

Unit 7

The Modern Presidency: Tools of Power

Learning Objectives

After completing this session, you will be able to:

- Summarize the growth in presidential power since the ratification of the Constitution.
- Explain the major elements that effect presidential influence with Congress.
- Explain and discuss the consequences of the modern president's tendency to cultivate public support for policy actions.
- Analyze the role of the cabinet and cabinet secretaries in the policy-making process.
- Discuss the difference between the public's expectation of presidential power and the constitutional allocation of power to the president.

Topic Overview

The growing expectations that the public has of presidents creates a gap between expectations and formal powers. This unit discusses the ways in which presidents seek to bridge this gap, by using personal attributes and cultivating strong public support. The unit also illustrates how presidents have increasingly centralized, at the expense of many of the cabinet officials, policy-making authority as a means of maximizing their own power to control the political environment.

The American Presidency has changed dramatically over American history. **Article II** of the Constitution lists potent but limited **formal powers** for the president. Article II states that "executive power shall be vested in a President of the United States of America." Among the president's other formal powers (also called **enumerated powers**) is the power to appoint (subject to Senate confirmation) executive department heads, federal judges, and U.S. ambassadors. The president can negotiate treaties, also subject to Senate approval, and can recognize ambassadors from other countries. Presidents can veto bills passed by Congress, but such vetoes can be overridden by a two-thirds vote in both houses of Congress. As commander-in-chief, the president is the top civilian commander of all U.S. forces, although the Congress retains formal authority to declare war.

Beginning with our first president, George Washington, many presidents have used their implied and informal presidential powers to enhanced their personal influence, and often the power and potential influence of later presidents. Many of these **implied powers**, which are assumed as granted under the Constitution although not explicitly listed, stem from a president's responsibilities during times of national emergency. For example, our early presidents, including Washington and Jefferson, didn't hesitate to exercise their commander-in-chief authority by ordering Navy ships into hostile waters without an express declaration of war from Congress. And in his bold Louisiana Purchase, Jefferson showed that a president who acts decisively might successfully compel others to follow his lead after the fact.

Topic Overview, cont'd.

A president's **informal powers**, or the powers to persuade others to follow his lead, derive in part from his use of the visibility and prestige of the office itself. As America's only nationally elected leader, the president is considered our country's "first citizen" who stands and acts for the American people as a whole. Some presidents, such as Lincoln, Wilson, Theodore Roosevelt, and Franklin Roosevelt, drew upon their informal powers during times of national crisis to increase their influence over others in Congress and the executive branch. Other presidents, including Lyndon Johnson, drew upon their personal skills and intimate knowledge of legislative processes to pass bold national initiatives such as the Civil and Voting Rights Acts.

During the twentieth century, the presidency itself was transformed. As they presided over two world wars, a major depression, and a cold war, several twentieth century presidents increased their powers and influence at the cost of Congress and other government institutions. Presidents now compete with Congress in setting and enacting the country's legislative agenda, and the White House is the focal point for setting foreign and domestic policy. Presidents Nixon, Reagan, and Clinton, for example, conducted specific foreign policy initiatives almost wholly from within the White House, sometimes at the cost of a consistent and unified U.S. foreign policy.

The **institutional presidency** has also grown during the twentieth century. It includes the White House Office (WHO) and the Executive Office of the President (EOP). These offices surround modern presidents in layers of bureaucracy that they can use to enhance their power and influence. However, some presidents have found that the White House bureaucracy can actually make them feel isolated and out-of-touch. A key position is White House **chief of staff**. The chief of staff serves as the president's "gatekeeper," and is often credited or blamed for helping or detracting from the support and effectiveness of recent presidents. Some vice presidents have exercised important influence in their presidential administration.

The development of electronic mass media facilitated the transformation to the modern presidency. Through the adept use of television, modern presidential candidates can get elected as national personalities who enjoy broad personal popularity. While in office, a president can choose to "go public" through direct television appeals to the American people that are designed to circumvent party leaders, Congress, and other government officials. President Reagan, for example, used his first televised speech after an assassination attempt to successfully sell his signature tax cut directly to the American people.

