

The Paradox: More power to the President, better American Democracy

The United States of America started off as a few colonies and has become a world super power. With this rise in influence on the world stage it is no surprise that the power of the President has also increased in both foreign and domestic affairs since its founding. I believe that the increasing power of the president in our political system has been a good development for American Democracy because our government has become polarized and divided; without a powerful president imminent problems would not be addressed and issues that the American people care about would not make any progress. Additionally, having a powerful president solves collective action problems.

The Constitution frames the president as solely the commander-in-chief and clerk of the government. Extra power is given to the president in times of national crisis, but, as soon as the crisis ends, the power recedes. This extra power was given to establish clear lines of responsibility in order to overcome collective action problems during times of distress, when action needed to be immediate. When creating the Constitution, the Founders did not anticipate political parties, as George Washington and others warned against them, and believed that national crises would be few and far between. The reality of today is that there are constant emergencies and the political climate in the United States has become completely polarized. Today, the US has two political parties that are extremely divided, and since 1897 there have only been three unified governments (Van Houweling). There are four actors in the bureaucracy: Congressional Committees, Agencies, special interest groups, and the President (Moe); this means there are many different people with opinions who have a say in the law. The process of getting a bill made into a law is long and arduous and must pass through the House and then the

Senate and then the President. In a polarized political climate “gridlock” is inevitable (Binder). Democrats and Republicans cannot agree because both sides of the aisle want certain policies and will only compromise if they get them, leading to fewer bills passing and less representation of public opinion. Therefore, the American people need unilateral action from the President.

Domestically, the president’s powers have increased because the government’s role in the economy is increasing, crises have become routine, media has allowed the President to communicate directly to the people, and public expectations are very high and focus on the president as the face of the government (Van Houweling). The creation of the Executive Office of the President, EOP, in 1939 by President Franklin D. Roosevelt, to help himself and future presidents take on all of their work more effectively and efficiently (whitehouse.gov), is the first example of the increasing domestic power of the president. The EOP is made up of committees whose heads act as the chief advisors and experts to the president. Some of these committees include the Council of Economic Advisors, Council on Environmental Quality, National Security Council, Office of Management and Budget, Office of National Drug Control Policy and the list goes on (whitehouse.gov). As seen by the countless committees in the EOP, the President oversees everything. The heads of the EOP committees talk to Congress about the issues at hand and what needs to be done (Van Houweling); this development has also lead to a lot more communication between the President and Congress and to more introduced and debated legislation. The entire government is more informed and able to cater to what the American people need. Opponents to this new power believe that having the EOP gives too much power to the President, but the President already oversaw all of these parts of the government. Now he has experts on hand to make sure that the information is correct and that needs are met. The president

is still checked in his power because he is not able to introduce legislation, but he does set Congress' agenda and makes a State of the Union Address at the beginning of each year.

The development of technology and the subsequent rise of media have both contributed significantly to the increase in the President's power; media allows the president to have access to the public and allows the public to be more informed. The State of the Union Address is a formal Constitutional Presidential power, but through technology it has gained more influence than ever expected. The State of the Union is now televised and watched by many Americans every year. It was first broadcast over the radio in 1923 when President Coolidge was in power and has been televised since President Harry Truman spoke in 1947 (history.house.gov). Due to these technological developments, Americans know what the plan is for the coming year and it acts as an evaluation of Congress. I think that this increase in power is important because it allows the American people to hold Congress accountable for everything that has been promised in the State of the Union Address. Opponents say that the State of the Union gives the President a platform to shape what Americans think about the state of the country, but those watching it will most likely be informed citizens who have knowledge about the country, the economy, and the world and thus will be able to develop their own opinions. Media has also increased the President's power because he can take his ideas to the people by "going public" and by doing so he gains support and thus can influence Congress (Kernell). Bargaining with Congress would be a discussion between Congress and the President; by "going public" the President has made this a problem that the people, voters, are telling Congress about. Reaching the public would be harder without media, and Presidents have begun to give more major and minor addresses annually.

Presidents have also begun to use these growing powers to increase the amount of unilateral action in the government. In a time where Congress is extremely polarized, the President must handle issues that need more immediate responses. Gun control is one important example. In light of the many mass shootings that have occurred in the last few years, President Obama is working on closing the “gun-show loophole” (Musumeci). At a gun show or online anyone can buy a gun without a background check and sellers do not have to be licensed (Musumeci). The way the President is changing this is through a “Clarification” of the already standing gun laws. Critics of this action say that the Second Amendment needs to be supported and that the ability to bear arms is a basic right. The Second Amendment should be validated and Americans should be able to have a gun if they so please; this clarification just makes sure that gun sellers are licensed and that guns are not falling into the hands of criminals with records.

For some, a powerful President accomplishing tasks on his own is seen to be bad for the American Democracy because it innately makes it less democratic, the people are not making these decisions; but, without executive agreements, executive actions, regulations, etc., in this current political climate, the needs and wants of the American people would never be met. I do acknowledge that a president could overstep boundaries and start pushing his own agenda that differs from the ideas and desires of the American people. However, if this is the case the Supreme Court can step in and use judicial review to determine whether or not the president’s actions are constitutional. This has been shown in Obama’s move to defer action on immigration. President Obama used executive action to bypass Congress and ordered federal agencies to wait on deporting certain immigrants and said how strictly immigration laws were to be enforced (Denniston). In this example, the president overstepped the extent of his power, so the Supreme Court is currently reviewing his executive action in the case *Texas v United States* (Denniston).

Executive Actions and Agreements are also not permanent, like treaties or laws. If the next president disagrees with them, he can override easily compared to a policy that has become law (Van Houweling). In many cases something alleviation of a problem is vital. If it ends up being the wrong decision, then it can be reversed.

The United States is arguably the most powerful country in the world and is a military superpower. The President, as the leader of the most powerful country and the commander in chief of the most powerful armed forces continues to gain power in foreign affairs as well as domestically. The biggest change in power, or unforeseen power, has been the president's ability to sign executive agreements between the United States and other countries. The Paris Climate Agreement is an example of President Obama using an executive agreement when treaty ratification was impossible to obtain. The Paris Climate Agreement is the *first* global agreement to prevent global warming (European Commission). The temperature of Earth has increased by 1.3 degrees in the last 100 years and half of that, 0.72 degrees, has occurred since 1979 (Down to Earth Climate Change). Global warming is a serious threat to the lives of all living things and if we do not start changing our ways now the planet may become unlivable in the near future. This Global Climate Agreement is important because it holds many countries accountable to be more transparent and connected on matter affecting the environment, it has real goals, it, and it has a promise to help poor countries as well such a large scale (European Commission). As the world super power, this agreement would probably not have happened if the United States was not on board. Treaties need a 2/3 Senate approval, which is impossible with the current Congress climate; if the President had not made this Executive Agreement there may never be progress or a world-wide agreement on ending Global Warming.

Until Congress can figure out how to compromise and pass legislation I believe that the increase in power of the President and the ability to have unilateral action is good for the American Democracy and for the American people. In a world that changes quickly and has many crises, there often needs to be a rapid response. I also believe that the Supreme Court needs to make sure that the President's actions are constitutional, and thus that they reflect what is necessary at the time and that they do not just further the President's personal agenda. The voters can also keep Congress and the President in check by not reelecting Senators and Representatives and voting against the President during the midterm elections. In the end it is about the American people being safe, heard, and taken care of.

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