



CHAPTER 18

The President at Work



CHAPTER OBJECTIVES

To learn about and understand . . .

- The powers of the president as they are outlined in the Constitution and as they have developed with the office
- The many interrelated roles of the president
- The limits placed on presidential powers



★ *Keynote* ★

“In our brief national history we have shot four of our presidents, worried five of them to death, and impeached one and hounded another out of office.”

P. J. O'Rourke

(1947–)

U.S. Journalist and Humorist

INTRODUCTION

As you can probably imagine, your school principal's job is a difficult one. The principal has to follow rules and guidelines set down by national and state legislatures as well as by the school district. Your principal has to worry about not spending more money than the budget allows. He or she must sometimes face angry parents, angry students, and even angry teachers. The president of the United States is in a similar position but on a national—and even an international—scale.

The humorist P. J. O'Rourke was only half joking in the opening quotation. Many presidents have suffered disastrously under the burden of their work. President Harry S Truman once said, “The pressures and complexities of the presidency have grown to a state where they are almost too much for one man to endure.”

◀ President Ronald Reagan waves to the crowd as he boards the presidential helicopter.

Presidential Powers

Preview Questions:

- ☛ What powers does the Constitution give to the president?
- ☛ What are the other sources of presidential powers?
- ☛ How have strong presidents contributed to the growth of presidential powers?
- ☛ How have the media enhanced the power of the presidency?

Key Terms:

executive order, White House press corps

The president heads the largest organization in the nation, a government that has nearly three million civilian and one million military employees. The president is entrusted with carrying out the laws of the land. In addition, the president is the chief architect of American foreign policy, an increasingly difficult task in our rapidly changing world. The president is the

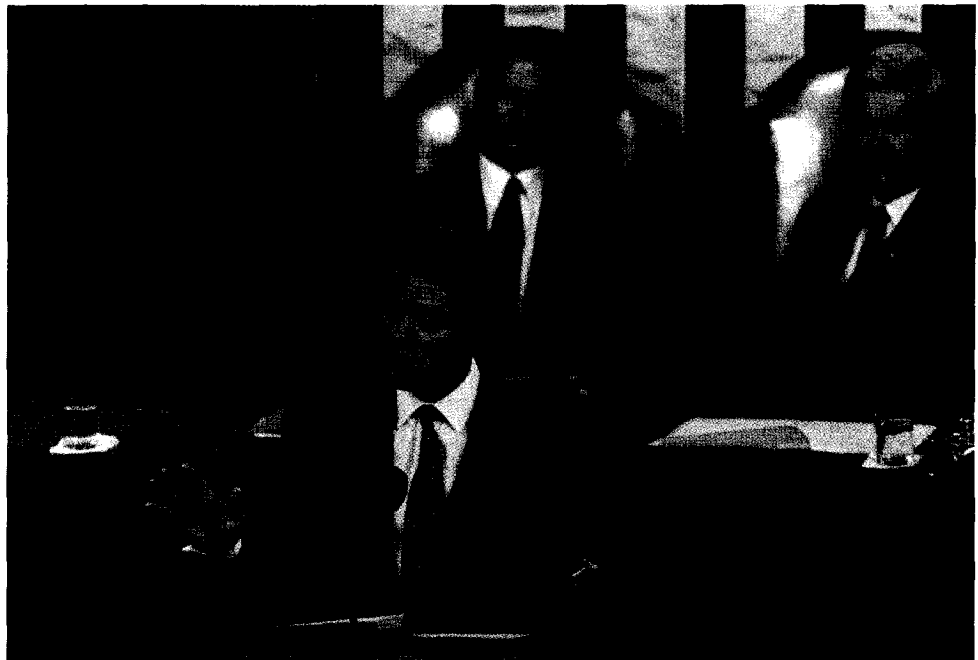
head of the world's most powerful military arsenal, the negotiator of treaties with other nations, the chief collector of taxes, and the leading speaker for our nation. With a multitude of powers and duties that have increased greatly over time, the presidency has become ever more powerful and more complex.

What is the basis for such extensive presidential powers? The Constitution is the first place to look for the answer to this question. Article II of the Constitution outlines the powers of the president. The president's powers are, of course, limited by the checks and balances of the other two branches of government.

Constitutional Powers

Article II begins by simply stating that "the Executive Power shall be vested in the President of the United States of America." As you have learned, the founders wanted a strong president, but they had difficulty agreeing on how much strength and power the president should have. As a result, Article II grants the president

► *President Bill Clinton addresses the 105th Congress. Seated behind the president are Vice President Al Gore, president of the Senate (on the left) and Speaker of the House Newt Gingrich (on the right).*



broad but vaguely described powers. From the very beginning, there were differing views as to what exactly the “executive power” clause enabled the president to do. Because this power is not precisely defined, it can change with differing circumstances.

Sections 2 and 3 of Article II go on to list specific presidential powers. You will see what these powers mean in practice later in the chapter, when the president’s many roles are discussed. According to Sections 2 and 3, the president has the power to do the following:

1. Serve as commander in chief of the armed forces and the state militias.
2. Appoint heads of executive departments with Senate approval.
3. Grant reprieves and pardons, except in cases of impeachment.
4. Make treaties, with the advice and consent of the Senate.
5. Appoint ambassadors, federal court judges, justices of the Supreme Court, and other top officials with Senate consent.
6. Deliver the annual State of the Union address to Congress and send other messages to Congress from time to time.
7. Call either or both chambers of Congress into special session.
8. Receive ambassadors and other representatives from foreign countries.
9. Commission all military officers of the United States.
10. Ensure that all laws passed by Congress are carried out.

Inherent Powers

Certain presidential powers, often called inherent powers, are not spelled out in the Constitution but seem to be attached to the office itself. These powers have simply been assumed by strong presidents and then carried on by their successors. Indeed, the greatest growth in presidential powers has come about in this way.

Since the birth of the republic in 1787, many presidents have strengthened the executive branch by their actions. Most experts agree that the strongest presidents have been George Washington, Thomas Jefferson,

Andrew Jackson, Abraham Lincoln, Theodore Roosevelt, Woodrow Wilson, and Franklin D. Roosevelt. Each one ruled in difficult times and acted decisively, and each set a precedent for a certain activity.

For example, George Washington took the liberty of removing officials from office even though he was not given this authority in the Constitution. He also established the practice of meeting regularly with the heads of the four departments that then existed. He began the practice of submitting proposed legislation to Congress. This practice set a precedent for the president to act as chief legislator. He also began the practice of vetoing legislation. As commander in chief, he used troops to put down a rebellion in Pennsylvania. As chief diplomat, he made foreign policy without consulting Congress. This latter action took Congress by surprise and laid the groundwork for our long history of active presidential involvement in the making of foreign policy.

President Lincoln, confronting the problems of the Civil War, took important actions while Congress was not in session. He suspended certain constitutional liberties, spent funds that Congress had not appropriated, blockaded Southern ports, and banned “treasonable correspondence” from the U.S. mails. All of these acts were done in the name of his powers as commander in chief and his responsibility to “take care that the laws be faithfully executed.”

Theodore Roosevelt defined his position for a strong presidency in what he called the “stewardship theory.” He said:

My belief was that it was not only [the president’s] right but his duty to do anything that the needs of the Nation demanded unless such action was forbidden by the Constitution or by the laws. . . . I did not usurp power [seize power without legal authority], but I did greatly broaden the use of executive power. In other words, I acted for the public welfare, I acted for the common well-being of all our people, whenever and in whatever manner was necessary, unless prevented by direct constitutional or legislative prohibition.

