

To what extent is 'imperial presidency' an accurate description of the US president?

The term 'imperial presidency' was coined by Arthur M Schlesinger Jr to describe the shifting of presidential powers to those associated with monarchy. Schlesinger said that the decay of the traditional party structure led to the presidency as "the central focus of political emotion."

One of the main features associated with the imperial presidency idea is that of centralisation. An imperial president centralises decision making around The White House, whilst refusing to co-operate with Congress and avoids Congress in making policy. This can be seen with Franklin D Roosevelt whose crusade of The Hundred Days was a personal mission that largely succeeded in comparison to his more interventionist policies later on.

Another method used by an imperial president is that of impoundment. Here, the president refuses to spend money given to it by Congress if they deem the cause unworthy. President Richard Nixon was one of the biggest users of impoundment with \$18 billion impounded by 1974. It is events such as this that serve to demonstrate the defensive, even paranoid, role of the president over such matters. This paranoia led to the establishment of 'The Plumbers'. Their role was to plug possible leak areas in The White House and bug the homes of political opponents. This led to the Watergate crisis that became Nixon's downfall.

The use or abuse of executive privilege is another method by which an imperial presidency can be formed. This is a convention that communications between the president and his advisers should be confidential. Nixon enacted this when asked to hand over recordings of phone conversations in the Oval Office. He refused on the grounds that it was his executive privilege.

The use of War Powers by presidents is another area where the president may act in a monarchical manner. Examples of this of Presidents Kennedy and Johnson sending troops to Vietnam or indeed Ronald Reagan sending them to Grenada and Lebanon, all without Congress declaring war. However, despite this being an obvious area for the abuse of power, many consider it necessary in order for the country to react swiftly to a situation; an argument made stronger when we consider the possible time a Bill takes to be passed. Congress and the president conflict and so the president becomes imperial often due to a conflict in opinion. When Congress does not allow for the actions of the President, he merely steps out of their remit. For instance, in 1940 Roosevelt agreed to give Britain destroyers in return for Caribbean bases. Roosevelt could not sign a treaty with Britain, as this would require Senate approval. So he made an executive agreement instead. This way, he bypassed the isolationist Senate with what was eventually to become a popular decision.

Such strong foreign policy and monarchical ruling style can be seen in events such as the ignorance of Dick Cheney's role as Vice-President in the Bush (junior) administration and the current situation in Afghanistan. The strength of Bush's foreign policy is enhanced by the enthusiasm of Congress to grant funds. This allows Bush to appear as the spearhead of the situation and if the 'war' is successful, he will ride high on a wave of public support. Bush could use this to gain more funds as surely the Senate's purpose or part-purpose is a representative one and if the citizens approve of Bush, then they are obliged to cooperate with spending policy. Bush is also showing other imperial signs. With the current situation, he appears to be centralising power round himself by encircling himself with a very exclusive and strong lobby of advisers who will be able to get the most out of the Constitution.

President Clinton has been accused of being one of the greatest abusers of executive orders. Paul Begala embraced the following view of Clinton's intention to rise above his prerogatives: "Stroke of the pen. Law of the land. Kinda cool!" Begala's flippant soundbite sums up what many considered an office mired in corruption and Clinton ruling by decree.

Clinton's stance was made obvious when presidential press minion, Rah Emmanuel, told CNN: "Mr Clinton is ready to work with Congress if they work with him. But if they choose partisanship, he will choose progress". And it is the term 'progress' that came to be seen as an ill omen. Clinton's autocratic reflex was displayed during his December 1994 raid on the Treasury Department's Currency Stabilisation Fund (CSF). Although the Republican leadership in both Houses had approved a \$40 billion bail out plan for Mexico, the November 1994 elections had produced a majority coalition in the House opposed to the bail out. Therefore, Clinton pilfered \$20 billion from the CSF in order to guarantee medium-term loans to the Mexican government. The CSF funds had been appropriated by Congress to stabilise the US dollar, and not the over-valued Mexican currency. Clinton's actions were fundamentally bank robbery cloaked in the language of executive power.

Many have presented Clinton's legislative assault in the name of "progress" as "Constitutional sabotage". However, if we look at his brazenness in announcing his "executive order strategy", it is remarkable. His usurpation caught the attention of the Associated Press, executive orders such as requiring unpasteurised fruit and vegetable juice to carry warning labels helped Clinton create an effective image as a "doer". He was seen as taking an active role in policy formation, something the public liked (despite his constitutional role being to enforce legislation) and he became the most successful legislator since FDR in his first term.

Despite the examples of Clinton, Nixon and Roosevelt, the pendulum effect is one embraced by many critical of the American presidency. This describes a strong dominant presidency being followed by a reinvigorated legislative. Over the past 30 years, for instance, the impression of the pendulum effect has been apparent. Indeed each branch has alternately been portrayed as 'imperial' during this time. In the late 1960s and early 1970s, legislators, scholars and commentators condemned an 'imperial presidency', mainly because of foreign ventures undertaken without direct congressional consultation or, in some cases, in secrecy and with alleged deception. During this period, however, Congress maintained power and influence in other fields, such as the environment and various other domestic policies, and forced foreign policy initiatives on a reluctant executive. A relatively short while later, in the 1980-s and 1990s, charges were made against an "Imperial Congress" bent on 'micromanaging' the executive.

It is not without a certain sense of irony that the president can be viewed so adamantly as imperial, when the "tyranny of the one" is one of the injustices that the Founding Fathers strove so vehemently to reject. And yet MacGregor Burns mused that the exercise of presidential prerogative powers has "made men great". The fundamental flaw with this issue is that it is impossible to guard against an imperial president such as Richard Nixon or an imperilled present such as Carter or Ford. The factor that determines their status as imperial or otherwise is their personality. This is why it is a fundamentally dangerous situation as the president can push his or her prerogative powers as far as his or her personality allows.