CHAPTER THREE

The Executive Branch: The President and the Bureaucracy

CHAPTER OVERVIEW

This chapter stresses the contrasting public perceptions of the presidency, its historic evolution and various “types” of presidents, and presidential “hats” that he wears, such as “Chief Diplomat,” “Party Leader” or “Commander-in-Chief.” The chapter outlines the constitutional role of the president, the history of the presidency, and his influence over public opinion. The presidential relationship to the executive bureaucracy is explored, following the theme of the bureaucracy as both a tool of and a limit on presidential power. Finally, a case study on President Clinton’s trip to Africa highlights a chief executive’s role in foreign policy, and setting the public agenda through the media closes out the chapter.

LEARNING OBJECTIVES

After reading chapter 3, the student should be able to:

1. Explain how constitutional provisions affect the performance and responsibilities of the president.

2. Review those key events that shaped the evolution of the presidency.

3. Categorize presidents according to the “Buchanan,” “Lincoln,” and “Eisenhower” approaches as well as the James Barber typology.

4. Examine and describe the six overlapping presidential “hats.”
5. Explain the significance of the Executive Office of the President, the Cabinet departments, the Executive Agencies, and the Regulatory Agencies.

6. Describe the relationship between the president and the bureaucracy, the problems of the bureaucracy, and its policy-making powers and limits.

7. Explain how a president’s influence over public opinion can influence Washington’s policy agenda.

8. Explain how President Clinton’s attempts to push anti-tobacco policies illustrate the limits of presidential power and why President George W. Bush has been labeled the “no-sweat” chief executive.

9. Comment on the style and policies of President George W. Bush.

10. Explain the origins and purpose of the U.S. Civil Service.

OUTLINE

I. Introduction.
The president is the superstar in the political game. He is the only official elected by the entire country. Yet the public view of him as the nation’s leader has historically led to unrealistic expectations and crushing disappointments. Clinton and George W. Bush are two examples of this fundamental truth.

II. The President and the Constitution. The Constitution grants few specific powers and duties to the president, but vague phrases have been interpreted to greatly enlarge them. Presidential qualifications for office, the concept of a “lame duck,” and the functions (note the disputed 2000 election) of the Electoral College (270 electoral votes are required to be elected) are analyzed (after 2000, there was talk of
abolishing the EC, but to no avail). The duties of the vice president are outlined (presides over the Senate; succeeds the president if death or disability occurs) and the political importance of that office as a step to the presidency is discussed. The “new vice presidency” is mentioned where vice presidents like Walter Mondale, George Bush, Al Gore, and Dick Cheney have played roles of deputy president. Cheney probably became the most powerful vice president in the nation’s history under George W. Bush—he was often referred to as the “prime minister” in the White House.

III. History of the Presidency. The role and influence of the president have expanded far beyond the constitutional conception of a gentleman-aristocrat who would stand above politics. Most members of the Constitutional Convention in 1787 did not even see a political role for the president. Congress was meant to stand supreme, but the responses of presidents to crises have increased the power of the presidency. Washington used residual powers (powers not spelled out in the Constitution, but necessary to carry out other responsibilities) in putting down the Whiskey Rebellion, Jefferson weakened congressional control of foreign affairs by negotiating the Louisiana Purchase, and Abraham Lincoln expanded the role of the president in wartime. Franklin D. Roosevelt’s response to the Depression and World War II (“crisis leadership”) firmly established the modern presidency and its strong leadership patterns.

IV. Types of Presidents

A. “Buchanan Presidents” take a custodial view of their responsibilities, remain aloof from politics, and exercise only those powers directly stated in the Constitution. Taft, Harding, Coolidge, and Hoover are examples (all Republicans).

B. “Lincoln Presidents” are active politicians who take a strong leadership role in crises. They view the presidency as a stewardship--that is, the only limits on presidential action are those expressly stated in the Constitution. But they do not
interpret the Constitution narrowly. Jackson, Theodore Roosevelt, FDR, Truman, Johnson, and Nixon are examples.

