

## The Presidency: Powers and Practice

### The Presidency as Crisis Management

- On December 1, President Barack Obama issued his controversial plan to send 30,000 more troops to Afghanistan to, as he put it, “disrupt, dismantle, and defeat al Qaeda in Afghanistan and Pakistan.
- Ten days after the announcement, Obama flew to Oslo, Norway, to accept a Nobel Peace Prize, an honor that had been bestowed unexpectedly the previous fall amid, as the president acknowledged, “considerable controversy.”
- Obama flew to Copenhagen to secure some kind of international accord, even bursting unannounced into a meeting with Wen, Singh, and leaders of Brazil and South Africa.
- As a consequence, Obama spent much of Christmas in briefings, holding a press conference days later to decry “human and systemic failures” in intelligence gathering and to jump-start an investigation.
- Former Vice President Dick Cheney accused Obama of “trying to pretend we are not at war” with terrorists.
- As a former official in the George W. Bush administration put it, “There’s the pace. There’s the hours. There’s the intensity. There’s the anxiety. There’s the pressure for results. I used to get up at 4 a.m. every day. It was like being shot out of a cannon.”

### National Constituency

- Presidents have one unique political asset: They fill a position elected by a national constituency.
- One Republican strategist acknowledged the president’s advantages: “We’ve learned that it’s nearly impossible to frame the national debate from the lower chamber of the legislative branch.
- “Lower taxes and greater investment will help the economy expand,” reasoned Bush in that year’s State of the Union address. Democrats argued that it would increase the country’s fiscal deficit, with some pronouncing the bill “dead on arrival.”
- Presidents are expected to conduct foreign policy, manage the economy, administer a complex bureaucracy, promote desired legislation, respond to disasters, and address an endless variety of real and imagined social problems.
- President George H. W. Bush, for example, enjoyed foreign policy triumphs equaled by only a few of his predecessors.

### Partisan Support in Congress

- As a consequence, when presidents have larger majorities in Congress, they are more likely to get their proposed legislation approved.
- Still, political scientists have debated whether it is good or bad to have divided government—control of the presidency by one party and control of one or both houses of Congress by the other.

- As Republican Texas Senator John Cornyn put it, in the election “Republicans have a big opportunity to help restore checks and balances to Washington, DC.”

#### Separate Institutions Sharing Power

- For instance, Bill Clinton was unable to persuade a Democratic Congress to enact his healthcare reform proposals, and ten years later, President Obama fought for every last vote to enact a healthcare reform law that was finally adopted after a prolonged, politically costly debate. George W. Bush was unable to pass a Social Security reform measure through a Republican Congress. More than 80 percent of the time, presidents either fail to secure passage of their major legislative agendas or must make important compromises to win congressional approval. As presidential scholar Charles Jones has observed, “Presidents don’t pass laws; they work with, alongside of, or against the House and Senate.”
- Theodore Roosevelt sighed, “Oh, if I could only be president and Congress, too, for just ten minutes.”
- Facing a Republican Congress in 1995, President Clinton angrily charged congressional leaders with trying “to destroy the ability of the federal government to address the problems facing America—to move the country forward, to move the country together.”
- The result is a government of “separated institutions sharing powers.”

#### The Power to Inform and Persuade

- **Presidential Power:** *The President “shall from time to time give to the Congress Information of the State of the Union.”*
- **Congressional Check:** *None*
- Modern presidents rely on hundreds of speeches each year to set forth their vision of the country’s future, but the most prestigious and formalized address is the State of the Union address, which is given annually, in late January or early February. In this speech, the president usually outlines his legislative and foreign-policy priorities for the coming year.

#### Early Use of Persuasion Power

- Instead of using public rhetoric, Jefferson, a master politician, invited members of Congress to the Executive Mansion (later called the White House) for dinners at which he would persuade them to support his political agenda. Not until Woodrow Wilson addressed a joint session of both houses of Congress in 1913 did it become a regular practice for presidents to report in person on the state of the union.

#### Modern Persuasion Power

- Roosevelt made frequent use of what he called the “bully pulpit” available to presidents. (*Bully* was nineteenth-century slang for “excellent.”)
- Roosevelt suggested that, like a preacher, the president could use his position to move his “congregation”—the public—to action.
- Although, as one historian has noted, “The number of laws [Roosevelt] inspired was certainly not in proportion to the amount of noise he emitted,” the president did generate critical public support for conservation measures, anti-trust suits, and the Panama Canal project.
- Presidents since Teddy Roosevelt have increasingly used the bully pulpit to persuade Congress and the public.
- To take advantage of the president’s public speaking skills, the Kennedy administration began to televise his press conferences, a step that one newspaper reporter grumbled was “the goofiest idea since the hula hoop.”
- He understood that there is but “a thin line between politics and theatricals.” As Reagan once said, “I’ve wondered how people in positions of this kind manage without having had any acting experience.”
- Obama traveled to a Wisconsin middle school in November 2009 to announce education initiatives, for example.

### The Veto Power

- **Presidential Veto Power:** *Before any law “shall take effect,” it must be “approved by” the president.*
- **Congressional Check:** *Unless “repassed by two-thirds of the Senate and House of Representatives.”*
- The president’s veto power is more concrete than is the power to inform: It gives presidents the capacity to prevent bills passed by Congress from becoming law.
- But Congress usually fails to muster the necessary two-thirds vote in each chamber to pass an override, which makes the bill a law despite the president’s veto. Since the Kennedy administration, Congress has overridden approximately only one out of every ten vetoes. Only two of President Clinton’s 37 vetoes and four of President Bush’s twelve vetoes were overridden.
- But Bush used the threat of the veto in negotiations with Congress over such issues as homeland security legislation and reconstruction funds for Iraq, and Obama vowed to veto healthcare legislation if it added to the deficit.
- If Congress enacts a law ten days before it adjourns, a president may exercise a pocket veto by simply not signing the bill into law.
- Even Barack Obama’s 2009 pocket veto of a minor appropriations measure prompted substantial grumbling from members of Congress.
- For example, in 2005 George W. Bush opposed a congressional ban on “cruel and inhumane treatment of prisoners,” arguing that the law would unduly tie the hands of the military. But he signed the measure anyway because it was attached to an important military spending bill.
- Because Congress can artfully package laws in this way, many people favor giving the president the line item veto—the authority to negate particular provisions of a law while letting the remainder stand.