

Discuss the claim that the president is merely ‘bargainer-in-chief’

The chief power of the president is the *‘power to persuade’* (Neustadt 1980). This is the ability to bargain, encourage, and even cajole but not dictate. The ability of US presidents to get their own way depends on four crucial relationships: Congress, the federal bureaucracy, the Supreme Court and the mass media, as well as the issue of foreign and domestic policy.

The president’s relationship with Congress is undoubtedly the most crucial. The success of particular presidents, for instance, is often measured in terms of their *‘success rate’* with Congress, the proportion of their legislative programme that manages to survive congressional scrutiny. However, following the Vietnam War and the Watergate Scandal presidents have had to confront a more assertive Congress, intent on reclaiming some of their lost powers. An early example of this was the War Powers Act 1974, which meant that congressional support was required for the deploying of the troops. This stated that the president can use troops abroad under three conditions: when Congress has declared war, when Congress has given him specific authority to do so, or when an attack on the United States or its military creates a national crisis. The president has however, managed to step round this. This was certainly true in the Persian Gulf, where President Bush sent 250,000 troops to the Gulf between August and November 1990 on his own authority. He also delayed announcing his decision to double this number until after the November elections, although he had made the decision in October. By the time Congress authorized using force in January 1991, the question of whether to do so was, practically speaking, already decided. These actions and those of Presidents Johnson and Nixon, have led to the characterisation of the presidency as being *‘imperial’*.

Though the president is referred to in the world’s media as the *‘world’s most powerful man’* Presidents may also be made weaker when a Congress is controlled by the opposition party. For instance, President Clinton experienced this problem after the election of a Republican Congress 1994. George W. Bush’s influence over Congress was also severely restricted when the Democrats gained control over the Senate in early 2001, following the defection of a Republican Senator. Therefore, successful presidents have had to master the ability to persuade. However, the politics of divided party control has frequently led to presidents and Congress working together through the system of bargaining. For example, though Reagan had to work with a divided Congress, he was still considered a very successful president in terms of his legislation, often using his large mandate to boost his authority with Congress. A working example of Congress and the president working closely together, is the events which have taken place in *‘foreign and domestic policy’* since September 11th 2001. For example, President Bush has issued many Executive orders to bolster America’s security, as well as the use of the military in Afghanistan which received support from Congress.

Since the 1950’s, the Supreme Court has played a significant role in US political life, forcing presidents to shape the political agenda, in part, by exercising influence over it. However, presidents have also been able to influence the Supreme Court so that it is more favourable to him, affecting his presidential term as well as future terms in office. For example, Reagan used his presidency to turn the Supreme Court more conservative and right wing.

The president has 'special prerogatives' in foreign affairs, this has been acknowledged by both Congress and the Supreme Court. When President Clinton elected to office on a promise to focus 'like a laser beam' on the economy, he could not avoid 'going international' (Rose 2000). Rose states that every president now spends most of their time on foreign relations and national security issues. This is partly as an escape from the uncertainties of Washington politics but partly because a triumph on the world stage can, pay dividends back home. This trend has been further strengthened by the terrorist attacks on New York and Washington on September 11th 2001. Though the president has acquired a great deal of power in foreign issues, he still does not have the power to reign.

In theory, the federal bureaucrats exist to serve the presidents, but in practise, it often acts as a constraint. Although presidents make, directly and indirectly, about 3000 appointments at senior and middle ranking levels in their administrations, this is tiny in proportion to the total number of professional bureaucrats in the US, who number over 2000,000. Moreover, it is widely argued that these bureaucrats respond frequently to interests at odds with the priorities of the administration. As secretary of the Navy under Woodrow Wilson, F.D Roosevelt described influencing the Navy Department as like punching a feather mattress: 'you punch and punch but it remains the same.'

The media are vital to presidents who need to appeal directly to the US public 'over the heads of Congress'. In this respect, presidents like Reagan, who was a former actor and journalist, have been extremely successful in 'Going Public' and 'managing' the media coverage and ensuring favourable comment, and to persuade Washington indirectly. American citizens depend heavily on the mass media for their knowledge of foreign affairs. The media can influence Foreign Policy significantly. For example, there was a shift in public opinion towards the withdrawal from the Vietnam War, as the media covered the war. Public opinion was also in favour of American Intervention in Somalia and Bosnia, after watching news reports on the starvation in Somalis and the civil war in Bosnia. A president who is popular in his country is therefore more likely to achieve legislative ambitions in Congress, e.g. direct appeal to the nation through the media puts pressure on the legislature. Walter Lippmann in his *Public Opinion* rightly sums up the importance of mass media in modern times: "Persuasion has become a conscious art and a regular organ of popular government."

The President has the authority to control the expenditures of the executive branch through the Office of Management and Budget (OMB), this is the formulation and execution of the federal budget, and is often referred to as the 'power of the purse'. A budget is the product of prolonged negotiation and compromise. As David Mervin notes, the eventual outcome 'may be quite at odds with the president's original intention'. The president can however, make his way round this, by employing the 'pocket veto'. President Reagan used this tool exhaustively during the period of 1981 - 1989, when he issued thirty-nine pocket vetoes as well as thirty-nine regular vetoes. Due to the recent circumstances occurring from September 11th, Congress and the President have worked more closely, therefore meaning that the 'pocket veto' has not had to be used. For instance, In July 2002, Congress approved of the largest expansion of America's military with a \$34.3 billion increase in defence spending.

The impetus for this came from the president and in many senses Congress could not refuse this requirement as President Bush has constantly played on America's security as being at stake. If Congress had not passed the presidential push for increased defence spending, then they themselves would have been blamed by the public and this would have had serious effect on them in November 2002, when all the House and as well as one third of the Senate are up for re-election.

Overall, it seems that the power of the president rests upon his 'power to persuade'. Because of the constraints imposed upon him, a president can only achieve his policy goals through crafted strategy of negotiation and bargaining. This power can either make or break a president. For example, President Johnson used his persuasive skills to build coalitions of support for his civil rights legislation and '*the war on poverty*'. President Clinton was '*an effective communicator who employed experienced staff in all-important Office of Legislative Affairs*' (John Owens). His skills therefore ensured a number of important legislative successes such as the passage of the 1993 budget, and the motor voter bill that enabled citizens to register as voters more easily. However, presidents have not always been successful. As Nigel Bowles noted '*Congress will not be bludgeoned into submission, as Nixon learned to his cost; it must be courted into partnership, as Carter learned to his.*' President Carter, had a particularly difficult relationship with Congress, regarded as a Washington Outsider, he struggled in establishing a sense of political direction.

In conclusion, Bowles claim that presidents have to "*bargain*" with other politicians and that at times, presidential power is "*illusory*" seems justified. Presidents have been less successful in areas involving domestic power, however more successful in foreign policy. Though the president is described as a man of extraordinary powers, it is also true that he must wield those powers under extraordinary limitations.