C. “Eisenhower Presidents” combine the two types by linking the political inactivity of the Buchanan model with an active role as the chief delegate of the people who organizes and represents a national consensus. Recent presidents have all been active, but have mixed these styles with varying emphases. Some observers saw parallels to Eisenhower in George Bush’s style of leadership. This is sometimes called the “hidden-hand leadership.”

D. Modern Presidents have leaned toward political activism, including Lyndon Johnson, Richard Nixon, and Jimmy Carter. Some have done better in foreign policy than domestic policy (George Bush). President Clinton, in the beginning, initiated an activist administration by proposing a number of new programs, including health care, with mixed success. After the Republican takeover of Congress in 1994, Clinton’s ambitious legislative program stalled, so he compromised with the Republicans on some issues (e.g., welfare), while positioning himself as a bulwark against congressional extremism. George W. Bush, the first president to lose the popular vote since 1888, adopted a detached attitude, delegating responsibility to experienced administrators (see the “No-Sweat” President).

E. A Psychological Approach. Political scientist James Barber has combined the president’s style (his ability to interact) with his character (feeling of self-worth) to come up with four categories of presidents: active-positive, active-negative, passive-positive, and passive-negative. He labels John Kennedy and Jimmy Carter as active-positive. President Eisenhower’s tendency to withdraw from conflict places him in the passive-negative category. Unfortunately, these categories neither reflect the totality of a president’s career nor consider other political forces influencing the presidency (see “Presidential Mama’s Boys”).
V. Presidential Hats
The president’s six overlapping hats/roles have increased in importance over time.

A. Chief of State. This symbolic and ceremonial function is combined with the real powers of the chief executive, thus enhancing the authority of the president and the political influence of his party. In this role, many people see the president as a symbol of the nation.

B. Chief Executive. In theory, the president is in complete control of the huge federal bureaucracy, which employs some 1.8 million civilians, spends over $1.7 trillion a year, and ranks as the largest administrative organization in the world. Criticism of this bureaucracy is widespread, and most modern presidents have made its reduction a goal of their administration. Both Bush and Gore promised to restrain and reform the government.

C. Chief Diplomat. There are fewer checks on the president’s conduct of foreign affairs than in domestic affairs. The president establishes relations with foreign governments, appoints ambassadors, and negotiates and signs treaties that take effect with the consent of two-thirds of the Senate. The Cold War extended the president’s diplomatic responsibility into nearly all areas of society. Investigations of covert actions have revealed the dangers of this trend. The Senate’s power to ratify or reject treaties has been weakened by the use of executive agreements that require no Senate approval or even public disclosure.

Congressional attempts to limit the use of executive agreements have failed, but Congress can refuse to appropriate funds to carry out the agreements.

D. Commander-in-Chief. The president was made Commander-in-Chief in order to maintain civilian control of the military, but in practice, his authority is represented by the secretary of defense
and delegated to the leaders of the military. This role is an important adjunct to that of chief diplomat because of the president’s power to use troops at home and abroad, and because of the size and importance of the defense establishment. Although the Constitution gives Congress the power to declare war, presidents have initiated U.S. large-scale military involvement in both Korea and Vietnam. Reaction to this kind of involvement culminated in the 1973 bill (The War Powers Act), limiting the president’s ability to commit troops abroad. The law’s effectiveness remains uncertain. President Bush ignored the Act in the invasion of Panama and considered it unconstitutional in the 1991 Iraq War. President Clinton also avoided congressional approval when he sent military units in harm’s way to Bosnia and Kosovo.

E. **Chief Legislator.** It was not until the twentieth century that presidents regularly and actively used their constitutional right to initiate legislation in Congress. Presidents often try to control the national agenda by identifying important political issues during the annual *State of the Union* address or during other statements. The president may get support for a bill by using either informal tactics—such as exclusion from social functions and threats to block a member’s special legislation—or his constitutional right to veto legislation. The threat of a veto is often used to force a compromise. Before 1969, one out of every 18 vetoes was overridden Congress. The president has been traditionally limited to vetoing the whole bill, but in 1996 Congress gave the president a limited item veto, the power to veto just parts of the bill he dislikes. But one year later, the Supreme Court ruled that the item veto was unconstitutional. President George W. Bush pushed his tax cut during the first half of 2001, trying to win over Congress with “kindness.”