Franklin D. Roosevelt expanded the presidential power over the economy during the Great Depression

Just the Facts

One president, Grover Cleveland, served two nonconsecutive terms (1885–1889, and 1893–1897).

in the 1930s. Since that time, Americans have expected the president to be actively involved in economic matters and social programs.

Other Presidential Powers

Presidents are in a position of power simply because they have access to important information sources that are beyond the reach of most people. Presidents also have access to almost anyone they wish to see. They can determine who gets a certain job, and they can guide how federal funds are spent. These factors, and others, make people highly responsive to presidents' wishes.

The president's political skills and ability to persuade others also play a significant role in determining presidential powers. After three years on the job, Harry Truman made this remark about the powers of the president:

The president may have a great many powers given to him in the Constitution and may have certain powers under certain laws which are given to him by the Congress of the United States; but the principal power that the president has is to bring people in and try to persuade them to do what they ought to do without persuasion. That's what the powers of the president amount to.

Other presidential powers include military powers and the power to issue executive orders.

Just the Facts

Franklin D. Roosevelt (1933–1945) sometimes issued more than one executive order per day.

Congress has declared war only five times. In 1846, President James K. Polk provoked Mexico into a war. Before the United States entered World War II,

Military Powers Often, a president has exercised military powers that Congress has argued were outside the president's authority. The United States has been involved in over two hundred activities involving the armed services, but

Franklin D. Roosevelt ordered the Navy to "shoot on sight" any German submarine that appeared in the Western Hemisphere security zone. Harry S Truman ordered, without congressional approval, American armed forces into the conflict between North and South Korea. The United States also entered the Vietnam War without congressional approval. No congressional vote was taken before President George Bush sent troops into Panama in 1989, into the Middle East in 1990, or into Somalia in 1992. (He did, however, obtain congressional approval to use American troops to expel, with the use of force, Iraq from Kuwait in 1991.) President Bill Clinton made the decision to send troops to Haiti in 1994 and to Bosnia in 1995.

Executive Orders Another presidential power is the power to issue executive orders. An **executive order** is

SHOULD THE GAME GET ROUGH!



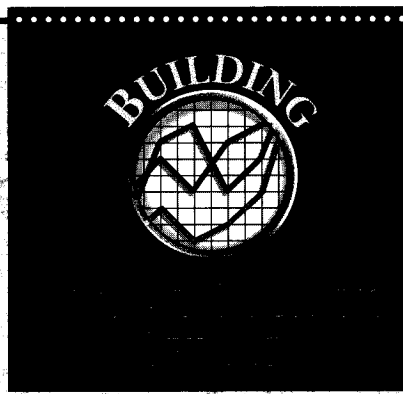
Copyright 1947, by The Chicago Tribune

▲ To contain the spread of communism after World War II (1941–1945), President Harry Truman launched a policy (the Truman Doctrine) of lending economic assistance to countries in which a communist takeover seemed likely. What potential result of the Truman Doctrine worries the cartoonist?

As you study American government, you will often find yourself studying people and the roles they played in shaping and influencing our nation's history. One way to learn about these people is through biographical accounts. A biography is the story of a person's life. Information for biographies is usually derived from both primary and secondary sources. A biography normally presents the details of the person's life, including his or her beliefs, ideals, and personality. It tells of the person's accomplishments and importance.

Use the following guidelines when reading a historical or political biography:

- Determine and track the most important events in the person's life.
- Identify the person's personality traits, ideals, motivations, attitudes, and values. Try to determine how these factors influenced historical events surrounding the person's life.



Reading Biographies

- Try to determine what effects the person's upbringing had on his or her personal development.
- Track the person's accomplishments and assess their impact and significance.
- Determine any author bias. Does the author generally agree or disagree with the philosophies and actions of the person about whom he or she is writing?

- Read biographies that offer opposing views of the person.

PRACTICING YOUR SKILLS

1. At your school or local library, skim three separate biographies of one American president. Make a list of how those biographies differ. For example, one may be anecdotal, relating minor events in the president's life. Another might emphasize the president's early years. Yet another might examine only the political factors that influenced that president.
2. Read the concluding chapter in two of the biographies. Can you get a sense from your reading whether the author of the biography liked or disliked the president about whom he or she was writing? Write a short analysis of your reasoning.

an order issued by the president to carry out policies described in laws that have been passed by Congress. Executive orders have the force of law. Presidential executive orders have been issued since the time of George Washington. They have been used to restructure the White House bureaucracy, to ration consumer goods and establish wage and price controls under emergency conditions, to implement affirmative action policies, and for many other purposes. Some presidents have issued as many as one hundred executive orders a year. In all, U.S. presidents have issued about thirteen thousand executive orders.

The Media and the Presidency

The presidency was the first institution of American government to use the vast power of the media to enhance its own power. Franklin D. Roosevelt first used the power of the media in his series of "fireside chats." During these radio broadcasts, he talked informally about the nation's problems and his ideas for solving them. Roosevelt was a skillful communicator, and listeners felt he was speaking to them personally. He consequently had a powerful influence on millions of people.

All presidents since Franklin D. Roosevelt have used the media to gain public support for their policies. Ronald Reagan (1981–1989), called “the great communicator,” was particularly successful in using the media to his great advantage.

The broadcast media, especially television, give presidents the opportunity to talk directly to the people whenever they wish to do so. Unlike other politicians, presidents can get air time whenever they want and reach millions of Americans. When President George Bush went on television for the first time after ordering American troops to bomb Iraq on January 16, 1991, more than 100 million Americans were watching. At that time, this was the largest U.S. television audience for a single program in history. Fred W. Friendly, an influential television producer, once made the following observation:

[N]o mighty king, no ambitious emperor, no pope or prophet, even dreamt of such awesome a pulpit, so potent a magic wand. . . . The president, in his ability to command the national attention, has diminished the power of all other politicians.

President Bill Clinton used the broadcast media extensively to appeal to different groups of Americans. He held regularly scheduled radio shows and appeared on MTV, *Larry King Live*, as well as other television shows.

Newspapers and magazines are other powerful media sources that provide ways for presidents to bring their ideas to the public’s attention. One two-year study of *Time* and *Newsweek* magazine coverage found that more than half of the lead stories dealt with the American president and his activities. President-watching, one of our favorite American pastimes, actually gives the president more power.

The prominence of the president in the media is fostered by the **White House press corps**, a group of reporters from different news organizations assigned to cover the presidency full-time. They spend most of their time waiting (often in a White House



▲ *President Ronald Reagan prepares his last State of the Union address at his desk in the Oval Office. As you can see, the event was made into a “photo op” (photo opportunity) for the media. Why do you suppose the White House encourages photo ops such as these?*

lounge reserved especially for them) for a story to break and for their twice-daily briefing by the president’s press secretary. Consequently, the president can do very little without making news. No other nation allows the press such access to its highest government official.

SECTION 1 REVIEW

1. What are the powers of the president as expressed in the Constitution?
2. What other factors have enhanced presidential power?
3. Explain the role strong presidents have had in the historical growth of presidential power.
4. How does the media’s role contribute to presidential power?
5. **For Critical Analysis:** Do you think that immediate access to the media gives the president an unfair advantage over other policy- and opinion-makers in the United States? Why or why not?

The Many Presidential Roles

Preview Questions:

- What is the president's function as chief of state?
- What are the president's powers as chief executive?
- What is the president's role as commander in chief? How has this role been disputed?
- By whom are treaties made? What role does the Senate play in making treaties?
- How does the president play the role of chief legislator?

