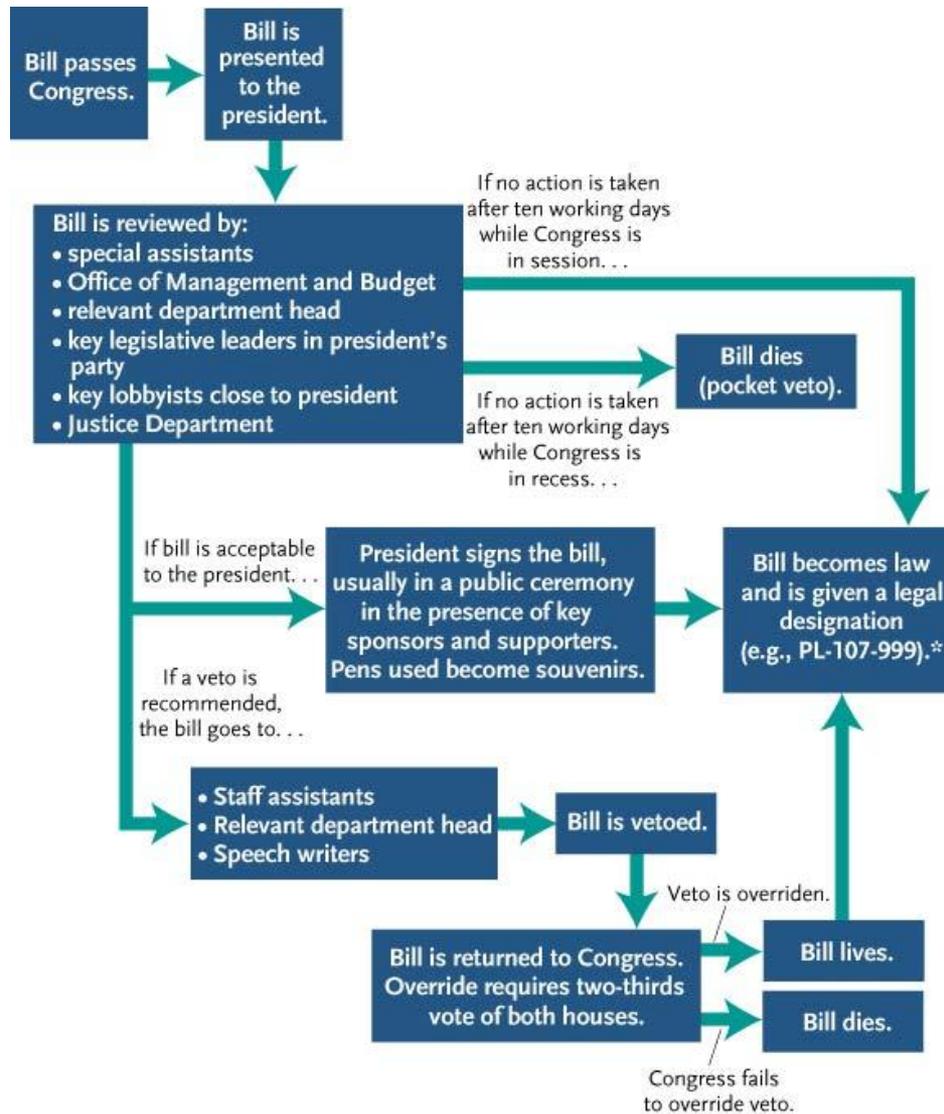
Legislative Powers

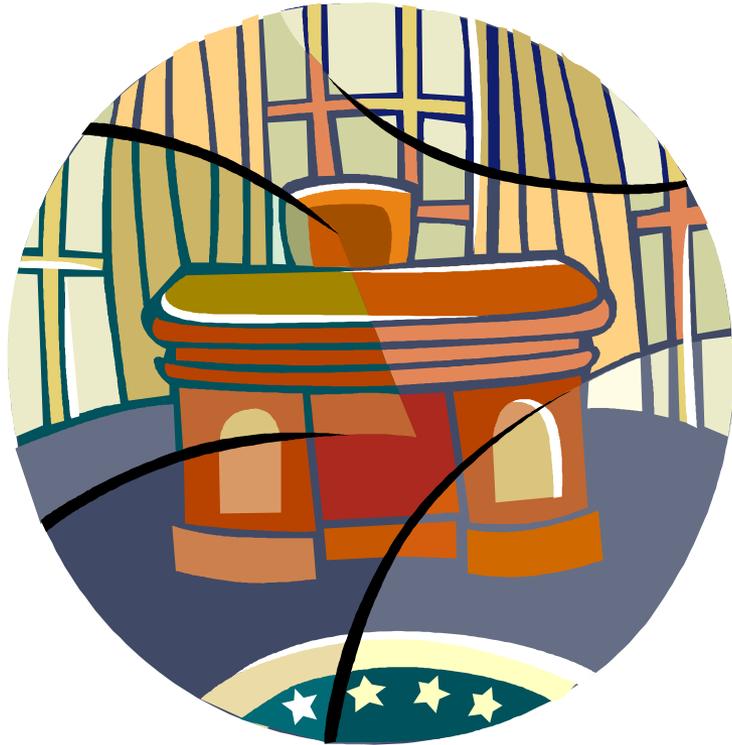


By giving “to the Congress Information of the State of the Union” and recommending “such Measures as he shall judge necessary and expedient,” the president plays an important role in **shaping the legislative agenda of Congress.**

And with the power of the **veto**, the president has an important role in denying congressional action or in bargaining with the legislative branch.

