

7.1: The Presidency

Objectives

1. Characterize the expectations for and the backgrounds of presidents and identify paths to the White House and how presidents may be removed.
2. Evaluate the president's constitutional powers in relation to the constitutional power of the Governor of Arizona.
3. Describe the roles of the vice president, cabinet, Executive Office of the President, White House staff, and First Lady.
4. Assess the impact of various sources of presidential influence on the president's ability to win congressional support.
5. Analyze the president's powers in making national security policy and the relationship between the president and Congress in this arena.
6. Identify the factors that affect the president's ability to obtain public support.
7. Characterize the president's relations with the press and news coverage of the presidency.
8. Assess the role of presidential power in the American democracy and the impact of President Taft's veto of the original Arizona Constitution.

An interactive or media element has been excluded from this version of the text. You can view it online here: <http://pb.libretexts.org/sf/?p=76>

Read

- [American Government Chapter 12](#)
- Supplemental Reading: [Review the Constitution of the State of Arizona, Article V](#)
- Supplemental Reading: [Review the US Constitution](#)

Chapter Summary

This chapter examines *how presidents exercise leadership* and looks at *limitations* on executive authority. Americans expect a lot from presidents (perhaps too much). The myth of the president as a powerhouse distorts the public's image of presidential reality.

Presidents operate in an environment filled with checks and balances and competing centers of power. Other policymakers with whom they deal have their own agendas, their own interests, and their own sources of power. To be effective, the president must have highly developed political skills to mobilize influence, manage conflict, negotiate, and build compromises. Political scientist Richard Neustadt has argued that presidential power is *the power to persuade*, not to command.

The Presidents

Throughout *American Government*, the authors have pointed out the American political culture's strong belief in limited government, liberty, individualism, equality, and democracy. These values generate a distrust of strong leadership, authority, and the public sector in general. Americans are of two minds about the presidency. On the one hand, they want to believe in a powerful president, one who can do good. On the other hand, Americans dislike a concentration of power. Although presidential responsibilities have increased substantially in the past few decades, there has been no corresponding increase in presidential authority or administrative resources to meet these new expectations. Americans are basically individualistic and skeptical of authority.

Most presidents reach the White House through the electoral process. About one in five presidents assumed the presidency when the incumbent president either died or (in Nixon's case) resigned. Almost one-third of twentieth-century presidents have been "accidental presidents." Once in office, presidents are guaranteed a four-year term by the Constitution, but the [Twenty-Second Amendment](#), passed in 1951, limits them to two such terms.

Removing a discredited president before the end of a term is a difficult task. The Constitution prescribes the process through **impeachment**, which is roughly the political equivalent of an indictment in criminal law. (The term "impeachment" refers to the formal accusation, *not* to conviction.) Only two presidents have been impeached. Andrew Johnson narrowly escaped conviction in 1868 on charges stemming from his disagreement with radical Republicans. In 1998, the House voted two articles of impeachment against President Clinton on party-line votes. The public clearly opposed the idea, however, and the Senate voted to acquit the president on both counts in 1999. In 1974, the House Judiciary Committee voted to recommend the impeachment of Richard Nixon as a result of the **Watergate** scandal. Nixon escaped a certain vote for impeachment by resigning.

Impeachment for the Governor is much the same as for the President. This is only one of two methods where a Governor can be removed from office. Arizona also has a procedure for recalling any elected officer, including the Governor.

The **Twenty-Fifth Amendment** clarified some of the Constitution's vagueness about presidential disability and succession. The amendment permits the vice president to become acting president if the vice president and the president's cabinet determine that the president is disabled or if the president declares his own disability, and it outlines how a recuperated president can reclaim the office. Provision is also made for *selecting a new vice president* when the office becomes vacant. In the event of a vacancy in the office of vice president, the president nominates a new vice president, who assumes the office when both houses of Congress approve the nomination.

Presidential Powers

The Constitution says remarkably little about presidential power: "The executive power shall be vested in a president of the United States of America." However, the contemporary presidency differs dramatically from the one the framers of the Constitution designed in 1787. The executive office they conceived of had more limited authority, fewer responsibilities, and much less organizational structure than today's presidency. There is little that presidents can do on their own, and they share executive, legislative, and judicial power with the other branches of government. *Institutional balance* was essential to delegates at the Constitutional Convention.