Key Terms:

reprieve, pardon, amnesty, armistice, cease-fire, diplomat, chief diplomat, treaty, executive agreements, power of recognition, ambassador, veto power, patronage

The presidency is, of course, a single office. The individual in that office, however, must play a number of different roles simultaneously. Each of these roles is closely interrelated with the others.

The framers did not describe exactly how the president should fulfill these roles. Expecting that George Washington would be the nation's first leader, they trusted that he would serve as a model for future presidents. As Washington himself stated:

My station is new . . . I walk on untrodden ground [ground on which nobody has ever walked]. There is scarcely any part of my conduct that may not hereafter be drawn into precedent.

Through George Washington's examples and the examples of the presidents who have followed, presidential roles have become more clearly defined over the years. Six basic roles performed by the president are those of chief of state, chief executive, commander in chief, chief diplomat, chief legislator, and political party leader. In addition, there are other, less well-defined presidential roles, including those of economic leader and chief citizen. The way in which presidents carry out their roles depends on many factors, such as

the domestic and international issues of the time, the president's personality, and the people the president has working in the executive branch.

Chief of State

Every nation has at least one person who is the ceremonial chief of state. In most democratic countries, the jobs of chief of state and head of government are occupied by different people. In Britain, for example, the queen acts as the ceremonial leader and chief of state, while the real head of government is the prime minister. In the United States, those roles are fused into the presidency. As Theodore Roosevelt put it, the president is both "a king and a prime minister."

As chief of state, the president represents the nation to the rest of the world and engages in a number of activities that are largely symbolic or ceremonial in nature. These include the following:

- Throwing out the first baseball to open the baseball season.
- Turning on the lights on the national Christmas tree.
- Dedicating parks and post offices.
- Launching charity drives.
- Making personal phone calls to congratulate the country's heroines and heroes.

In performing the role of chief of state, the president becomes the personal symbol of the nation. The president and the president's family are in the public eye almost every day. Some have argued that having the president perform these ceremonial functions makes less time available to do "real work." Others believe this role is uniquely American and is important in conveying that presidents are more than just politicians.

Just the Facts

The first African American to be nominated for vice president was Frederick Douglass, who was the candidate of the People's Party in 1872.

THE GLOBAL VIEW

Having a Separate Chief of State

In the seven Western European countries headed by royalty, the monarch is considered the chief of state and plays a ceremonial role. In the United Kingdom, for example, Queen Elizabeth represents the state at ceremonial occasions, such as the opening sessions of Parliament, the christening of ships, and receptions for foreign ambassadors.

In the monarchies of the Netherlands and Norway, the king or queen initiates the process of forming a government after national elections by determining which parties can combine to rule in a coalition. This process really depends on the results of the election and the desires of the political parties—yet the monarch must certify the results.

The majority of European states are not monarchies, but they nonetheless split the duties of government between a prime minister and a president. In Switzerland, for example, the president is elected indirectly by the legislature and assumes purely ceremonial duties.

Throughout Western Europe, the pattern is the same: presidents have ceremonial powers only. The single exception to this rule occurs in France. In that nation's presidential system, the head of state has real political power, particularly in foreign affairs.

THINKING GLOBALLY

What are the benefits of having a monarch or president to perform only chief-of-state activities? Are there any benefits to the American system, in which the duties of chief executive and chief of state are combined?

Chief Executive

Executive power is the ability to carry out and enforce the laws. The president is the nation's chief executive, constitutionally bound to enforce the acts of Congress, the decisions of the federal courts, and treaties the United States has signed.

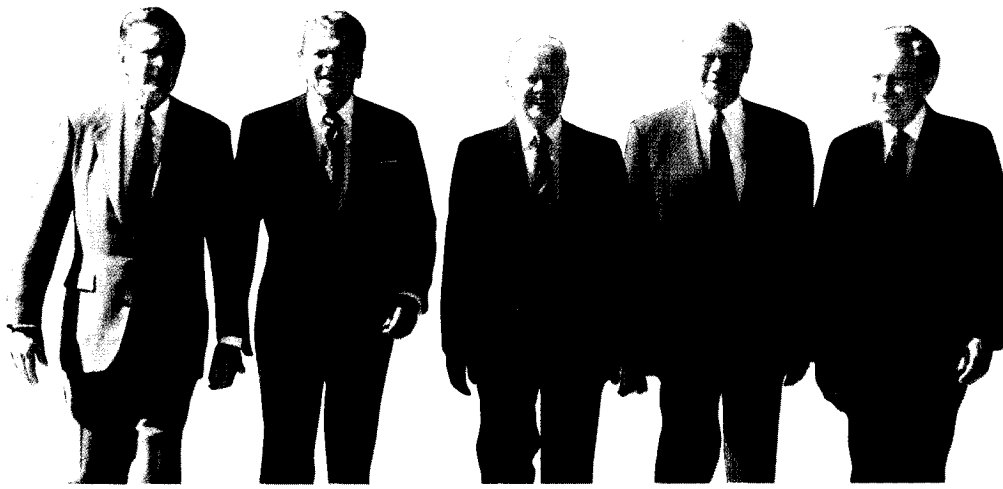
Two constitutional provisions refer to this power. The first is the oath of office the president must take:

I do solemnly swear [or affirm] that I will faithfully execute the Office of President of the United States, and will, to the best of my Ability, preserve, protect, and defend the Constitution of the United States.

The other provision is the Constitution's command that the president "shall take Care that the Laws be faithfully executed." These laws apply to many areas of public concern, such as taxes, civil rights, Social Security, immigration, environmental welfare, and any activities involving interstate commerce.

An important power of the chief executive is the power to appoint and remove national government officers. Another significant power is the power to grant reprieves, pardons, and amnesty. To assist in the various tasks of the chief executive role, the president has a federal bureaucracy, which you will read about in the next chapter.

The Powers of Appointment and Removal With Senate consent, the president names most of the top-ranking officers of the national government. Among them are ambassadors and other diplomats, cabinet members and their top aides, the heads of independent agencies, and all federal judges, attorneys, and marshalls. The president also appoints, with Senate approval, the justices of the Supreme Court. This is a formidable power that can shape the course of government. For example, during the administration of President Richard Nixon (1969–1974), the seats of four Supreme Court justices became vacant. Nixon appointed four justices to the Court who had more conservative views than their predecessors, President Reagan appointed three more conservative justices in the 1980s, and President Bush appointed two during his term (1989–1993). President Clinton was able to check somewhat the increasingly conservative make-up of the Court by appointing Ruth Bader Ginsburg



◀ At the opening of the Ronald Reagan Presidential Library in Simi Valley, California, five U.S. presidents appear together. Can you name them?

and Stephen Breyer to the Court. Because Supreme Court justices are appointed for life, the power to appoint Supreme Court justices represents lasting influence for any president.

The Constitution does not comment on the president's power to remove appointed officials from office. This power has been assumed by presidents since George Washington. It has been contested by Congress only occasionally. In *Myers v. United States* (1926), the Supreme Court ruled that the president had the right to fire executive branch officials, including those who had been appointed with Senate approval. In addition, the president can remove any head of a cabinet department and any individual in the Executive Office of the President.

Reprieves, Pardons, and Amnesty The president has the power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment. A **reprieve** is a postponement of legal punishment. A **pardon** is a release from legal punishment. A pardon is granted in order to remedy a mistake made in a conviction or is given to an offender who presumably has been rehabilitated. In 1925, the Supreme Court upheld this power, stating that the president could reprieve or pardon all offenses "either before trial, during trial, or after trial, by individuals, or by classes, conditionally or absolutely, and this without modification or regulation by Congress." In one controversial case, for example, President Gerald Ford granted "a full, free, and absolute pardon" to Richard Nixon for any crimes the former president might have committed in connection with the Watergate scandal, which

occurred in 1972 during Nixon's presidential reelection campaign.

