

# Diminish presidential power



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The factors that affect the power of a president are diverse. Power is a fluid concept that moves in cycles and changes with circumstance both within terms of office and from president to president. The president's powers are numerous and are largely defined within the Constitution. The president is the Commander in Chief, has power to sign treaties with foreign nations, appoint members of the Supreme Court as well as various other elected officials and also can veto legislation passed by Congress. These formal powers are accompanied by many other, less codified powers such as setting the agenda for congress and to a large extent determining the direction the country travels in all policy areas as well as bargaining with congress regarding legislation.

Inherent within the American system of government are various Checks and Balances that assure that presidential power is regulated and restrained. These inherent checks and balances, such as the ability for congress to impeach a president and the separated system of government, all play roles in formally regulating presidential power. Formal restraint however is coupled with those factors that are not built into the system but arise from more informal sources such as presidential failing. For example scandals, the economic environment the president faces at that particular moment in time, and popularity both with party and public. It is a combination of these factors that ultimately decide the remit for which a president can manoeuvre and the subsequent power they can wield. This essay will asses a variety of factors affecting presidential power, from those inherent to a separated system and those brought about by the mistakes of presidents themselves.

The first factor that has a direct effect on the power of the president is public opinion. The president is the overarching political figure within American society and thus any positive or negative situation the president is involved in has a direct impact on his ability to pursue his policies within Washington. “ The People look to the presidency for leadership and reassurance... toughness, competence and decisiveness” (Dye, 2000: 270), therefore any instance that affects these vital characteristics is directly linked to presidential power within Washington. Abraham Lincoln summarises the importance of the need to be popular with the electorate in order to fully facilitate power. “ Public sentiment is everything. With public sentiment nothing can fail, without it nothing can succeed,” (Dye, 2000: 274) this illustrates the inherent link between public support and power.

Presidential scandals are some of the defining examples of how diminishing in public support can act directly as restraint on presidential power. The Watergate scandal of 1972 is no more apt in demonstrating this point. The scandal was a culmination of various illegal activities pursued by the Nixon administration, however now usually centres on the break in of the Democratic National Committee headquarters within the Watergate building and the subsequent attempted cover-up by the administration to ensure re-election to office that followed. Nixon although won successful re-election was forced to pay the ultimate price for involvement with the unlawful activities.

The Watergate scandal sacrificed Nixon’s public support, “ Public moral in America was low. Distrust of politicians was rife.” (Hardin, 1974: 142) This is encapsulated by opinion polls suggesting that only 13 percent of peoples

expressed confidence in the executive branch of government. (McKay, 2005: 215). Public support although not alone in bringing the Nixon administration down, due to the illegality of activity, left the president a lame duck and ultimately made impeachment proceedings much easier. In this case we can see how presidential power can be greatly diminished due to scandal. “Nixon mortgaged every aspect of his influence- prestige, reputation ultimately formal powers” (Neustadt, 1991: 212), these sacrifices on Nixon’s behalf lead to resignation from office and thus the surrendering of all powers due to loss in public faith and almost certain impeachment.

The Watergate scandal however did not only curtail the presidential power of Nixon himself but also had a considerable diminishing effect on the power of following presidents. Congress recognised that the president’s role had expanded greatly, which had led to the abuses of power experienced in the Nixon administration and thus took steps to increase power of congress in light of recent presidential power abuse. These included the Budget and Impoundment Control Act which limited the control the president had over unspent budget funds and also the War Powers Act which diminishes the power of the president to make troop commitments. The Watergate scandal had direct effects in diminishing Nixon’s power but also led to post Watergate presidents power being constrained as a direct consequence of the scandal. (McKay, 2005: 290-291)

Despite this however scandal does not always have the same diminishing effect on the power of a president. The presidency of Bill Clinton was tainted by allegations surrounding his private life, namely an extramarital affair with Monica Lewinsky. Clinton’s approval ratings however remained at 60 percent

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or above for the entire year of the scandal with a peak of 73 percent post the impeachment vote (Dye, 2000: 275). Clinton's popularity with the public undoubtedly provided a more powerful mandate to govern in Washington despite the impeachment proceedings. Clinton can be seen as having the public backing in this case thus strengthening his power by being able to gain more leverage within Washington due to his popularity. This case directly mirrors the public during the Watergate scandal which had the ultimately lead to the complete dissolution of all Nixon's powers through forced resignation.