Today there is *more to presidential power than the Constitution alone suggests*, and that power is *derived from many sources*. During the 1950s and 1960s it was fashionable for political scientists, historians, and commentators to favor a powerful presidency. Historians rated presidents from strong to weak and there was no question that "strong" meant good and "weak" meant bad. By the 1970s, many felt differently. The Vietnam War was unpopular. Lyndon Johnson and the war made people reassess the role of presidential power. In his book, *The Imperial Presidency*, historian Arthur Schlesinger, an aide of John Kennedy's, argued that the presidency had become too powerful for the nation's own good. The role of the president changed as America increased in prominence on the world stage, and technology also helped to reshape the presidency. Presidents themselves have taken the initiative in developing new roles for the office. Various presidents enlarged the power of the presidency by expanding the president's responsibilities and political resources.

Running the Government: The Chief Executive

One of the president's most important roles is *presiding over the administration of government*. The Constitution merely tells the president to "take care that the laws be faithfully executed." Today, the federal bureaucracy includes more than four million civilian and military employees and spends more than \$4 trillion annually.

One of the resources for controlling the bureaucracy is the presidential power to *appoint top-level administrators*. New presidents have about 500 high-level positions available for appointment (cabinet and sub-cabinet jobs, agency heads, and other non-civil service posts), plus 2,500 lesser jobs. In recent years, presidents have paid close attention to appointing officials who will be *responsive to the president's policies*. Presidents also have the power to *recommend agency budgets* to Congress—the result of the Budgeting and Accounting Act of 1921.

Neither politicians nor political scientists have paid much attention to the vice presidency. Once the choice of a party's "second team" was an afterthought; now it is often an effort to placate some important symbolic constituency.

Although the group of presidential advisors known as the **cabinet** is not mentioned in the Constitution, every president has had one. Today, 14 secretaries and the attorney general head executive departments and constitute the cabinet. In addition, individual presidents may designate other officials (such as the ambassador to the United Nations) as cabinet members.

The **Executive Office of the President** (established in 1939) is a loosely grouped collection of offices and organizations. Some of the offices are created by legislation, while others are organized by the president. The Executive Office includes three major policy-making bodies—the **National Security Council**, the **Council of Economic Advisers**, and the **Office of Management and Budget**—plus several other units serving the president.

The **White House staff** includes the key aides the president sees daily—the chief of staff, congressional liaison people, press secretary, national security advisor, and a few other administrative political assistants. Presidents rely heavily on their staffs for information, policy options, and analysis. Each president organizes the White House to serve his own political and policy needs, as well as his decision-making style.

Despite heavy reliance on staff, it is the president who sets the tone for the White House. They all organize the White House to serve their own political and policy needs and their own decision-making style. The First Lady has no official government position, yet she is often at the center of national attention.

Presidential Leadership of Congress: The Politics of Shared Powers

The president is *a major shaper of the congressional agenda*, and the term **chief legislator** is frequently used to emphasize the executive's importance in the legislative process. Presidents' most useful resources in passing their own legislation are their party leadership, public support, and their own legislative skills.

The Constitution also gives the president power to **veto** congressional legislation. If Congress adjourns within 10 days after submitting a bill, the president can simply let it die by neither signing nor vetoing it. This process is called a **pocket veto**. The presidential veto is usually effective; only about 4 percent of all vetoed bills have been overridden by Congress since the nation's founding. Thus, even the threat of a presidential veto can be an effective tool for persuading Congress to give more weight to the president's views.

While the Governor of Arizona also has veto powers, there is an additional constitution power over the legislature. Article V of the Arizona Constitution gives the Governor the ability to call the legislature into special session.

One way for the president to improve the chances of obtaining support in Congress is to increase the number of fellow party members in the legislature. The phenomenon of **presidential coattails** occurs when voters cast their ballots for congressional candidates of the president's party because those candidates support the president. Most recent studies show a diminishing connection between presidential and congressional voting, however, and few races are determined by presidential coattails.

Presidents who have the *backing of the public* have an easier time influencing Congress. Members of Congress closely watch two indicators of public support for the president—*approval in the polls* and *mandates in presidential elections*.