The president also has the power to grant **amnesty**, which is a special pardon given to a group of people who have committed an offense against the government. In 1977, for instance, President Jimmy Carter granted limited amnesty to the young men who had evaded the draft of the armed forces during the Vietnam War.

Just the Facts

Thomas Jefferson, John Adams, and James Monroe all died on the Fourth of July.

Commander in Chief

Partly because the presidency was tailored for George Washington, the Constitution made the president commander in chief of the nation's armed forces. As Alexander Hamilton wrote in the *Federalist Papers*:

[O]f all the cares and concerns of the government, the direction of war most peculiarly demands those qualities which distinguish the use of power by a single hand.

As president, George Washington actually led troops to crush the Whiskey Rebellion in 1794. More recent presidents have not taken the power quite so literally, but their military decisions have changed the course of history. Although the president shares war powers with Congress, the president's position in military affairs is dominant.



ARCHITECTS of Government

**Franklin
Delano Roosevelt**
(1882–1945)

Franklin Delano Roosevelt was the thirty-second president of the United States and the only president to be elected four times. He was an attorney who entered state politics in New York. Later, he served as assistant secretary of the Navy (1913–1920). Roosevelt governed during the Great Depression of the 1930s and during World War II (1941–1945). His “fireside chats” marked the first use of radio by a president. He oversaw the transformation of the executive branch into today’s modern bureaucracy.

HIS WORDS

“No democracy can long survive which does not accept as fundamental to its very existence the recognition of the rights of minorities.”

(Letter to the National Association for the Advancement of Colored People, June 25, 1938)

“The United States Constitution has proved itself the most marvelously elastic compilation of rules of government ever written.”

(Radio broadcast, March 2, 1930)

DEVELOPING CRITICAL THINKING SKILLS

1. Regarding the first quotation, what are some laws that have been passed in the United States to further the rights of minorities?
2. Regarding the second quotation, how can a constitution be “elastic”?

War Powers Under the Constitution, war powers are divided between Congress and the president. As you know, Congress is given the power to declare war and the power to raise and maintain the country’s armed forces. The president is given the power to lead the armed forces as commander in chief.

Over the years, the president has gathered an enormous amount of power as commander in chief. Many times in our history, presidents have sent American soldiers to troublesome spots on the globe, even though Congress has not declared war.

As commander in chief, the president must also take responsibility for the most difficult of all military decisions—if and when to use nuclear weapons. Harry Truman made the decision to drop the atomic bomb on the Japanese cities of Hiroshima and Nagasaki. “The final decision on where and when to use the atomic bomb was up to me,” he said. “Let there be no mistake about it.” Today, wherever the president goes, an aide is always nearby carrying the computer-coded device that contains all the codes necessary to order a nuclear attack. This device is an ever-present reminder of the world-threatening consequences of nuclear war and the awesome responsibilities of the president.

The War Powers Resolution As commander in chief, the president can respond to a military threat quickly without waiting for congressional action. This power to commit troops and involve the nation in a war upset more and more members of Congress as the undeclared war in Vietnam dragged on for many years from the 1960s into the early 1970s. Criticism of the president’s role in Vietnam led to the War Powers Resolution of 1973, which limited the president’s war-making powers. The law, passed over President Nixon’s veto, limited the president’s ability to commit troops abroad to a period of sixty days. If Congress does not authorize a longer period, the troops must be removed.

Other War Powers Presidents also have other war powers. They can make secret agreements with other countries. They can set up military governments in conquered lands. They can also end fighting by calling an **armistice**, or a **cease-fire**, which is a temporary end to battle.

Presidents have a good deal of control over domestic affairs in times of war. During World War II (1941–1945), President Roosevelt introduced gasoline

and food rationing, wage and price controls, and government control of industries producing products needed for the war.

Emergency Powers The president's powers as commander in chief go beyond war powers. The president has the power to deal with national emergencies during peacetime. For example, after the assassination of Dr. Martin Luther King, Jr., in 1968, riots broke out in many cities. At the request of several state governors, President Lyndon Johnson dispatched the National Guard to control the rioting. Furthermore, if there is a natural disaster, such as a flood or a hurricane, the president can respond by sending needed supplies or troops to help keep order.

Chief Diplomat

A **diplomat** is a person who represents one country in dealing with representatives of another country. According to the Constitution, the president is the nation's **chief diplomat**. As such, the president directs the foreign policy of the United States and is the most important representative of the United States in relations with other nations.

Proposal and Ratification of Treaties A **treaty** is a formal agreement between two or more sovereign states. The president has the sole power to negotiate and sign treaties with other countries. The Senate, however, must approve the treaty by a two-thirds vote of the members present before it becomes effective. If the treaty is approved by the Senate and signed by the president, it then becomes law.



▲ *This photo shows the mushroom cloud that resulted from the atomic blast at Nagasaki on August 9, 1945. Who made the decision to bomb the Japanese cities of Nagasaki and Hiroshima?*

Woodrow Wilson lost his effort to persuade the Senate to approve the Treaty of Versailles, the general peace agreement to end World War I (1914–1918). The treaty would have made the United States a member of the League of Nations. In contrast, President Clinton, during his first term, convinced the Senate to approve the North American Free Trade Agreement (NAFTA) of 1993 and the international agreement that established the World Trade Organization, which came into existence in 1995.

The Power to Make Executive Agreements

Presidential power in foreign affairs is enhanced by the ability to make **executive agreements**, which are pacts between the president and other heads of state. Such agreements have the same legal status as treaties. They do not, however, require the approval of the Senate, although Congress may refuse to appropriate the necessary funds to carry out such an agreement.

Executive agreements vary in their purposes. Some involve routine matters, such as promises of trade or assistance to other countries. Others concern matters of great importance. In 1940, for example, President Franklin D. Roosevelt established an important executive agreement with Prime Minister Winston Churchill of Great Britain. The agreement provided for the United States to loan American destroyers to Great Britain to help protect its land and shipping during World War II, which started in Europe in 1939. In return, the British allowed the United States to use military and naval bases on British territories in the Western Hemisphere.

► Credited with leading the nation out of the Great Depression, President Franklin Delano Roosevelt later witnessed the spread of communism in Eastern Europe. Based on the quote inscribed on the wall of the FDR Memorial in Washington, D.C., what is his opinion of such a form of government?



Some have charged that presidents have kept executive agreements secret that involved matters of importance. Congress passed a law in 1950 requiring that all executive agreements be made public. Some executive agreements were still kept secret, however, by presidents who believed the secrecy of the agreements was important to national security. For example, in 1969, Congress discovered that several presidents had not made public a number of executive agreements that involved giving American military support to South Vietnam, Thailand, and Laos. To prevent such occurrences, Congress passed a law in 1972 that requires the president to inform Congress within sixty days of making any executive agreement.

Presidents have sometimes avoided the Senate confirmation process by titling what is essentially a treaty

or an executive agreement by some other name, such as a “memorandum of understanding” or a “political agreement.” Recently, for example, President Clinton formed an agreement with Russia that allows that country to have a voice in NATO (North

Atlantic Treaty Organization) decisions. Clinton termed the agreement a “founding act” rather than a

treaty or executive agreement to bypass the Senate approval requirement.