Although Clinton's power as a president may not have been reduced through the Lewinsky scandal some more formal powers were indeed weakened by the scandal, thus reflecting some of the post Watergate power restricting measures. The ability for a president to face civil trial while in office was introduced coupled with the ability of secret service guards to testify against a president in court, all eroded the president's powers formally but Clinton's power politically as a president can be seen as largely undamaged by the Lewinsky scandal.(Genovese, 2001: 189).

Clinton's ability to survive the scandal within the public eye can also be seen through another great source of presidential power; the economy. Clinton's presidency was coupled with the " longest economic boom in history", (Genovese, 2001: 187) this enabled a reduction in the budget deficit.

Clinton's power was thus enhanced through the ability to peruse a wider ranging policy initiative having greater power as policy initiator. A stable economy also helps explain Clintons power through public approval as " solving economic problems ranks high on the American public's roster of

priorities” (Cronin, 2004: 81), thus through low unemployment, coupled with low inflation enhanced power can once again be attributed to the president through public support.

This however was not the case for President George Bush Senior. Bush inherited an immense budget deficit following the presidency of Ronald Regan who followed a tax cutting yet military expansive presidency resulting in massive debt that ultimately put a strangle hold on the power of the following president. This directly affected the power Bush had over policy and only allowed a much more “ cooperative bargaining and coalition-building” (Genovese, 2001: 184), style of approach to make headway as president rather than being the policy initiator as in Clinton’s case. Bush thus suffered a considerably diminished power as president through the weak nature of the economy.

The American system of government and also style of politics acts also as a factor in either enhancing or diminishing presidential power. The American system is separated, with three branches of government, namely the Executive (president), legislature (Congress) and Judiciary, all separate but equal branches of government. This separation of powers is coupled with the relatively weak party allegiance within American political life, thus despite having control of both the Executive and the Congress this does not guarantee legislation will be passed due to the diverse nature of American political view across the country differing from state to state. This system and also weak party allegiance weakens the president’s powers by making it much harder to get flagship policies through Congress. For example Bill Clinton’s health care reform bill. This plan was a flagship policy of Clintons

campaign, however despite majorities in both chambers of Congress the bill was ultimately rejected or at least amended beyond recognition, which led to its rejection by the White House. Therefore within the American System the power of the president is diminished through often an unfruitful struggle with Congress to pass legislation due to the natural presidential congressional rivalry.

Another factor that establishes levels of presidential power is the issue of war and crisis. This factor can once again be linked back to public opinion and thus success or failure within Washington. An example of how war can ultimately cripple the power of a presidency through a rapid deterioration in public support is President Lyndon Boyd Johnson. Johnson's early presidency had been greeted with much excitement and wielded a great success, through not least the signing of Civil Rights Act however "after such a sterling start, after such great success the blunder of Vietnam would overwhelm him and the nation", (Genovese, 2001: 157). Johnson's failure in Vietnam completely overshadowed any success he had at achieving through what he described as "The Great Society". This vision had hoped to expand the power of the president as being more active in a wider ranging policy structure. However failure in Vietnam and the negative public opinion of this failure ultimately diminished Johnson's power and undermined his chances of being re-elected thus leading him not to stand again for office.

On the other hand war or at least crisis can, in the right circumstances have an enhancing effect on presidential power through renewed public support. This was the case for President George W Bush following the 9/11 terrorist attacks and the subsequent war on terror. Post 9/11 "Power Shifted to the  
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White House, as the Public, Congress and much of the world community rallied behind the president,” (Cronin, 2004: 137). This gave the president a more pragmatic role in the legislative procedure and enabled the Patriot Act to be passed through Congress within just 45 days of the attack. This symbolises the renewed power the president had due to the time of crisis to rapidly move congress and the country in a new direction and in some cases undermine civil liberties in order to fulfil the new role expected of the president as reacting to disaster in a powerful way. This enhanced power due to the crisis of 9/11 was also endorsed through public opinion polls which “received a huge boost” (McKay, 2005: 215) following the attacks.

Presidential power is a hugely complex concept as is affected by many diverse factors. Presidential power does not remain at the same equilibrium over time but is either enhanced or diminished due to individual circumstance such as scandal or long running trends such as the shape of the economy. Presidential power however is as we have seen indivisible from public opinion for it is public opinion which often inspires the difficult task the president has at guiding legislation through congress or indeed aids in legitimising impeachment processes. Although not directly discussed in this essay interest groups also have a long term defining role in the power of presidents for it is these groups within a pluralist system such as the USA that constantly exert influence and thus enhance or diminish presidential power on the ability to pass legislation. This essay has demonstrated a number of factors that affect presidential power and has ultimately shown that power fluid concept that is enhanced and diminished through



generations and is always dependant on individual circumstance although can also be evaluated through more general long term trends.

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