

# (5.3 / 5.4) - Powers of the President

*U.S. Government and Politics*

# Essential question for this unit

- *What makes a good leader?*

# Review Presidential Roles

\* ***First SIX roles all come directly from the Constitution***

- 1) Chief of State
- 2) Chief Executive
- 3) Chief Administrator
- 4) Chief Diplomat
- 5) Chief Legislator
- 6) Commander in Chief
- 7) Chief Economist
- 8) Chief of Party
- 9) Chief Citizen

# Growth of Presidential Power

- The presidency is regularly called “the most powerful office in the world,” and it is. However, is this what the Framers had in mind when they created the post in 1787?
- In Philadelphia, they purposely created a single executive with very broadly stated powers.
- The system of checks and balances prevents any branch of government from having unlimited power.

# Growth of Presidential Power

- **1800s**

- Presidents took a restrained approach to leadership.
- Congress would lead the policy process.
- Presidents were limited to powers expressed in Constitution.
- Andrew Jackson and Abraham Lincoln were exceptions to this.

- **Early 1900's**

- T. Roosevelt believed Presidents should be able to do everything except what the Constitution prohibited.

- **1932 election and Great Depression**

- Limited approach to presidency was shattered

# Growth of Presidential Power

- **Reasons for Expansion**

- **Vagueness of the Constitution**

- *Stronger presidents taking action (ex. Lincoln and two Roosevelts)*

- **Expansion of the executive branch**

- **Nation's increasingly complex economy and society**

- *More population, new technology, etc.*

- **Need for immediate and decisive action in times of crisis**

- **Congress passing laws that have grown the Federal government**

# Executive Power

- Critics have called the Chief Executive “the imperial presidency”
  - *Actions taken without consulting Congress or seeking its approval*
- Critics of the imperial presidency worry that Presidents have shifted the balance of power between the executive and legislative branches
- Supporters of a strong presidency say this is needed due to new challenges and opportunities of the 21st Century

# Domestic Powers of the President

- Power to execute the law

- *President charged with enforcing/administering/carry out federal law*

- Power of appointments and removal

- *Ex. Ambassadors, cabinet members, judges*

- Power of clemency

- *Judicial power - grant reprieves, pardons*

- Power to recommend legislation

- Power of the veto



# Power to Execute the Law

- Thomas Jefferson wrote this to a friend in 1789: “The execution of the laws is more important than the making of them.”
  - In executing and enforcing the law, the executive branch interprets it.
  - The power to execute the law does give the chief executive extraordinary authority.

# Power to Execute the Law

The complexity of problems facing the government of the U.S. has led to more discretion being given to the president by Congress.

- **Executive orders** = directives, rules, or regulations that have the effect of law

Challenge of balancing important conversations vs. transparency to the public.

- **Executive privilege** = inherent power of the President to refuse to disclose certain information to Congress or to the federal courts

# Domestic Powers of the President

## WHO GETS THE JOB?



### PRESIDENT NOMINATES

- White House staff conducts search for candidate.
- Key experts provide White House with information and guidance.
- President selects nominee and submits choice to Senate.



### SENATE COMMITTEE EXAMINES

- Nominee testifies before appropriate Senate committee.
- Majority vote required before nominee is recommended to Senate.



### — ENTIRE — SENATE DEBATES

- Full Senate considers the nomination.
- Senators debate the nominee's qualifications.
- If Senate strongly opposed, President may withdraw nomination or nominee may bow out.
- Floor vote is taken.



### NOMINEE CONFIRMED

- A simple majority Senate vote approves nominee.



### NOMINEE REJECTED

- Nominee does not get a simple majority and is rejected.

# Foreign Powers of the President

- Presidents have come to dominate the field of foreign affairs through the use of the powers of the office.
- In major part, this has happened due to the constitutional power as commander in chief.

# Foreign Powers of the President

- **The Power to Make Treaties**

- *Must be confirmed by the Senate*

- **Executive Agreements**

- *Pact between the President and the head of a foreign state*

- **The Power of Recognition**

- *Acknowledge the legal existence of another country / government.*

- **Commander in Chief**

- *Does the Constitution give the President the power to make war without Congress?*

# Conclusions / Takeaways

- Quick write and report out:
  - Summarize the domestic and foreign powers of the President - make sure to use specifics!