Power of Recognition The president has the power to accept the legal existence of another country’s government. This is called the **power of recognition**. Recognition of another country’s government is required before diplomatic relations or negotiations between that country and the United States can be undertaken.

Withholding recognition can be a way of showing disapproval for a national government. Presidents have not, for example, given diplomatic recognition to the Communist government of Cuba. In this way, they have expressed disapproval of the policies of the Cuban government. The government of the People’s Republic of China was not recognized until 1979, thirty years after it was established. President Bush withheld recognition of the Baltic nations when they declared their independence in 1991. He gave it only after the European community had already recognized these nations.

Recognition can also be withdrawn as a way of expressing disapproval of a government’s actions or policies. In 1979, for example, President Carter formally broke diplomatic ties with the revolutionary Khomeini government in Iran after American citizens were taken and held as hostages in that country.

The president can recognize a foreign government by receiving a foreign diplomat from that country or by

Just the Facts

Lyndon Baines Johnson is the only president to have taken the oath of office in an airplane.



◀ President Bill Clinton, surrounded by members of Congress, signs the Comprehensive Methamphetamine Control Act to regulate the sale and use of an illegal drug.

sending an **ambassador**—an official government representative—to that country. If the United States disapproves of the conduct of a nation that has already been recognized, the president may recall the American ambassador to that country or may ask the country to recall its ambassador from the United States.

Chief Legislator

Nowhere does the Constitution use the words *chief legislator*. It does, however, instruct the president to “from time to time, give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient.” The president has in fact become a major shaper of the nation’s political agenda—the set of proposed policies that are actually discussed and acted on by Congress.

Legislative Programs Congress has come to expect the president as chief legislator to develop a legislative program. Woodrow Wilson began the tradition of using the State of the Union address as a chance to outline the administration’s legislative programs and urge their passage. Each year since then, the president has used the address to present a legislative program to

Congress. Especially since the advent of radio and television, the State of the Union address is as much a message to the American people and to the world as it is a message to Congress. Its impact on public opinion can determine the way Congress responds to the president’s agenda.

Congress also receives from the president a suggested budget, along with the annual *Economic Report of the President*. The budget message suggests the amounts of funds the government will need for its programs. The *Economic Report of the President* talks about the state of the nation’s economy and recommends ways to improve it. From time to time, the president also submits special messages on certain subjects. These messages call on Congress to enact the laws the president thinks are necessary. For example, President Clinton sent special messages to Congress urging Congress to consider proposed legislation or resolutions regarding health care, national education standards, the Iraq crisis, and a number of other matters.

Besides using these formal avenues, the president also works closely with members of Congress to gain their support for particular programs. The president writes, telephones, and meets with various congressional leaders to discuss pending bills and sends aides to lobby on Capitol Hill. The president uses press conferences, public appearances, and televised events to

persuade the public to support the administration's legislative programs. The public may in turn persuade legislators.

One study of the political agenda found that "no other single actor in the political system has quite the capability of the president to set agendas in given policy areas." As one lobbyist told a researcher,

Obviously, when a president sends up a bill [to Congress], it takes first place in the queue. All other bills take second place.

Veto Power The Constitution gives the president another, more direct, power over legislation—the veto power. As you learned in Chapter 16, each bill passed by both chambers of Congress is sent to the president for approval. The president's options upon receiving the bill are (1) to sign it and make it law; (2) to veto it and return it to Congress; (3) to take no action, permitting the bill to become law without signing it; (4) if Congress is due to adjourn within ten working days, to kill the bill by simply not acting on it (the so-called "pocket veto"); or (5) by using the line-item veto (if the Supreme Court finds that it is not unconstitutional), to veto part of the bill and sign the rest into law.

Veto power allows the president to act as a check on Congress. Congress has overridden only a very small percentage of presidential vetoes, as you can see in Figure 18–1. Sometimes, just the threat of a veto will force Congress to stop a bill or change it to fit the president's wishes.

Special Sessions As you have learned, only the president has the power to call special sessions of Congress. Should an important issue arise while Congress is not in session, the president can call a special session to deal with it. Today, such sessions are almost never needed, because Congress meets throughout most of the year.

FIGURE 18–1 Presidential Vetoes This table demonstrates the use of presidential vetoes by each president from 1901 through 1997. Which president during this period exercised the most vetoes? What do you know about this president that helps to explain these numbers?

Years	President	Regular Vetoes	Vetoes Overridden	Pocket Vetoes	Total Vetoes
1789–1901	All presidents	489	35	387	876
1901–1909	T. Roosevelt	42	1	40	82
1909–1913	Taft	30	1	9	39
1913–1921	Wilson	33	6	11	44
1921–1923	Harding	5	0	1	6
1923–1929	Coolidge	20	4	30	50
1929–1933	Hoover	21	3	16	37
1933–1945	F. Roosevelt	372	9	263	635
1945–1953	Truman	180	12	70	250
1953–1961	Eisenhower	73	2	108	181
1961–1963	Kennedy	12	0	9	21
1963–1969	Johnson	16	0	14	30
1969–1974	Nixon	26*	7	17	43
1974–1977	Ford	48	12	18	66
1977–1981	Carter	13	2	18	31
1981–1989	Reagan	39	9	28	67
1989–1993	Bush	37	1	0	37
1993–1997	Clinton	18	0	0	18
		1,474	104	1,039	2,513

*Two pocket vetoes, overruled in the courts, are counted here as regular vetoes.
SOURCE: Louis Fisher, *The Politics of Shared Power, Congress and the Executive*, 2nd ed. (Washington, D.C.: Congressional Quarterly Press, 1987), p.30; *Congressional Quarterly Weekly Report*, October 17, 1992; and author's update.

Political Party Leader and Politician

The last of the six basic roles of president, shown in Figure 18–2, is that of political party leader. Presidents head their political parties by tradition and practical necessity. George Washington was the only president elected without the backing of a political party. All other presidents have been elected with the help of political parties and have become the national leaders of the parties that nominated them.

As party leader, the president has a number of major duties. These include choosing a vice president after receiving the presidential nomination; making several thousand high-level government appointments, mainly to faithful party members (a system known as **patronage**); and working to fulfill the party platform. The successes and failures of the president in these

FIGURE 18–2 The Six Basic Roles of the President This table lists the major roles of the president and cites examples of the actions and functions associated with each role. Can you think of any instances in which these roles might overlap?

Role	Description	Specific Functions
Chief of State	Performs certain ceremonial functions as personal symbol of the nation	<ul style="list-style-type: none"> ★ Throws out first baseball of baseball season ★ Lights national Christmas tree ★ Decorates war heroes ★ Dedicates parks and post offices
Chief Executive	Enforces laws, federal court decisions, and treaties signed by the United States	<ul style="list-style-type: none"> ★ Can appoint, with Senate approval, high-ranking officials of the federal government ★ Can dismiss presidential appointees from the executive branch without Senate approval ★ Can grant reprieves, pardons, and amnesty
Commander in Chief	Leads the nation's armed forces	<ul style="list-style-type: none"> ★ Can commit troops for up to ninety days in response to a military threat (War Powers Resolution) ★ Can make secret agreements with other countries ★ Can set up military governments in conquered lands ★ Can end fighting by calling a cease-fire (armistice) ★ Can handle national emergencies, such as riots and natural disasters, during peacetime
Chief Diplomat	Directs U.S. foreign policy and is the nation's most important representative in dealing with foreign countries	<ul style="list-style-type: none"> ★ Can negotiate and sign treaties with other nations with Senate approval ★ Can make executive agreements with other heads of state without Senate approval ★ Can accept the legal existence of another country's government (power of recognition) ★ Receives foreign chiefs of state
Chief Legislator	Informs Congress about the condition of the country and recommends legislative measures	<ul style="list-style-type: none"> ★ Proposes legislative program to Congress in traditional State of the Union address ★ Suggests budget to Congress and submits annual economic report ★ Can veto a bill passed by Congress ★ Can call special sessions of Congress
Political Party Leader	Heads political party	<ul style="list-style-type: none"> ★ Chooses a vice president ★ Makes several thousand top-level government appointments, often to faithful party members (patronage) ★ Tries to execute the party's platform ★ May attend party fund-raisers ★ May help elect party members running for office as mayors, governors, or members of Congress



▲ President Bill Clinton and First Lady Hillary Clinton show support for their party at this Democratic National Committee conference. What is a president's official role in his party?

areas are reflected in the party's future election campaigns. Presidents may support the party by attending party fund raisers or by sending assistants to help elect or reelect party members running for office as mayors, governors, or members of Congress.