Although the presidency offers a range of formal, implied, and potential informal powers, modern presidents grapple with the inherent limitations of the office and often have difficulty coping with **conflicting public expectations**. For example, most Americans want their president to be a "regular person" who understands them and their daily struggles. Yet, many Americans also expect their presidents to rise above commonality and command the international stage. Similarly, Americans usually prefer pragmatic approaches to governing and executive leadership, but also expect presidents to lead with visionary policy initiatives. Modern presidents must meet these and other conflicting assumptions in a political environment where institutional challenges, including the opposing party in Congress and organized special interests, daily attempt to thwart or fundamentally reshape the president's policy initiatives.

Pre-Viewing Activity and Discussion (30 minutes)

Before viewing the video, discuss the following questions:

- To what extent do modern presidents resemble the expectations of the founders?
- Why have presidents become so important to modern American government?
- In what political arena does the president typically find the greatest occasion to exert his skill and authority?
- Why does our Constitution entrust the power to declare war to the Congress?
- Do the high expectations that Americans have for the presidency ensure disillusionment with the incumbents?

Watch the Video (30 minutes) and Discuss (30 minutes)

The video includes three segments. If you are watching on videocassette, watch each segment and pause to discuss it, using the questions below. If you are watching a real-time broadcast on the Annenberg/CPB Channel, watch the complete video and then discuss.

1. Getting the Job Done: The Johnson Treatment

Today, the responsibilities of the president are vastly greater than at any time in our history. The president is our nation's public face to the world, commander-in-chief, chaplain to the nation in times of crisis, and head of his political party, among many other things. In modern times, there is one president who used the power of his position better than many who came before him, and many who have come since. Lyndon Baines Johnson became our 36th President of the United States in the blink of an eye, but he had been preparing for the role throughout his career. He had been a congressman, senator, and a vice president, and along the way he had become a master at getting what he wanted. The so-called "Johnson treatment" describes Johnson's unique style in getting others to support his favored policy and political positions. A look at how Johnson marshalled the Civil Rights Bill through Congress shows how the Johnson treatment was used to overcome entrenched legislative opposition, but it also demonstrates the power of a skilled and highly involved president.

Discussion Questions

- What skills did President Johnson use to gain passage of the Civil Rights Bill?
- Can other presidents replicate the Johnson style or is it unique to one individual?

2. Ronald Reagan: The Great Communicator

President Ronald Reagan's efforts to mobilize public and political support for his mammoth tax cut of \$784 billion (about 1.5 trillion in today's dollars) are a testament to his "great communicator" reputation. The sheer size of the cuts made it a difficult sell to many in Congress, but the president used a speech to the nation to move aside his congressional opponents. Reagan's speech is a classic example of a president "going public" to roll out a major policy proposal. The president's personal advisors helped him hone a message designed to garner broad public appeal. Reagan's efforts to sell his tax cut were among the many times he employed the "people strategy" during his two terms as president.

Discussion Questions

- To what extent has the development of the modern media helped presidents?
- What are the advantages for presidents of going public?
- What are the disadvantages for presidents of going public?

3. Robert Reich: Locked in the Cabinet

The president's cabinet is made up of his 14 cabinet secretaries and others he may include such as the vice president and the directors of key federal agencies. In general, however, presidents in the last few decades have come to depend less on the cabinet for advice and help and more on other staff and advisors within the White House Office and the Executive Office of the Presidency. Robert Reich, President Clinton's appointee for Labor Secretary as well as his close friend, directly experienced the marginalization of Clinton's cabinet. Reich learned early on that the key to power in a presidential administration is access, and that the staff in the White House's West Wing had a distinct advantage over others.

Discussion Questions

- Why do presidents rely so heavily on staff in the White House Office and the Executive Office of the Presidency?
- What did Secretary Reich take his campaign for a higher minimum wage to the press? Was this a good strategy?

Post-Viewing Activity and Discussion (30 minutes)

1. The Many Roles of Our Modern Presidents (20 minutes)

Modern presidents fulfill many responsibilities in their day-to-day activities. Six identifiable roles (listed below) of the modern presidency can help explain why presidents appear to be so powerful. Sometimes two or more presidential roles complement each other. For example, a president might use his role as chief of state to enhance his role as chief diplomat. Sometimes, however, a president's roles may conflict, such as when his activities as party leader or chief legislator detract from his roles as commander-in-chief or chief of state.

The simple recitation of the various roles makes the president appear to be single-handedly running the government and shaping policy. Nevertheless, presidents routinely complain about a lack of power. Why do presidents so often feel frustrated by their lack of power? Discuss each of the roles listed and explore the limitations imposed by reality.