F. **Party Leader.** The president’s duties as the head of his party are to choose a vice president, to distribute offices, to try to fulfill the *party platform*, and to serve as chief fund raiser and
campaigner. His control is limited, however, by the decentralized nature of American politics. Ultimately, the degree of presidential involvement in party politics is up to him. Clinton kept close control of the Democratic party organization, where George W. Bush managed GOP party affairs through his White House staff.

VI. The President and the Public

A. The President as a National Symbol. The president’s visibility, public exposure, and symbolic importance give him great influence in the political game, but this influence can become a liability if the exposure is unfavorable. The media plays a pivotal and often negative role. This is seen in the ups and downs experienced by many of our most recent presidents.

VII. The Federal Bureaucracy

A. The Executive Office of the President. This department was established in 1939 to help the president manage the bureaucracy and has since grown into a major bureaucracy itself, employing over 1,400 people in eight agencies. The White House staff, whose members are responsible solely to the president, has recently grown in authority at the expense of the cabinet. Andrew Card was the White House chief of staff for George W. Bush. The National Security Council, established to help coordinate the departments of Defense and State in 1947, varies in importance with its use by individual presidents. Under Condoleezza Rice, Bush’s NSC adviser, the NSC “became smaller and less public.” Other councils include the National Economic Council, the Office of Management and Budget, and the Council of Economic Advisors.

B. The Cabinet Departments. Their expansion from three to fourteen has been largely due to the growth of problems that people want the federal government to deal with. The cabinet
has no real power as a body independent of the president. Although many presidents enter office promising to give the cabinet more power, it hardly ever turns out that way. Cabinet officers vary in the degree of control that they have over their individual departments. President George W. Bush has allowed his cabinet secretaries considerable discretion over his departments. Secretaries may act as lobbyists for their departments, such as Colin Powell in trying to increase the budget and prestige of the State Department.

C. The Executive Agencies. The Office of Personnel Management and the National Aeronautics and Space Administration are like the cabinet departments, but are not important enough to be included in the cabinet. Some agencies are government corporations, such as the Tennessee Valley Authority and the Post Office, which are semi-independent units performing business functions.

D. The Regulatory Commissions. Supposedly bipartisan, these relatively independent agencies of the government were established in order to regulate certain parts of the economy (e.g., interstate trade) and to keep them responsive to public interests. Although the president appoints the members of the commissions and chooses who chairs them, the commissions are relatively independent of all branches of government. However, they are often accused of being more responsive to the groups regulated than to the public.

VIII. The Problems of Bureaucracy

A. Introduction. The size and complexity of large bureaucracies makes it difficult to define responsibility, thus inhibiting public scrutiny and control. The necessity for expertise cuts down bureaucrats’ appreciation of a broader view of the public interest. Various remedies have been proposed, such as
consumer pressure groups, to act as watchdogs and move to more local control.

B. Rise of the Civil Service. The establishment of the civil service, a major nineteenth-century reform that emerged after a disappointed office seeker assassinated President James Garfield, has improved the quality of government employees and added stability to government. The “spoils system,” which permitted elected officials to fill government positions, has been restrained by the professionalization of the bureaucracy. Today the president only fills about 5,000 patronage jobs.

C. Bureaucrats as Policy Makers. The “ideal model” of separating policy and administration is incomplete and naive. A bureaucrat is rarely politically neutral; he/she does not merely implement policies initiated by others. Bureaucracies are involved in policy making because they exercise legislative, judicial, and executive power. Thus, the IRS—Internal Revenue Service—holds hearings on tax cases and makes judicial findings.

D. The President and the Bureaucracy. The bureaucracy is a major source of information and power for the president, but its unwieldy structure requires controls and may often work against him. Keeping control over two million employees is a full-time job in itself. Members of the bureaucracy may work to protect their own interests or their departments when threatened by budget cuts. They may ignore the president’s demands, and delay or sabotage his agenda. To gain the support of his bureaucracy, the president must bargain and persuade.

