THE PRESIDENCY
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In this lecture we will cover...

• The Roots of the Office of President of the United States
• The Constitutional Powers of the President
• The Development of Presidential Power
• The Presidential Establishment
• The President in the Legislative Process
• The Changing Presidency
THE PRESIDENCY

• Can any one person perform the duties of president to the general satisfaction of Americans?
• Is the job too large and too complex for any one person to succeed?
• In this section, we will examine the office of the president, the men who have occupied it, and the public expectations of the office to determine the answers to these questions and more.
The Roots of the Office of President of the United States

• American colonists distrusted the King so much so that the Articles of Confederation largely neglected the need for an executive.
• With the failure of the Articles, the Framers saw the need for an executive office that would be strong enough to govern, but not so strong that it could abuse power.
• The majority of the Framers agreed that the executive power should be vested in a single person to be called the president.
The Philadelphia Convention

Qualifications for Office

• The Constitution requires that the president must be:
  – 35 years old
  – 14 years a U.S. resident
  – a natural born citizen

Terms of Office

• The length of the president's term was quite controversial.
• Four, seven, and eleven year terms were suggested at the Convention and several of the Framers suggested a limit of one or two terms.
• The 22nd Amendment now limits presidents to two four-year terms or a total of 10 years in office.
Removal of a President

• Removal is the ultimate check on the president.
• The House conducts the investigation and drafts Articles of Impeachment for 'treason, bribery, or high crimes and misdemeanors.'
• The Senate tries the case with the Chief Justice of the Supreme Court presiding.
• If 2/3rds of the Senate votes for the Articles, the president is removed from office.
• Only two presidents have been impeached: Andrew Johnson and William Jefferson Clinton. Neither were removed from office.
Succession

• Through 2001, 7 presidents have died in office (plus Nixon on resignation).

• If the President is unable to perform his duties the vice president then becomes responsible for the office.

• Congress passed the Presidential Succession Act of 1947 that stated the order of succession after the VP:
  – Speaker of the House
  – President Pro Tempore of the Senate
  – Secretary of State, Treasury, Defense, and other Cabinet heads in order of the creation of their department

• The 25th Amendment (1967) lays out succession and allows the president to appoint a new VP if the post is vacant.
The Vice President

• The VP’s primary job is to assume office if the president dies or is incapacitated.
• His/her only formal duty is to preside over the Senate or to break tie votes in the Senate.
• Historically, the office has had little power and often VPs have low profiles.
  – “They know who Amy is, but they don’t know me.”
  • VP Walter Mondale.
• A vice president is chosen for a number of reasons:
  – geographical balance
  – to bring the party back together at the convention
  – achieve a social and cultural balance on the ticket.
  – VPs can also be used to overcome candidate shortcomings.
The Constitutional Powers of the President

- Article II is quite short and details few powers for the President.
- The president received certain enumerated powers in the Constitution, however the first line of Article II may be the most important grant of power to the president.
- It states "the executive power shall be vested in a President of the United States of America."
- The executive power clause has been the basis for implied powers allowing the powers of the president to exceed the list of enumerated powers in Article II.
Presidential Powers

- Legislative Power
- Chief-of-State
- Treaty-making Power
- Chief Executive
- Veto Power
- Appointment Power
- Commander-in-Chief
- Pardoning Power
- Chief Diplomat
Development of Presidential Power

• All presidents have had similar formal grants of power and constraints via the Constitution.
• The power and success of the presidency is dependent upon
  – the personality of the person holding the office.
  – the informal powers of the presidency
  – the goals of the officeholder
  – and, of course, the timing of events…events often shape a presidency (for example, crises often lead to an expansion of presidential powers).
The Modern Presidency

• In the 20th century, the presidency has become ever more powerful.

• The modern Presidency begins with FDR who was elected to four terms during two huge national crises:
  – The Great Depression
  – and WWII.

• FDR also personalized the presidency with his use of radio 'fireside chats' directly with Americans.

• The modern president
  – leads a large government
  – plays an active and leading role in foreign and domestic policy
  – plays a strong legislative role
  – and uses technology to get 'close to Americans.'
Figure 8.3  Presidential Approval Since 1938

The Presidential Establishment

• Today, the president has numerous advisors to help make policy and fulfill the duties of chief executive.
  – The Cabinet
  – The Executive Office of the President (EOP)
  – White House Staff
The Cabinet

- The Cabinet is not mentioned in the Constitution and is formulated by each president as he/she sees fit.
- The Cabinet consists of the heads of the major bureaucratic departments (State, Defense, Treasury, etc.).
- Congress exercises some control over the bureaucracy -- through advice and consent and budget controls.
The Executive Office of the President (EOP)

- The EOP was established by FDR and is a very important inner circle of advisors to the president.
- The EOP is staffed by persons responsible to the president alone.
- The EOP includes such important offices as the National Security Council, the Council of Economic Advisors, and the Office of Management and Budget.
White House Staff

• The people most directly responsible to the president are the White House staff such as personal assistants, senior aides, administrative personnel and more.

• There is no Senate confirmation and their power comes solely from their personal relationship with the president.

• The White House staff reached a height of 583 members in 1972, but has gotten smaller since then generally running at around 400.
Figure 8.2 Office Space at the White House, 1999

**West Wing Third Floor**
- National Security Adviser
- Secretaries
- Deputy National Security Adviser
- Lobby/Receptionist
- Director of Communications
- Deputy Director of Communications
- Press Secretary
- Cabinet Room
- Secretaries
- Roosevelt Room Conference Hall
- Senior Adviser to the President
- Staff Assistants to Chief of Staff

**West Wing Second Floor**
This floor includes the offices of First Lady Hillary Rodham Clinton; the president's domestic policy adviser; legal counsel; senior economic policy adviser; political director; public liaison director; and the Cabinet secretary.

**West Wing Basement**
This floor houses the top-secret “Situation Room” where National Security officials monitor foreign crises; the White House lunchroom reserved for senior officials; administrative offices; official photographers; and the copying room.

**Old Executive Office**
The Old Executive Office Building houses some other members of the president’s staff, which totals more than 1,800. Among those next door at the Old EOB are the budget director; chairman of the Council of Economic Advisers; director of the Office of National Service; many of Hillary Rodham Clinton's aides, the staff of the health care task force, and Vice President Gore's second office suite.
Chief Legislator

• FDR claimed the leadership and agenda setting power for the president and got it.
• FDR shifted the president's powers from that of simply executing policy to making it.
• However, presidents have a hard time getting Congress to pass their programs especially during periods of divided government.
Presidential Approval Since 1938

- Patronage
- Party
- Persuasion
- Veto Power
- Appointment Power
- Public Opinion
- Presidential Leadership

Chief Legislator

Year

Percent

Figure 8.1 The Long and Winding (Possible) Road to Senate Confirmation

Average months from inauguration to Senate confirmation, initial presidential appointees.

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<th>President</th>
<th>Months</th>
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<tr>
<td>KENNEDY</td>
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<td>BUSH</td>
<td>8.13</td>
</tr>
<tr>
<td>CLINTON</td>
<td>8.53</td>
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Continuity and Change

• The presidency is a peculiar institution. Some have argued that the job is too big for one person and that we expect way too much from one person.

• Presidents do have a difficult set of jobs. They are a symbol of the country and a ceremonial leader as well as the nation’s chief executive.

• We know more about our presidents than ever before. We know
  – what kind of underwear they prefer
  – what they eat
  – who they dated in high school
  – how much their haircuts cost...maybe knowing so much has made us lose respect for the office? Perhaps we need to know less about our presidents so that they may do more.