The Veto Process

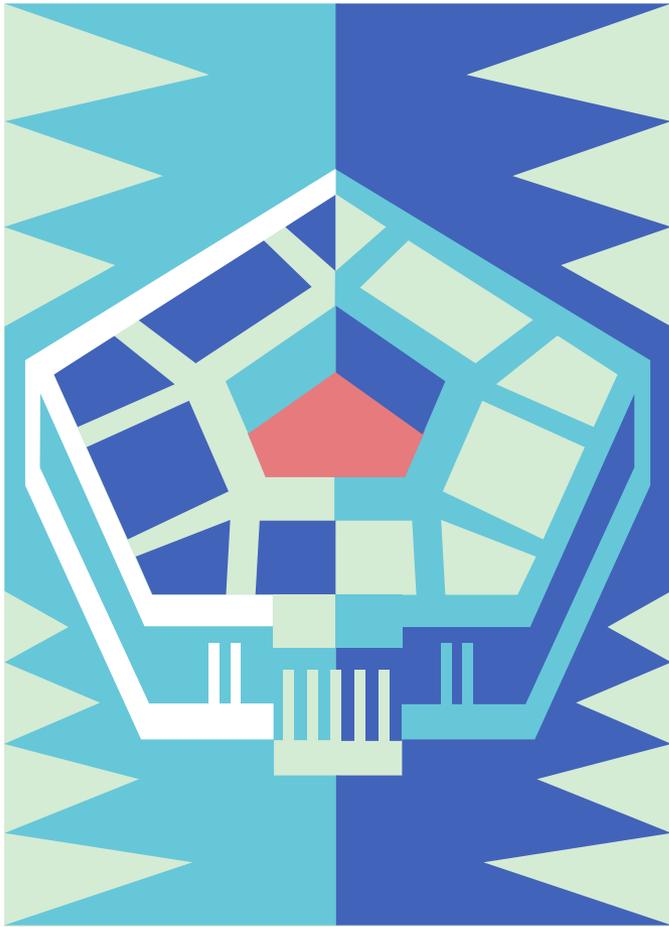




The use of the veto power has changed over time and varies from administration to administration as the president's relationship to Congress changes.

Expanding Presidential Power

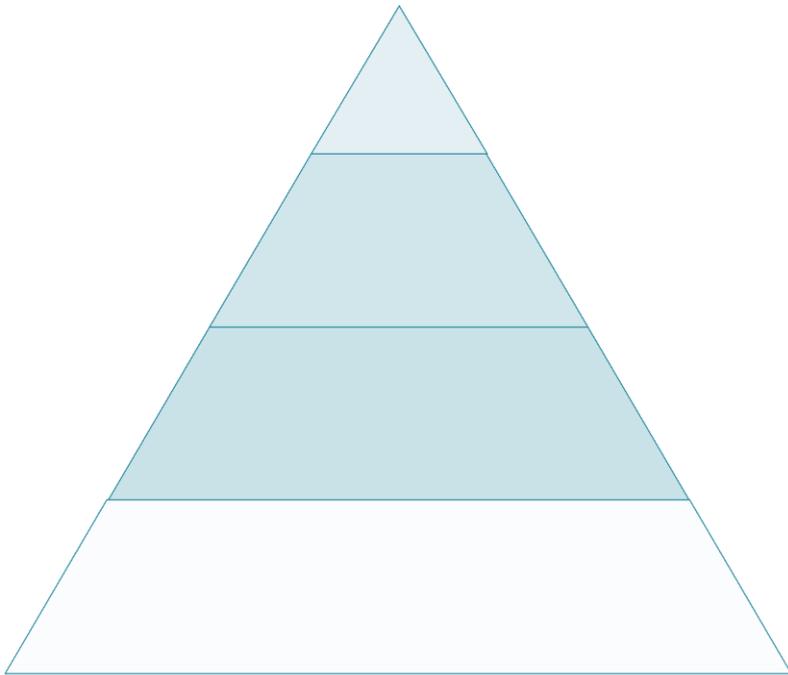
Presidential power expanded greatly from the nineteenth century to the twentieth century as the institutional power of the presidency grew and as presidents strengthened their connections to the people.



