

# Should there be any specific limitations on the powers of the president

[Science](#), [Social Science](#)



Module Should there be any Specific Limitations on the Powers of the President? INTRODUCTION There has been a lot of debate recently and in the past concerning the limits of presidential powers and what American legislators can do to stem abuse of power by the president. Over the past 40 years, since the Nixon presidency, there has been renewed interest in presidential powers, potential abuses and how best to limit them, if possible. According to most scholars, Congress is the biggest and probably only obstacle between the president and abuse of power. In this paper, the writer will discuss the dynamics involved in presidential powers and argue whether there should be specific limits on presidential powers.

Thesis Statement: There should be a specific limit on the powers of the president.

## DISCUSSION

Americans hold consultations in high regard, and it is even required by the Constitution. Consultation, decision-making and deliberation are fundamental concepts in the Constitution, with frequent mentions of participation and collective approaches to situations. Even the Constitution itself is the result of consultation among past leaders (Meter 102).

Successive presidents have disregarded the need for greater consultation and acted without consulting Congress or the Senate. Limiting the president's power should be a priority for the American public and Congress to prevent impunity from creeping into the presidency. More often than not, presidents get away with individual decisions that go against the consultative spirit of the Constitution (Meter 96).

## WATERGATE

The Watergate scandal brought a halt to the “ imperial presidency” and the concentration of presidential power. However, it appears that this halt was only temporary. In the wake of the scandal, Congress enacted multiple laws meant to change the political process. Revelations during the Watergate inquiry into money-laundering convinced Congress to allocate public financing of national elections, limits on private campaign donations and spending, public revelation of sources of financing, and to implement campaign finance regulations through an autonomous Federal Election Commission. The Watergate scandal acted as an eye-opener for Congress, pushing it to do more to protect American people from power-hungry executives. The decision by Nixon to order wiretapping of Democratic Party headquarters symbolized to Congress and other legislators – the early indications of concentration of power and increasing abuse of power by presidents. Nixon clearly violated the law and ethical standards of the office of the president of the United States by ordering domestic espionage, which is illegal in the United States.

His impeachment and subsequent resignation were a watershed moment in the quest to limit presidential powers, and Watergate is an example of why presidential power should be limited. Watergate led to many attempts to curb presidential powers. For example, today, to make it simpler for the Department of Justice to probe crimes in the executive arm, Congress now requires that the attorney general appoint a special prosecutor to probe accusations of illegal activities by the executive. Congress also formed a Congressional Budget Office and explicitly barred a president from impounding funds without prior approval from Congress. Congress also

created more committee discussions and passed the Freedom of Information Act to allow the American public and media to request the declassification of state documents.

#### KILLING OF AMERICAN CITIZENS AND HIT LISTS

The Constitution clearly forbids the president from ordering the killing of American citizens, especially on American soil. However, in 2010, the New York Times reported that President Obama had ordered the killing of an American cleric - Anwar al-Awlaki - for engaging in and encouraging terrorist activities in and against the United States (Shane 1). According to the article, it is extremely rare - virtually unprecedented - for a president to approve an American for targeted killing (Shane 1). However, the president did. Reasons given for the move were that international law, which the US is subject to, allows the use of lethal force against persons or groups that pose a potential threat to a country. Proponents of the move also argued that Congress ratified the use of military force against Al Qaeda after 9/11, and this includes people cooperating with Al Qaeda. Since people on the list are seen as military enemies of the state; they do not receive the protection of the ban on political assassinations that was first ratified by President Gerald Ford (Shane 1). However, this is just a way for the president to circumvent the law, which still outlaws the president from ordering the targeted killing of American citizens. This is another case of abuse of power. The case of hit list also applies in this case (Becker and Shane).

#### CONCLUSION

Congress has a responsibility to the American people to protect their interests and safeguard the country from being engulfed by vested interest.

The president's office is honorable and should be respected, but it is not an absolute position (Meter 338). Imperial presidencies begin with personal decisions such as taking the country to war without consulting the right entities. There should be a specific limit on the powers of the president; especially concerning military activities.

#### Works Cited

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