As discussed in the chapters on Congress, members of Congress are politicians as well as lawmakers, always concerned about their constituencies and the next election. The president is in the same position. Like all politicians, the president wants to win elections and battles in Congress and to maintain a high level of public approval.

Economic Leader

In recent years, the president has taken on the role of being the nation's economic leader. A president's popularity, measured in the polls, often rises and falls with the nation's economic well-being. The public,

Congress, and the business and labor communities increasingly look to the president to lower unemployment, fight inflation, keep taxes down, and promote economic growth.

The Employment Act of 1946 directed the president to submit an annual economic report to Congress and declared for the first time that the federal government had the responsibility to promote productivity, high employment, and stable purchasing power. The law created the Council of Economic Advisers (CEA) to give the president economic advice. In 1993, the National Economic Council (NEC) was created to coordinate the economic policymaking process.

We give our presidents numerous tools with which to manage the economy. One is the duty of preparing the budget, which gives the president the opportunity to determine the government's spending priorities for the coming year.

Chief Citizen and Moral Leader

The presidency is not merely an administrative office. It is also a place of moral leadership.

Most Americans would probably agree with this statement, which was made by Franklin D. Roosevelt (1933–1945). The office of the presidency automatically makes its occupant the nation's chief citizen. The president is expected to represent all of the people and to work in the public interest.

Presidents must be extremely careful and judicious in the way they conduct themselves because, as already mentioned, their actions are closely scrutinized by the media. During the Clinton administration, many Americans questioned the moral integrity of President Clinton and his ability to fulfill the role of chief citizen. Perhaps no other president—including Richard Nixon (see the *Case Study: Government in Action* feature on page 493)—faced more ethical and legal challenges than Bill Clinton.

SECTION 2 REVIEW

1. What are the functions of the president as chief of state and chief executive?

2. As commander in chief, what are the president's powers?
3. What are the president's powers as chief diplomat?
4. How does the president perform the role of chief legislator?
5. Explain why the president is the leader of a political party.
6. **For Critical Analysis:** Do you think the president's role as political party leader is in conflict with any of the other presidential roles? Explain why or why not.

SECTION 3

Checks on the President's Powers

Preview Questions:

- ☉ How can Congress check presidential powers?
- ☉ How can the judiciary check presidential powers?

Key Term:

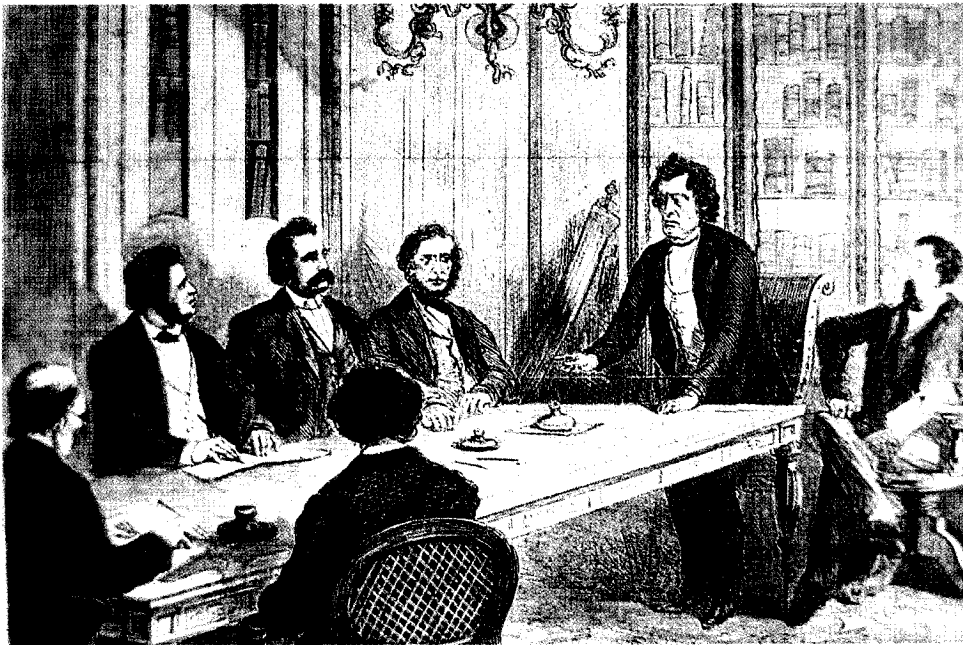
executive privilege

The framers of the Constitution were well aware that an overly strong chief executive would be able to abuse the office of president. To avoid such abuses, they built in a system of checks and balances. Both Congress and the judiciary have powers that restrict

the president. The president is also checked to some degree by certain unwritten limitations.

Congressional Limitations

Although the president has the power to veto legislation, Congress can override the president's veto with a two-thirds vote by the members present in each chamber. Even though it is not often used, the override remains a powerful check by Congress on presidential powers. Since George Washington's presidency, only about 7 percent of all presidential vetoes have been



◀ Although the president has many powers, both constitutional and by tradition, he is still held in check by the legislative and judicial branches of government. Here, a congressional committee discusses the grounds for impeachment of President Andrew Johnson. Was Johnson ultimately impeached?

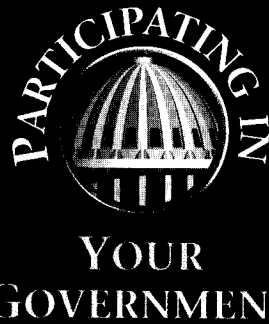
American citizens have a right and sometimes a duty to let the president know directly about their opinions on important public policy matters. Each president receives thousands of communications every day. Of course, no president actually reads all of these communications, but assistants often use them to tally up public opinion for and against a particular issue.

The president's decisions are often affected by direct communications from the public. For example, when President Reagan started sending advisers and military aid to the Central American country of El Salvador in 1981, he immediately began to receive a flood of letters, which ran ten-to-one against his policy. After that, his decisions on this matter were partly molded by the strong public opposition shown in the letters. The opposite occurred when President Bush sent troops to the Middle East after Iraq invaded Kuwait in 1990. Bush's actions were widely supported by the American public.

Your views can, and should, be brought to the president's attention. Whenever you strongly agree with or oppose the actions taken by the presi-

overridden by Congress. The most overrides—fifteen—occurred during the administration of Andrew Johnson (1865–1869). Both Harry Truman and Gerald Ford saw twelve of their presidential vetoes overridden.