In the twentieth century, changing conceptions of the importance of the president led to an increase in presidential power:

1. The president plays a more direct role in setting the domestic policy agenda;
2. The immediacy of modern war making and America's role in the world expanded presidential strength.

The Organizational Presidency



Contemporary presidents sit atop complex and growing White House organizations as well as an ever-expanding executive branch.

The Institutional Presidency, 2009



Expanding White House Staff

- The White House Staff increased from fewer than 50 in the 1930s to over 500 in contemporary White Houses.
- Organizational elaboration within the White House increased specialization and expertise in the presidential administration.

Expanding Executive Branch

- Growing executive administration empowers the president as the “chief executive.”
- Presidents use appointment powers, executive reorganization, and executive orders to affect policy through executive action.

Political Resources of Presidential Power

The framers' ambivalence toward executive power has created a "gray area," in which the strength of the presidency is primarily determined by the individual skills of presidents and the support of the public.



In the twentieth century, presidents expanded their connections to the people due to:

1. The advent of popular presidential campaigning;
2. The use of conventions and then the primary election.



All contemporary presidents seek to leverage their political resources and connections to the people to enhance their influence.

Even though the president is not directly elected by the people, the advent of popular campaigning, particularly through the mass media, has given presidents the ability to claim electoral **mandates** for their policy agendas.





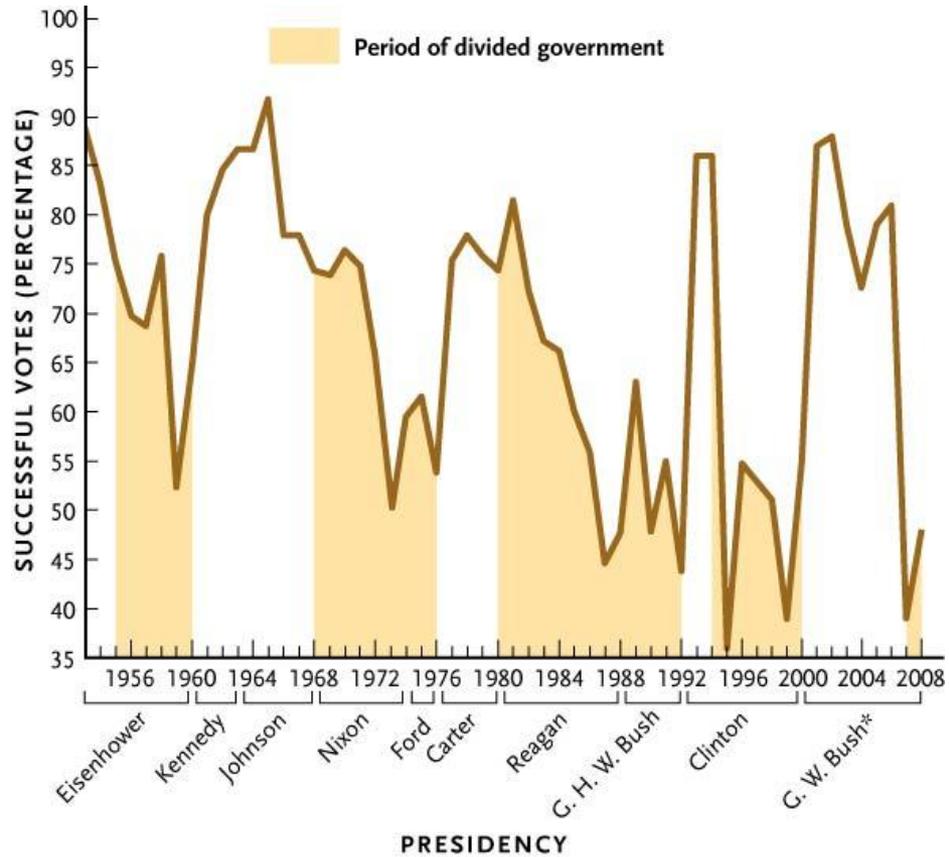
As important political leaders, presidents use their connections to important interest groups and social movements like organized labor, the Christian Right, or the National Rifle Association to support their programs and initiatives.