IX. Case Study: An African Visit, A President’s Message
In the midst of his personal troubles at home, President Clinton went on a 12-day trip to Africa—the longest overseas visit of his presidency. Not known as an area of important American interest, the trip spotlighted Africa, emphasizing that there are peaceful, democratic countries on that continent for America to
work with. His trip focused the media and public attention away from scandal and toward Africa—a topic largely ignored by the mainstream press. The trip was a striking example of the unique role of the presidency as a communicator and educator on foreign policy.

**KEY CHAPTER TERMS AND IDENTIFICATIONS**

President Clinton’s anti-tobacco policies
George W. Bush and the disputed Florida victory
Article II of the Constitution
Presidential requirements—35 years of age, a native-born citizen, a U.S. resident for 14 years
Twenty-second Amendment
“Lame-duck”
Electoral College, its role in the 2000 presidential election
“New vice presidency,” Bush and Cheney as an example
Whiskey Rebellion
residual or inherent powers
a “pattern of crisis leadership”
Louisiana Purchase
Buchanan, Lincoln, Eisenhower Presidents (“hidden hand leadership”)
the “stewardship” presidency
“Custodial view of presidential powers”
Barber’s active/passive style; positive/negative character
Chief of State
Chief Diplomat
Executive Agreements
Commander-in-Chief
civilian supremacy over the military
War Powers Act of 1973
State of the Union address
item veto
pocket veto
Chief Executive, Chief Legislator—the “national agenda”
State of the Union Address, Bush’s tax cut in 2001
pocket veto, line item veto (ruled unconstitutional)
party leader
party platform
the “White House” Spin
bureaucrat
EOP--WHO, NSC, OMB, CEA
Cabinet departments
National Security Council
Council of Economic Advisers
impeachment
Executive Agencies--OPM, NASA, CIA
Tennessee Valley Authority
Regulatory Commissions--ICC, FCC, FDA
Internal Revenue Service
“Spoils System”
Pendleton Act or Civil Service Reform Act (1883)
public administration
Clinton’s 1998 visit to Africa

TEACHING SUGGESTIONS

1. Ask the members of the class to define presidential “greatness.” List the characteristics of a great president on the blackboard. Then ask the class to consider whether any or all of these characteristics apply to any recent presidents.

2. Run a videotape of a recent presidential press conference and/or major speech. Ask members of the class to judge how effectively the current president uses television to reach the public and the quality of his relationship with the press. How can a hostile media influence the public image of a president and his administration?

3. Review how the actions of regulatory commissions affect the quality of American life and how they impact the individual citizen. You may
wish to assign a student or two to investigate the actions of a particular commission during the past year or two.

4. Ask a panel of students to evaluate the presidential styles of Bill Clinton and George W. Bush. How do those styles differ and how have those differences affect the public’s image of both men?

5. Review the disputed presidential election of 2000. Ask the students whether they believe the Electoral College should be abolished as a result of what transpired in that election.

SUGGESTED RESEARCH ASSIGNMENTS

1. Form a team of students to investigate how one applies for a civil service job with the federal government. The students can report their findings to the class as a whole. They also could provide copies of application forms as well as fundamental civil service rules and regulations.

2. The popularity of presidents rises and falls over time. Ask students to chart what the public approval rating of the current president was when he entered office and what it is now. Have the students write a short paper accounting for its decline, rise, or stability. See if they can remember what the expectations were when he entered office. What explains these expectations?

3. Ask a student to investigate a recent example of the bureaucracy opposing a presidential directive. The student can report in class why the agency/department worked to stop the presidential action, how they did it, and discuss how the president responded. What were the roles of Congress and the media during the disagreement?

4. Ask a student to investigate how the states and the federal government coped with the issue of electoral reform after the disputed recounts and controversial ballots from the state of Florida in election 2000. Did any states change their voting machinery and procedures? Did the
federal government, especially Congress, try to help the states in developing more efficient voting technology and ballots?

5. How powerful was vice president Dick Cheney under the Bush Administration? What were Cheney’s policy roles? Ask a team of students to review the Cheney performance and its significance for future vice presidents.