Roles of the President

Chief of State: As the only nationally elected leader in the United States, the president is the most prominent U.S. citizen who is the country's leader and spokesperson. This role involves the president in a host of symbolic functions including attending funerals of important foreign leaders, and consoling the nation in times of national tragedy. An example is President Reagan attending the 40th anniversary ceremony of D-Day in Normandy.

Chief Executive: Article II of the U.S. Constitution vests the executive power of national government in the president, and mandates that "he shall take care that the laws be faithfully executed." This brief language is the source of the president's role as chief executive. The president appoints the top positions within the executive branch, and can issue executive orders directing executive branch officials to do something that he wants. An example is President Kennedy's executive order declaring segregated housing off-limits to military personnel.

Commander-in-Chief: Article II of the Constitution designates the president as commander-in-chief who has full command of the U.S. armed forces. This role reflects the wishes of those who framed the Constitution that U.S. military forces would be subject to civilian control. An example is President George Bush ordering military deployment of troops and equipment to the Persian Gulf following Iraq's invasion of Kuwait. Bush later sought and received congressional authorization to use force to reverse the Iraqi invasion.

Chief Diplomat: The Constitution also grants the president the power to make treaties (subject to two-thirds ratification in the Senate), and to recognize ambassadors from other countries. These powers, along with the president's executive control over the Department of State, are the source of the president's role as chief diplomat. As chief diplomat, the president acts on behalf of the United States when negotiating with other world leaders and in dealing with international organizations such as the United Nations. An example is President Nixon's trip to China that ultimately led to normalized relations between the U.S. and China.

Chief Legislator: As outlined in the Constitution, the president can choose to either sign or veto legislation passed by Congress. That power, along with others granted the president in the Constitution, such as the power to convene an emergency session of Congress and the requirement that the President provide a yearly "state of the union" address to Congress, places the president squarely in the legislative process. An example is President Clinton's budget negotiations with Republican leaders of the House and Senate in 1995. These talks ultimately broke down and resulted in a temporary shutdown of the federal government.

Party Leader: While political parties are not addressed in the Constitution, party organizations emerged in the early to middle 1800s and have played an important role in American politics ever since. One function of political parties is to nominate their candidates for president. By tradition, when a president is elected he becomes the leader of his party who is influential in shaping the party's platform, in mobilizing the support of party members in government, and hopefully in helping to elect other party candidates to governmental positions. An example is President George W. Bush's campaign activities on behalf of Republican House and Senate candidates before the 2002 mid-term elections. Election analysts credit his efforts with helping Republicans gain seats in the House and Senate. This is one of the few times in American history that a president's party actually gained seats in Congress during a midterm election.

Post-Viewing Activity and Discussion, cont'd.

2. The Ideal President (10 minutes)

Take a few minutes to think about and then list all the qualities that you expect in a president. Compare your list of desirable traits to that of others. Discuss your lists with others and evaluate the likelihood that any one person can ever match the expectations. What does this tell us about our expectations of presidential leadership?

Homework

Read the following Readings from Unit 8 to prepare for next week's session.

- Introduction—Bureaucracy: A Controversial Necessity
- Tocqueville, *Democracy in America*: "Public Officers Under the Control of the American Democracy"
- *Federalist Papers*: "Federalist No. 72"
- *Myers v. U.S.*
- *Humphrey's Executor v. U.S.*

Read next week's Topic Overview.

Critical Thinking Activity: Go to the course Web site and try the Critical Thinking Activity for Unit 7. This is a good activity to use with your students, too.

www.learner.org/channel/courses/democracy

Classroom Applications

You may want to have your students do the post-viewing activities: The Many Roles of Our Modern Presidents and The Ideal President. They are provided for you as blackline masters in the Appendix.

Web-Based Resources

www.whitehouse.gov—The official Web site of **the White House** contains a variety of information about the current president and the history of the presidency including reports, speeches, press briefings, and even a White House tour.

www.millercenter.virginia.edu—**The Miller Center of Public Affairs** at the University of Virginia provides scholars and the general public with an extensive array of multi-media and printed materials on the U.S presidency, including presidential recordings from the Kennedy, Johnson, and Nixon administrations.

www.americanhistory.si.edu/presidency/—**The Smithsonian Museum** has a Web site of materials and activities from its popular exhibit, *The American Presidency: A Glorious Burden*. Web site materials include an interactive timeline of the presidency and grade-specific lesson plans.