Public approval is the political resource that has the most potential to turn a situation of stalemate between the president and Congress into one that is supportive of the president's legislative proposals. Widespread support gives the president leeway and weakens resistance to presidential policies, while lack of support strengthens the resolve of those inclined to oppose the president and narrows the range in which presidential policies receive the benefit of the doubt.

An electoral *mandate*—the perception that the voters strongly support the president's character and policies—can be a powerful symbol in American politics. It accords *added legitimacy and credibility* to the newly elected president's proposals. Merely winning an election does not provide presidents with a mandate. It is common after close elections to hear claims—especially from the other party—that there was “no mandate.” Even large electoral victories carry no guarantee that Congress will interpret the results as mandates, especially if the voters also elect majorities in Congress from the other party.

Presidents influence the legislative agenda more than any other political figure. No matter what a president's skills are, however, the “chief legislator” can rarely exercise complete control over the agenda. Presidents are rarely in a position to create—through their own leadership—opportunities for major changes in public policy. They may, however, use their skills to exploit favorable political conditions to bring about policy change. In general, presidential legislative skills must compete with other, more stable factors that affect voting in Congress, such as party, ideology, personal views and commitments on specific policies, and constituency interests.

The President and National Security Policy

Constitutionally, the president has the leading role in American defense and foreign policy (often termed *national security*). The Constitution allocates certain powers in the realm of national security that are exclusive to the executive. For example, the president alone extends *diplomatic recognition* to foreign governments (and the president can also terminate relations with other nations). The president has the sole power to negotiate *treaties* with other nations, although the Constitution requires the Senate to approve them by a two-thirds vote. Presidents negotiate *executive agreements* with the heads of foreign governments; unlike treaties, executive agreements do not require Senate ratification.

As the leader of the Western world, the president must try to lead America's allies on matters of economics and defense. Presidents usually conduct diplomatic relations through envoys, but occasionally they engage in personal diplomacy. As in domestic policymaking, the president must rely principally on *persuasion* to lead.

Because the Constitution's framers wanted civilian control of the military, they made the president the commander in chief of the armed forces. Although only Congress is constitutionally empowered to declare war and vote on the military budget, Congress long

ago became accustomed to presidents making short-term military commitments of troops or naval vessels. In 1973 Congress passed the **War Powers Resolution** (over President Nixon's veto). It required presidents to consult with Congress, whenever possible, before using military force, and it mandated the withdrawal of forces after 60 days unless Congress declared war or granted an extension. Congress could at any time pass a concurrent resolution (which could not be vetoed) ending American participation in hostilities. All presidents serving since 1973 have deemed the law an unconstitutional infringement on their powers, and there is reason to believe the Supreme Court would consider the law's use of the **legislative veto** (the ability of Congress to pass a resolution to override a presidential decision) to be a violation of the doctrine of separation of powers. In recent years, presidents have committed U.S. troops to action without seeking congressional approval.

Questions continue to be raised about the relevance of America's 200-year-old constitutional mechanisms for engaging in war. Some observers are concerned that modern technology allows the president to engage in hostilities so quickly that opposing points of view do not receive proper consideration. Others stress the importance of the commander in chief having the flexibility to meet America's global responsibilities and to combat international terrorism.

As chief diplomat and commander in chief, the president is also the country's *crisis manager*. A **crisis** is a sudden, unpredictable, and potentially dangerous event. Most occur in the realm of foreign policy; quick judgments are often needed despite sketchy information.

With modern communications, the president can instantly monitor events almost anywhere. Because situations develop more rapidly today, there is a premium on rapid action, secrecy, constant management, consistent judgment, and expert advice. Because Congress usually moves slowly, the *president has become more prominent* in handling crises.

Although the president is the dominant force behind national security policy today, Congress also has a central constitutional role in making policy. The allocation of responsibilities for such matters is based upon the founders' apprehensions about the concentration and potential for abuse of power. The founders *divided the powers of supply and command*. Congress can thus refuse to provide the necessary authorizations and appropriations for presidential actions, while the chief executive can refuse to take actions favored by Congress. The role of Congress has typically been *oversight of the executive* rather than initiation of policy.