Political parties and interest groups are also important sources of political influence for the president.

For example, just as the president's use of the veto varies from administration to administration, **presidential support in Congress** often depends on the number of his fellow partisans in the House and Senate.



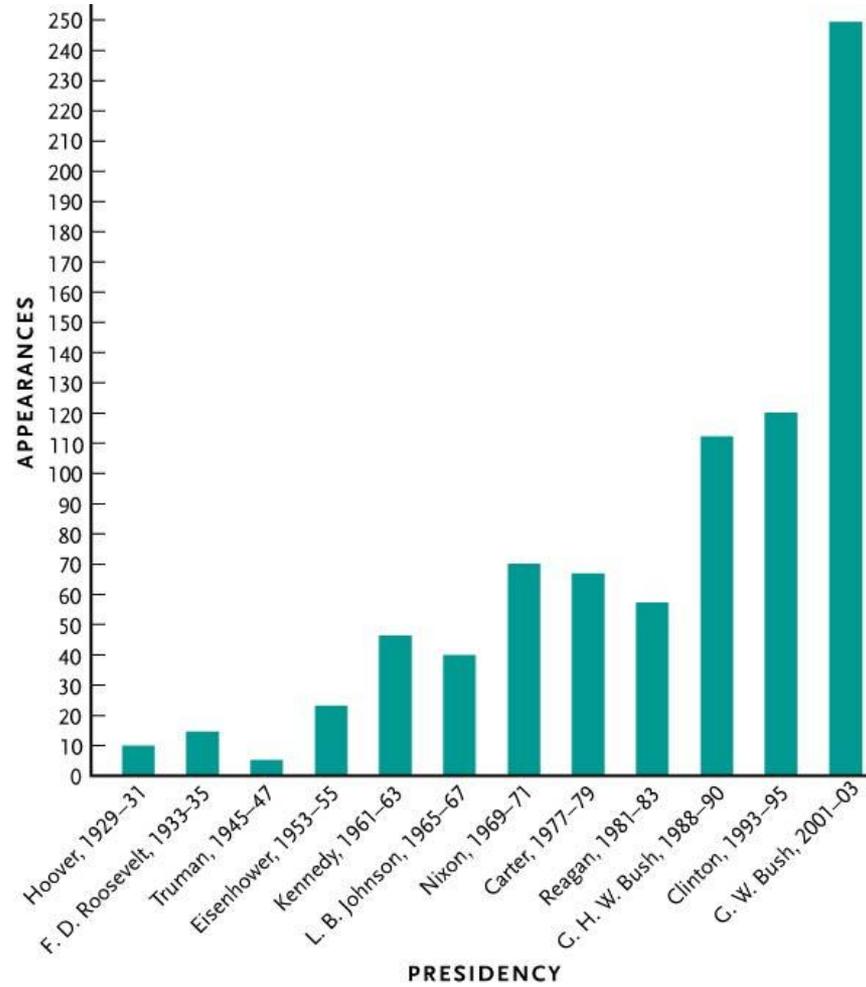
The Presidential Batting Average: Presidential Success on Congressional Votes





Indeed, although it is true that all presidents have attempted to persuade and otherwise lead the public, there has been a steady trend toward greater popular presidential leadership since the 1960s.

Public Appearances by Presidents

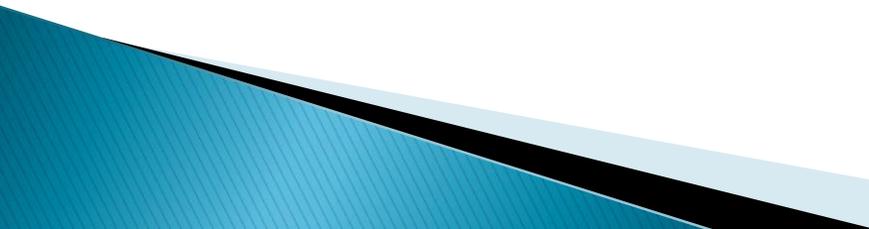


The Political Skills of Individual Presidents

The History Principle: How We Got Here Matters.

