

The Presidency

Three Constitutional Qualifications (formal qualifications)

- “Natural born citizen”
- 14+ years lived in the United States
- 35+ years old

Term

- Four year term
- Eligible for reelection once
- Two terms was an unwritten precedent set by G. Washington
- FDR only president to serve more than two terms
- **22nd Amendment** (1951) formalized this rule

| <u>Traditional Expectations</u> | |
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The Presidency

Selection and Succession

- The Founding fathers sought balance between views of the people and control by professional politicians
- Most felt that people were unable to make a wise choice
- Many felt that the popular candidate would not be the best choice for president

Electoral College

- Most states – candidate that wins the majority of the popular vote in the state, wins **ALL** of that state’s electoral votes
- A candidate must have 270 out of 538 to win
- Number of electors based on the number of senators and number of representatives (in CT – 5 + 2 = 7)
- Only a few states split votes (ex. ME)

Criticisms of the Electoral College

- Division of votes not fair
 - some states have a greater percent of voters than population dictates
 - large states carry too much importance
 - only 11 most populous states needed to win
- Winner of overall popular vote could lose the election (four time including 2000)
- Why not change? Amending the Constitution is not easy.

Presidential Succession

- Constitution states that only the “powers and duties” of the office, not the office itself “devolve to the vice president”
- *Presidential Succession Act (1947)* – provides for the Speaker of the House to succeed if both the President and Vice President are unable
- *25th Amendment (1967)* – formalizes succession by the Vice President et al.

Vice Presidency

- Few Constitutional duties
 - Presides over the Senate (can vote to break a tie)
 - Helps decide presidential disability
- Responsibilities and influence dictated by the current president
 - Typically selected for ability to help candidate win election
 - Most often asked for advice

The Presidency

Powers of the President

- ***Chief of State***
 - President acts as ceremonial head of the government and he stands as the representative of all of the people of the nation.
 - Example:

- ***Chief Executive***
 - The President is head of the executive branch and manages the Federal Government including all military forces.
 - Example:

- ***Chief Diplomat***
 - The President sets the nation's foreign policy.
 - Example:

- ***Party Leader***
 - As the official head of the party, the President sets policy or is the spokesperson for the party
 - Example:

- ***Chief Legislator***
 - The President helps to determine the Congress' agenda.
 - Example:

- ***World Leader***
 - The President is expected to work hard for and to represent the interests of democracy around the world.
 - Example:

- ***Chief Economist***
 - The President appoints individuals and sets economic policy.
 - Example:

The Presidency

Limitations of the President

- **Congress**
 - Through separation of powers and checks and balances, the Congress can limit the powers of the president.
 - Examples:
 1. impeachment
 2. impound
 3. Not accept a presidential appointment or treaty
 4. War Powers Act

- **Judiciary**
 - Through separation of powers and checks and balances, the Supreme Court can limit the powers of the president.
 - Examples:
 1. Supreme Court can declare a law signed by the president unconstitutional (Line Item Veto Act)
 2. preside over impeachment trial in the Senate

- **Public Opinion**
 - The way the public perceives the president has an effect in how much he can get done or things he can do.
 - Examples:
 1. President Clinton left office (even after scandal and impeachment) with a 60% approval rating)
 2. Before the midterm elections in 2006, President Bush's approval rating was 32%

- **Bureaucracy**
 - The hired (non-elected) part of the government. These people interpret and enforce the rules created by the elected part of the government. In theory, they do an "exact" implementation based on the letter and spirit of decisions made by the elected government. In practice, they do pretty much what they want. A good example is the Internal Revenue Service. There are thousands of tax laws. The IRS seems to selectively enforce them.
 - Examples:
 1. The EPA (environmental protection agency) passes a regulation that goes against President Bush's environmental policies.
 2. The CIA (central intelligence agency) adopts a policy of torturing detainees which the president is unaware of.

- **Media**
 - The media can help steer public opinion or set an agenda by choosing what and how to cover stories.
 - Examples:
 1. The media continues to cover global warming even though the Bush administration is skeptical of its existence.
 2. The media continues to cover the story of attorney general Alberto Gonzales and his office's firing of federal prosecutors.