Power From the People: The Public Presidency

Perhaps the greatest challenge to any president is *to obtain and maintain the public's support*. Because presidents are rarely in a position to command others to comply with their wishes, they must *rely on persuasion*. The necessity of public support leads the White House to employ *public relations techniques* similar to those used to publicize products. Much of the energy the White House devotes to public relations is aimed at increasing the president's *public approval*. The reason is simple: the higher the president stands in the polls, the easier it is to persuade others to support presidential initiatives. Contrary to the conventional wisdom, citizens seem to focus on the president's efforts and stands on issues rather than on personality ("popularity") or simply how presidential policies affect them (the "pocketbook"). Job-related personal characteristics of the president, such as integrity and leadership skills, also play an important role in influencing presidential approval.

Commentators on the presidency often refer to it as a "bully pulpit," implying that presidents can *persuade or even mobilize the public* to support their policies if they are skilled enough communicators. Presidents frequently do attempt to obtain public support for their policies with speeches over the radio or television or speeches to large groups. All presidents since Truman have had *media advice* from experts on such matters as lighting, makeup, stage settings, camera angles, and even clothing.

Mobilization of the public may be the ultimate weapon in the president's arsenal of resources with which to influence Congress. The modern White House makes extraordinary efforts to control the context in which presidents appear in public and the way they are portrayed by the press. The fact that presidents nevertheless are frequently low in the polls is persuasive testimony to the *limits of presidential leadership of the public*.

The President and the Press

The press has become the *principal intermediary between the president and the public*, and relations with the press are an important aspect of the president's efforts to lead public opinion. It is the mass media that provides people with most of what they know about chief executives and their policies.

Presidents and the press tend to come into conflict with each other. Presidents want to control the amount and timing of information about their administration, while the press wants immediate access to all the information that exists. The person who most often deals directly with the press is the president's *press secretary*. The best known direct interaction between the president and the

press is the *presidential press conference*. Despite their visibility, press conferences are not very useful means of eliciting information. Presidents and their staffs can anticipate most of the questions that will be asked and prepare answers to them ahead of time, reducing the spontaneity of the sessions. Moreover, the large size and public nature of press conferences reduce the candor with which the president responds to questions.

Bias is the most politically charged issue in relations between the president and the press. However, a large number of studies have concluded that the news media are not biased *systematically* toward a particular person, party, or ideology. To conclude that the news contains little explicitly partisan or ideological bias is not to argue that the news does not distort reality in its coverage of the president. Some observers believe that news coverage of the presidency often tends to emphasize the negative. On the other hand, one could also argue that the press is inherently biased *toward* the White House. A consistent pattern of favorable coverage exists in all major media outlets, and the president is typically portrayed with an aura of dignity and treated with deference. In fact, the White House can largely control the environment in which the president meets the press.

Understanding the American Presidency

Concerns over presidential power are generally closely *related to policy views*. Those who oppose the president's policies are the most likely to be concerned about too much presidential power. Aside from acting outside the law and the Constitution, there is little prospect that the presidency will be a threat to democracy. The Madisonian system of checks and balances remains intact.

An interesting example of this was the veto of Arizona's original constitution. The Enabling Act of 1910 charted the course for Arizona to become a state. With the feelings concerning the "Progressive Movement in the political arena, the Enabling Act gave President Taft a role in the acceptance of Arizona's statehood that the Article IV of the U.S. Constitution did not. Furthermore, President Taft's decision to veto the first submitted constitution demonstrates that presidential power is both constructionist and activist in nature. Please review the Taft Veto Message where he articulates the objection of subjecting judges to recall, and you can see the limits of the 10th Amendment of the U.S. Constitution in so far as authority to act is concerned. Of course, the removal of objectionable aspects of the Arizona Constitution lead President Taft to sign the bill and Arizona became a state on February 12, 1912.

This system of presidential power is especially evident in an era characterized by divided government in which the president is of one party and a majority in each house of Congress is of the other party. In the past generation, the public has chosen a number of presidents who reflected their ideology and congresses that represented their appetite for public service. It has been the president more often than Congress who has objected to government growth.

Assignments

Discussion

Describe the constitutional process of removing a president from office. Is this process appropriate or would you recommend changes? Explain.

Select the **Module 7 Discussion** link to post your response to the topic.

Quiz

At the end of Chapter 12, select the **Module 7 Quiz** link.

Written Assignment

Continue working on:

- Research Paper Assignment

See **Course Information** in the Syllabus module or the Assignments tool for descriptions and requirements of these assignments.

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