1. Historical processes shape institutions.
2. History provides a normative context by which we can understand and interpret political events and outcomes.

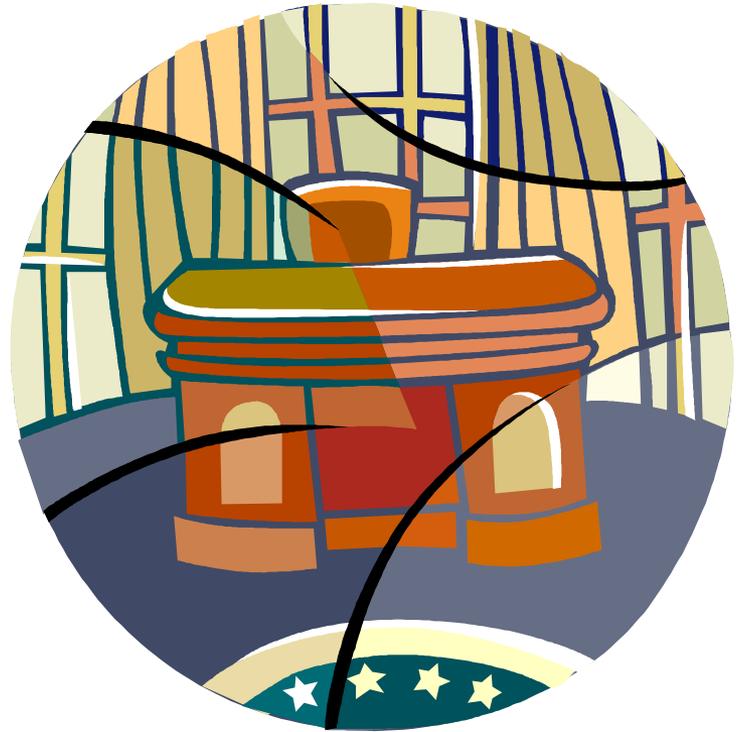
Given their public and legislative successes, Franklin Delano Roosevelt, Lyndon Johnson, and Ronald Reagan not only shaped the institution of the presidency but also became historical markers by which other presidents will be judged.



Individual presidents have expanded the power of the office through their own personal skills.

- Franklin Delano Roosevelt's confident leadership during the crises of the Great Depression and World War II helped to create the modern presidency.
- Lyndon B. Johnson's experience as a legislative leader made him one of the most successful presidents in terms of leading Congress.

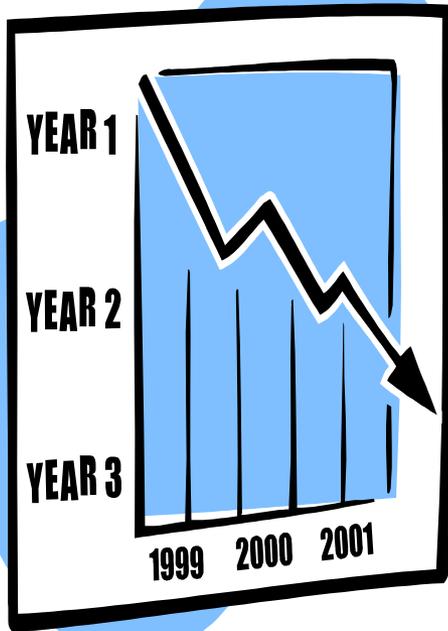
- ▶ Ronald Reagan's communications skills, honed as a Hollywood actor, solidified his political strength through effective use of television to lead the nation and to pressure other political elites.



The media skills Barack Obama displayed in the 2008 campaign have been a key source of his influence as president. Not only is he highly visible on television but the White House has enhanced its presence on the Internet, too.

With Obama, the president's weekly "radio" address is now carried on YouTube.