MULTIPLE-CHOICE QUESTIONS

1. Thomas Langston believes the public’s relationship with presidents is
   a. cynically manipulated.
   b. realistic.
   c. childish.
   d. a and b

2. Which of the following is not a constitutional requirement for serving as president?
   a. being a resident of the U.S. for 14 years
   b. being a member of Congress for at least one term
   c. being a native-born citizen
   d. being at least 35 years old
3. Which of the following is not true about the Electoral College?
   a. except for Maine and Nebraska, it works on a “winner take all” system
   b. a candidate needs 270 electoral votes to become president
   c. if no candidate receives a majority of the Electoral College, the election is decided by a majority vote in the House of Representatives with each state delegation casting one vote
   d. an elector must vote for the candidate that he pledged to support

4. The Executive Office includes all of the following except the
   a. Council of Economic Advisors
   b. Office of Management and Budget
   c. National Economic Council
   d. State Department

5. Who said that the vice presidency was “not worth a pitcher of warm spit”?
   a. Harry S. Truman
   b. Al Gore
   c. Gary Wasserman
   d. John Nance Garner

6. George Washington’s action in putting down the Whiskey Rebellion
   a. was endorsed by the Electoral College.
   b. is an example of residual powers of the presidency.
   c. was considered unconstitutional at the time.
   d. shows how weak the presidency was before 1803.

7. “Buchanan” presidents
   a. are favored by political commentator Patrick J. Buchanan.
   b. are considered to be the greatest of all presidents.
   c. merge the active and administrative parts of executive power.
   d. view their presidential terms as primarily administrative.
8. Franklin D. Roosevelt is called the first “modern” president because he
   a. ran for three terms.
   b. attempted to pack the Supreme Court.
   c. was the first president to involve the United States in a world war.
   d. established strong leadership patterns in both domestic and foreign policy, and in creating the executive bureaucracy.

9. Executive agreements
   a. unlike treaties, do not require Senate approval.
   b. have decreased in the twentieth century.
   c. require approval by both houses of Congress.
   d. are agreements among officials who head the various agencies comprising the White House Office.

10. The role of Chief of State is most like
    a. the Prime Minister of England.
    b. the Queen of England.
    c. the Secretary of State.
    d. the Chief Justice of the Supreme Court.

11. According to some observers, the “no-sweat” president was
    a. Lyndon Johnson.
    c. George W. Bush.
    d. Ronald Reagan.

12. Which of the following presidents is incorrectly matched with one of Barber’s categories of presidential personality?
    a. Richard Nixon: Active-Negative
    b. Jimmy Carter: Active-Negative
    c. Ronald Reagan: Passive-Positive
    d. Dwight D. Eisenhower: Passive-Negative
13. In which case did the U.S. Congress declare war?
   a. the Vietnam War
   b. the Kosovo conflict
   c. the Persian Gulf War
   d. World War II

14. Which of the following is a true statement about the pocket veto?
   a. it is another name for a regular veto
   b. Congress has an opportunity to override the pocket veto
   c. it operates like an item veto because the “10 day”
      requirement is also involved
   d. the pocket veto is never overridden by a congressional vote

15. Which of the following is true about the Line Item Veto?
   a. it was passed by a Republican Congress as part of the “Contract
      With America”
   b. it could only be used on money bills
   c. it was struck down as unconstitutional by the Supreme Court
   d. all of the above

16. Regarding the Cabinet Departments, which of the following is a true
    statement?
   a. Currently, there are 12 Cabinet Departments.
   b. The EPA was recently elevated to Cabinet-status.
   c. Cabinet officers can be dismissed by the president.
   d. all of the above are true statements

17. The Executive Office of the President
   a. was established in Article II of the Constitution.
   b. was established this century to assist the president in managing
      the bureaucracy.
   c. was an agency that Ronald Reagan tried to abolish when he
      assumed the presidency.
   d. none of the above
18. The National Security Council
   a. was abolished at the end of the Cold War.
   b. works to protect presidents from assassination.
   c. coordinates American military and foreign policies.
   d. was created by George W. Bush in 2001.

19. Cabinet secretaries
   a. serve two-year terms that correspond to the House of Representatives.
   b. hold office as long as the president wishes.
   c. are confirmed by the Senate for up to six years.
   d. participate in all facets of government.