Congress can also use its “power of the purse” to check the president. For example, Richard Nixon tried



How to Contact the President

dent, you can contact the White House directly. Address your letter in the following way:

The President of the
United States
The White House
1600 Pennsylvania Ave. NW
Washington, DC 20500

You can also contact the White House by telephone at 202-456-1414, by fax at 202-456-2883, or by e-mail at President@whitehouse.gov.

A less well-known, but perhaps equally effective, way to express your views to the president is by writing a letter to the

editor of a major newspaper. The president's aides in the White House clip letters from newspapers across the country. These letters provide a digest of public opinion for the president and the president's staff to review on a regular basis.

Whether you choose to write the president directly or to write to the editor of a major newspaper, it is important to remember that your views are more likely to be given serious consideration (your letter is more likely to be printed) if your letter is well written, clearly organized, and neatly prepared. A letter that is well thought out and neatly typed can be a very effective tool for communicating your feelings to the president.

TAKING ACTION

1. As a class, choose a policy issue that concerns you today. Compose a letter to the president, and send it directly to the White House.
2. Write a letter to the editor of a major newspaper about the same issue, remembering that it might be made part of a digest of letters given to the president by aides.

to restrict government spending because of a worsening economy in the early 1970s by cutting domestic programs while at the same time increasing some areas of military spending. Congress undermined these plans by appropriating funds for welfare programs that the president did not want and by cutting appropriations for the weapons programs he favored.

Government in Action

Watergate and the Presidential Abuse of Power

On June 17, 1972, police officers caught five intruders inside the offices of the Democratic National Committee at the Watergate, a complex of business offices and apartment buildings in Washington, D.C. The break-in was quickly dismissed as a “third-rate burglary” and seemed destined to be forgotten. But it soon became clear that there was more to the story. First, the Federal Bureau of Investigation (FBI) began investigating the incident, and later the Senate formed a special committee to investigate the Watergate case. The press, especially the *Washington Post*, followed up on clues. These investigations turned up the following:

- Crisp \$100 bills found on the burglars were traced to CREEP, the Committee for the Reelection of the President, a pro-Nixon campaign group. About \$420,000 (taken mainly from Nixon campaign contributions) was used as “hush money” to keep the burglars quiet about who had hired them and what they were doing.
- CREEP solicited big contributions from people being investigated by government agencies and sought illegal contributions from corporations.
- CREEP collected money from the dairy industry at about the same time the president approved an increase in the federal price supports for milk.
- The president approved the formation of a special investigations unit in the White House to stop security leaks. This unit tapped the phones of administration officials, poked through private files, and broke into private offices.
- The acting director of the FBI destroyed vital Watergate evidence at the instigation of two of the president’s top assistants.
- An “enemies list” of people who opposed Nixon was compiled by the president’s staff. The income-tax forms of people on the enemies list were singled out for investigation by the Internal Revenue Service.

President Nixon blocked many efforts by Congress and the courts to find out if the White House had ordered the Watergate break-in. Nixon did so by invoking the doctrine of **executive privilege**—the special right to withhold information, usually in affairs dealing with national security and foreign affairs. The Supreme Court finally ruled that neither the president nor members of the executive branch could use executive privilege to withhold information about a crime.

Thus, the president was forced to surrender tape recordings that had been made by concealed microphones in White House offices and in the Executive Office Building. On the tape for June 23, 1972, Nixon was heard approving a plan to use the Central Intelligence Agency (CIA) to block the FBI investigation of the break-in.

In July 1974, the House Judiciary Committee recommended that the House of Representatives impeach President Richard Nixon on the grounds that he had obstructed justice, abused presidential powers, and obstructed the impeachment process. It appeared likely that, for the first time since 1868, the president of the United States would be impeached. President Nixon resigned and was later pardoned by his successor, President Gerald Ford.

The president of the United States is never above the law. The American form of democracy is one in which laws rule rather than men and women.

THINK ABOUT IT

1. Should Richard Nixon have gone to trial for any criminal activities for which he was responsible?
2. Is there any way for Congress to ensure that no similar scandals occur in the future?



THROUGH THE Years



The President at Work, Then and Now

Since the early 1900s, the way the president works has changed. This is not surprising, because over that period the president has become a world leader.

THEN (EARLY 1900s)

Congress proposed most legislation.

The president had little control over the budget, except for the veto power.

The president's responsibilities in domestic and foreign affairs were limited.

The president rarely left the United States.

NOW

The president proposes most major legislation, but all legislation must be introduced by members of Congress.

The Office of Management and Budget, an executive agency, prepares the budget.

The president takes responsibility for maintaining peace and involves himself in the economic well-being of the nation.

The president travels to foreign lands frequently.

The power of impeachment is considered the ultimate congressional check on the presidency. The Constitution says that Congress may impeach the president for "treason, bribery, or other high crimes or misdemeanors." Congress has only used this power once. In 1868, the House of Representatives voted to impeach President Andrew Johnson. He was charged with violating the Tenure Office Act, which prohibited him from removing executive officials without the consent of the Senate. The Senate, which tries cases of impeachment, found Johnson not guilty. In 1974, a House committee voted to recommend the impeachment of President Nixon because of his part in the 1972 Watergate break-in scandal, but he resigned from the presidency before the recommendation reached the full House.

During the 1970s, several laws limiting presidential power were passed by Congress. American involvement in Vietnam and the Watergate scandal led in 1972 to a limitation on the president's use of secret executive agreements. The 1973 War Powers Resolution required the president to consult with Congress before committing

American troops to war. As you learned in Chapter 15, the 1974 Budget and Impoundment Control Act limited the president's power to impound, or withhold, funds appropriated by Congress.

Congress can also exercise other checks on the president's power. The Senate, for example, must approve major appointments and treaties made by the president.

Judicial Limitations

As discussed in Chapter 3, the Supreme Court, in *Marbury v. Madison* (1803), affirmed the Supreme Court's right to review a president's actions. The president and the Supreme Court, however, are not as closely involved in the day-to-day operations of each other's affairs as are the president and Congress. In most instances, Supreme Court justices are inclined to respect the president's decisions and viewpoints.

The Supreme Court, however, has imposed some limits on the president's domestic power. In 1936, the Court declared several laws unconstitutional that had

Suing the President

In 1994, Paula Corbin Jones filed a sexual harassment lawsuit against President Bill Clinton. A constitutional question immediately arose. Can a sitting president be sued for conduct that allegedly occurred before he took office? In 1997, the Supreme Court said yes. The president had argued *executive privilege*. This is a doctrine that grants presidents *immunity* from lawsuits by people who are adversely affected by presidential decisions. The Court said that this doctrine only applies to official actions. A lawsuit against a president involving unofficial conduct had never gone to trial in the history of this nation. (Presidents Theodore Roosevelt, Harry Truman, and John Kennedy were subjected to lawsuits for their private actions, but in each case, the lawsuit was settled or dismissed after the defendant assumed the presidency.)

Leave the President Alone, at Least While in Office, Some Say

Many Americans do not agree with the Supreme Court's decision. They believe that a sitting president should be left alone. The public interest demands that presidents use their undivided time and attention to carry out their public duties.

Also, lawsuits against sitting presidents involving their behavior before taking office could be politically motivated. Given that Americans are suing more often, we may find future presidents routinely being bothered by lawsuits based on unofficial conduct prior to taking office. Many of these lawsuits could be started by political opponents simply to harm or to destroy a president's reputation. Even if the lawsuits are later shown to be without merit, the damage would already be done.

Finally, such lawsuits subject the head of the executive branch to the orders and schedules of

the judicial branch. This is contrary to the constitutional separation of powers.