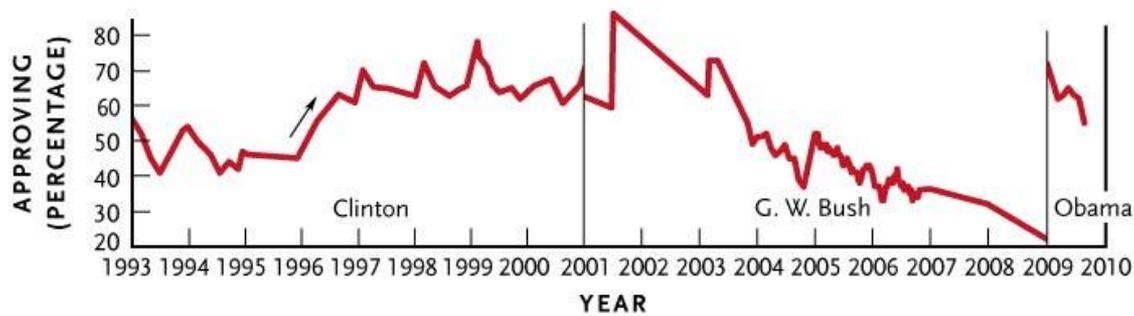
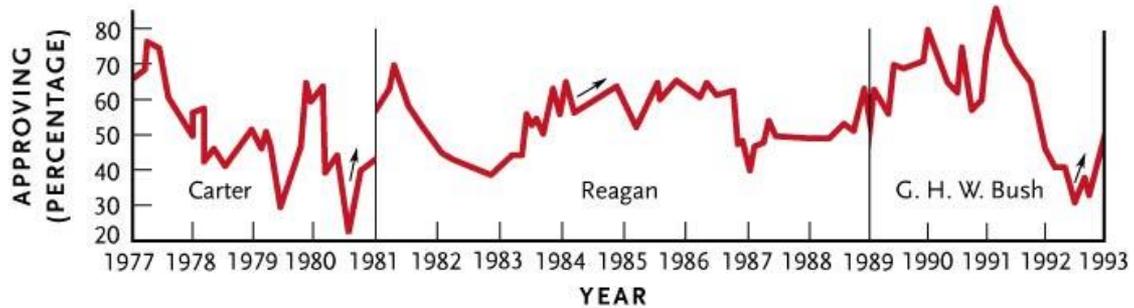
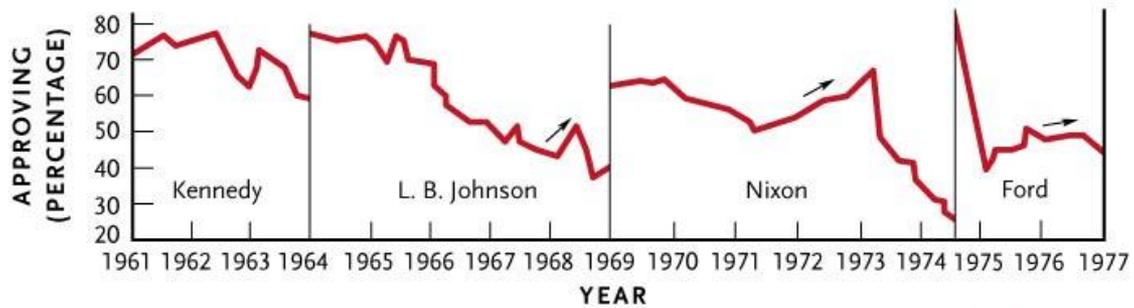




Still, to the extent that public outreach and popular support are key to modern presidential influence, this puts presidential leadership in a precarious position as popular support for almost all presidents declines over time.

Note the patterns for most presidents since 1960.

Presidential Performance Ratings



Indeed, Barack Obama's approval dropped significantly in his first year in office. Near the time of his inauguration, nearly 70 percent of the public approved of Obama. This figure dropped to just over 50 percent after a very contentious summer of 2009. Although approval is still over 50 percent, Obama no longer enjoys the public "honeymoon" he had in January 2009.

This concludes the presentation slides for Chapter 6: The Presidency as an Institution

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The screenshot displays the StudySpace interface for the eleventh edition of 'American Government: Power and Purpose'. At the top, there is a navigation bar with links for 'SKIP TO MAIN CONTENT', 'COLORBLIND MODE: ON-OFF', 'W. W. NORTON HOME', 'HELP', 'CONTACT US', 'SITE MAP', and 'SITE CREDITS'. Below this is a header for 'AMERICAN GOVERNMENT: POWER AND PURPOSE' by authors LOWI, GINSBERG, SHEPBLE, and ANSOLABEHRE. A 'Preview Site' button is visible in the top right corner. The main content area features a 'WELCOME TO THE STUDYSPACE' section with a message that the site will launch in January 2010. It also includes a 'StudySpace provides a proven, assignment-driven online guide for each textbook chapter.' section and an 'Organize' section with a bullet point: 'Chapter Study Plans guide you as you work your way through the online'. On the right side, there are sections for 'EverydayPolitics Blog.com' and 'American Politics Today News', each with a short article snippet and a date.