20. The Civil Service system has
   a. basically undermined the spoils system.
   b. weakened presidential controls over the bureaucracy.
   c. both a and b are correct
   d. both a and b are incorrect

21. Which of the following is a government corporation?
   a. United Parcel Service
   b. U.S. Postal Service
   c. U.S. Army
   d. Federal Reserve Bank

22. The problems of government bureaucracy could best be summarized as inefficiency due to the
   a. capitalistic ideology of American government.
   b. overly broad interests of most bureaucracies.
   c. size and complexity of bureaucracies.
   d. unqualified staffs that make up the bureaucracy.
23. The War Powers Act
   a. limited the president’s ability to use troops overseas without Congressional approval.
   b. has largely been ignored by recent presidents.
   c. was passed over Richard Nixon’s veto.
   d. all of the above

24. The Civil Service Reform Act was passed by Congress because
   a. the public cried out against governmental inefficiency.
   b. the president had too much power over his cabinet.
   c. a disappointed office seeker assassinated the president.
   d. the Congress wanted to legalize the “spoils system.”

25. The chapter box study shows that President Clinton’s powers were limited on the issue of
   a. tax cuts.
   b. social security.
   c. welfare reform.
   d. anti-tobacco policies.

26. The “new vice presidency”
   a. delegates more power in the administration to the vice president.
   b. suggests the new role the First Lady plays in politics.
   c. is the term given to a strong Chief of Staff.
   d. is best demonstrated by FDR’s vice president, John Nance Garner.

27. Abraham Lincoln expanded the power of the presidency by
   a. spending money without congressional approval.
   b. creating the Department of War.
   c. signing the Louisiana Purchase.
   d. all of the above
28. After his defeat for re-election, President Bush was
   a. ignored by the Republican party.
   b. a lame duck.
   c. no longer treated as the legal president.
   d. more respected by his successor.

29. President George W. Bush pushed strongly in 2001 for
   a. the North American Free Trade Agreement
   b. a tax cut
   c. a national service program
   d. health care reform

30. Which of the following is not part of the job description of the
    modern president?
   a. Chief Justice
   b. Chief Legislator
   c. Chief Diplomat
   d. Chief of State

TRUE-FALSE QUESTIONS

1. The president and vice president are the only public officials elected
   by the entire nation.

2. The War Powers Act is an example of congressional action limiting
   presidential power.

3. The line item veto was declared unconstitutional by the Supreme
   Court.

4. “Going Public” is an important way that the bureaucracy stops
   presidential action.

5. Some observers believe that Eisenhower and Bush both practiced a
   “hidden-hand” style of presidential leadership.
6. Lame duck status creates sympathy for out-going presidents, thereby making them more popular than when they served.

7. In general, a president’s power over foreign policy faces fewer political checks than his power over domestic policy.

8. All the cabinet departments are outlined in the Constitution.

9. Nameless, faceless bureaucrats only do the job they are asked to do. They never engage in politics or policy making.

10. In 2000, George W. Bush lost the electoral college vote, but won the popular vote.

ESSAY QUESTIONS

1. If “most members of the Constitutional Convention did not see a political role for the president,” what, according to the Constitution, did they see their president doing?

2. Cite some basic reasons why the powers of the presidency have expanded, especially in the modern era. Why have some argued that presidential power has shrunk with the end of the Cold War?

3. What are the six roles of the president? List and explain the significance of each of the roles.

4. Why do you think so many expectations are placed on a president? Are they partially to blame? Is the media? The public? Why is it likely that those expectations will not all be met?

5. Why do presidents usually enter office claiming to support cabinet government? What are the advantages? What are the disadvantages? Why do they change?
6. How and why can First Ladies influence their presidential husbands?

7. What are the major problems facing bureaucracies? Second, what lessons about bureaucracies can be learned from President Carter’s experience with the White House mouse?

8. How did President Clinton’s visit to Africa illustrate the ability of the president to communicate to the public about an important issue?

9. How and why is the bureaucracy both a supporter for the president but also a restraint upon his actions?

10. What is “White House Spin”? Cite an example.