No Person Is above the Law, Others Insist

Those who agree with the Supreme Court's 1997 decision argue that the president is not above the law, even with respect to private conduct. Presidents, like everyone else, should be accountable for their actions.

Furthermore, if a private lawsuit had to wait until a president was no longer in office, the suit could be delayed as long as eight years. By then, the plaintiff's chances of proving the case could be severely weakened. Key witnesses could forget important details. Witnesses might even die before the suit could go forward.

In any event, the constitutional separation of powers is not an issue. The courts routinely use the power of judicial review to invalidate official actions of presidents. If *official* presidential actions are subject to judicial review, then the courts can determine the legality of a president's *unofficial* conduct as well. Courts can always manage a case so as to minimize the demands on the president's time.

YOU DECIDE

1. How does the doctrine of executive privilege further the interests of the nation? What might happen if this doctrine did not exist?
2. Suppose that you had been harmed by a person who later became president. Would you be willing to sue the president while the president was in office, or would you wait until the person stepped down from the presidency to bring the suit? Give reasons for your answer.

been passed by Congress as part of President Franklin Roosevelt's New Deal Program. In 1952, the Court held that President Harry Truman could not issue an executive order unless it was provided for by the Constitution or by an act of Congress. In 1975, the Court upheld limits on the power of the president to impound funds appropriated by Congress.

The Court has also set limits on a president's claim to executive privilege—the special right to withhold information. Presidents usually claim executive privilege based on the need for secrecy in carrying out foreign affairs or in matters of national security. George Washington first invoked the right of executive privilege when he refused to turn over to the House of Representatives his own papers and documents on a matter of diplomacy on the grounds that Congress was not constitutionally entitled to them. In 1974, in the Watergate scandal, President Richard Nixon claimed that executive privilege entitled him to keep his White House tapes and other materials from Congress and even to prevent his officials from testifying before Congress. In *United States v. Nixon* that same year, the Court ruled that the president could not use the doctrine of executive privilege to withhold evidence in a criminal trial.

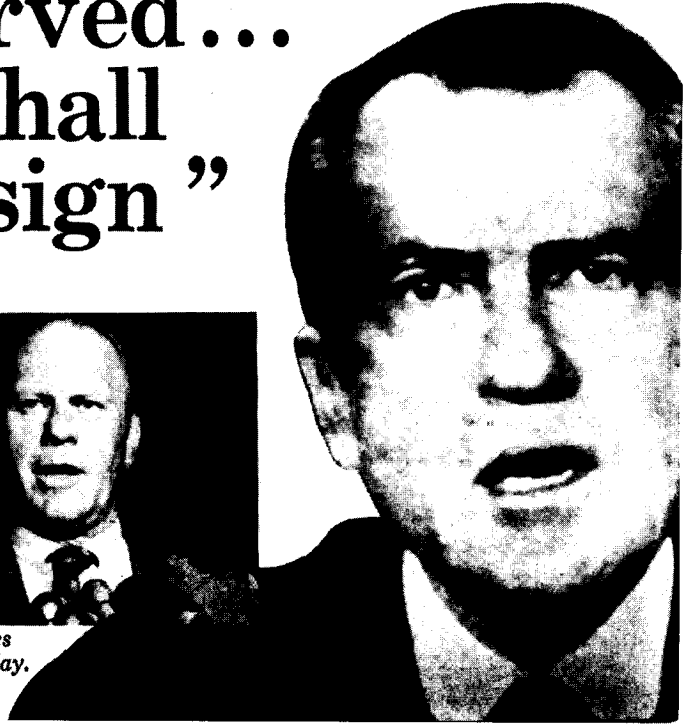
In 1997, President Bill Clinton argued that executive privilege should make him immune from lawsuits brought against him for conduct alleged to have occurred before he became president. In *Clinton v. Jones* (1997), the Supreme Court held that executive privilege only applies to *official* presidential actions—actions that the president undertakes while in office—and that the lawsuit could go forward.

The fact that the Senate must approve judicial appointments made by the president limits the president's ability to shape the Supreme Court. Usually, presidents nominate justices who are acceptable to congressional leaders and to their supporters. Also, the justices chosen for the Court are not bound to follow the policies of the president who appointed them. Because the Supreme Court is an independent body, the justices may follow their own interpretations of the law. In fact, sometimes,

“The constitutional process has been served... I shall resign”



Ford Takes Office Today.



▲ This headline quotes Richard M. Nixon as he resigns the presidency under the shadow of Watergate. Do you think that Nixon would have been impeached had he stayed in office?

the persons appointed to the Supreme Court disappoint the presidents who chose them by taking opposing views. For example, President Dwight D. Eisenhower appointed Earl Warren as chief justice in 1953. Warren soon moved away from Eisenhower's conservative stand on social issues and led the Court in many liberal decisions that were disliked by the Eisenhower administration.

Political Limitations

One of the most severe restraints on the president is not legal but political. Public opinion and media atten-

tion put pressure on the president and can greatly influence how power is exercised. Without favorable public opinion, a president cannot succeed in carrying out a political program, especially if the president would like to run for a second term of office.

A good example concerns President Clinton's desire to change the health-care system in the United States. During his first term in office, he made health-care reform a major policy goal. He discovered, however, that many Americans did not favor the changes that he was proposing. He decided to abandon the issue.

The president's party also imposes political limitations on presidential actions. This is particularly true during a president's first term. Presidents who want to be renominated for second terms cannot turn their backs on their political parties. Thus, if a president's policy actions reduce the effectiveness of senators and representatives who belong to the president's party, then the party may not support the president in the next election cycle. But suppose the president is serving a second term. In that case, the party may not support the president's choice (often the current vice president) as the party's next presidential candidate.

Despite congressional, judicial, and political limitations, the office of president of the United States remains the most powerful one in the world. This power is derived from the Constitution, from institutional sources, and from the actions of strong presidents in the past. The president uses this power to perform many functions and fulfill many roles. As you can see, along with these powers comes the burden of enormous responsibility.

SECTION 3 REVIEW

1. How can Congress limit the president's powers?
2. Which U.S. president has been impeached? What was the result of the impeachment trial in the Senate?
3. How can the Supreme Court limit the president's powers?
4. **For Critical Analysis:** Historically, Congress has only overridden presidential vetoes 7 percent of the time. Does this mean that Congress is not

sufficiently checking the president's power? Why or why not?

★ ★ ★ ★ Chapter Summary ★ ★ ★ ★

Section 1: Presidential Powers

- The Constitution grants broad powers to the president.
- The presidency has derived additional powers from the fact that the president has access to persons and control over many resources, such as jobs.
- Certain presidential powers that are today considered part of the rights of the office were simply assumed by strong presidents and then carried on by their successors.
- The media have also enhanced the power of the president.

Section 2: The Many Presidential Roles

- The president serves the dual roles of chief of state and chief executive.
- The president is commander in chief of the armed services and, as such, has certain war powers.
- As chief diplomat, the president has the power to negotiate and sign treaties with other countries, but the Senate must approve the treaties by a two-thirds vote. The president also has the power to recognize the governments of other countries.
- As chief legislator, the president has become a major shaper of the congressional agenda. The president is also a political party leader and politician.

Section 3: Checks on the President's Powers

- To avoid any misuse of power, the framers of the Constitution built in a system of checks and balances.
- Congress has the power to override the president's veto.
- Congress also has the "power of the purse" and the ultimate power of impeachment.
- The Supreme Court has the right to review the president's actions.
- Because the Senate must approve judicial appointments, the president's ability to shape the Supreme Court is limited.
- Public opinion and media attention also serve as a check on presidential power.

