

2.5

Presidential Obstacles

Explain how the president's agenda can create tension and frequent confrontations with Congress.

Often presidents see election victories as a mandate from the people. Voters choose candidates in order to fulfill campaign promises and to see certain public policies enacted. Presidential agendas create tensions within in our representative democracy. Successful presidents need to navigate carefully in order to achieve their objectives. This requires presidents to maintain a permanent campaign mode. This requires mastery over the media.

As part of their permanent campaign for public support, presidents constantly speak and hold public events. To reach the public, presidents must lead not only traditional broadcast and print media, but also reach audiences that prefer cable television, Internet blogs, or other online news sources. Presidents must target these media daily, as the 24-hour news cycle has the potential to move rapidly from one news story to another.

More so, however, presidents need to rely upon a close staff of advisers and support personnel. These men and women are typically drawn from the president's campaign. The American presidency encompasses a vast Executive Branch. It is more than one person.

"The buck may stop" on the president's desk but it must pass through a large complex bureaucracy known as the Executive Branch. Policies proposed by the president are shaped, molded and initiated by the White House Office. Certain executive departments also assist the president's policy agenda. Examples would be the Department of State, the Department of Defense and the Department of the Treasury. The heads of these departments are collectively known as the Cabinet. The Cabinet has grown weaker over time as each Secretary spends more time securing the stability [and budget] of their Department rather than giving unfettered advice to the president. Even so, the president's White House Office and his/her Cabinet play a vital role in setting the national agenda.

There are, of course, significant obstacles to a president realizing public policy success. Tensions over a president's agenda are constant. Public opinion often gets in the way. So too does unexpected foreign policy interruption. More obvious, however, is the public confrontation with Congress. Even when our government is unified, the president and the majority of Congress from the same political party, U.S. presidents and the U.S. Congress fight over policy priorities.

A salient example of this would be the inherent tensions over presidential appointments. The constitutionally required Senate confirmation process has become routinely messy.

Political science has studied this tension with great interest. The consequences to our democracy are both real and immediate and, in many ways, quite new. A recent study has suggested:

The defining characteristic of the current appointment process, and of congressional-executive interactions more broadly, is novelty. Established mechanisms for policy setting and compromise are being cast aside, the casualties of increasing polarization in Congress combined with divided government and presidential political imperatives. New norms and governing approaches are emerging, with a heavy emphasis on executive action. Although prior practices may return with a switch to unified government, good reason exists to expect innovation even then.

A noticeable change in the appointment and confirmation process today is the time it takes to complete. Holds, delays and the vetting process now move at a snails' pace. Sometimes this cannot be avoided. All too often, however, it is all about political gamesmanship. Delays in the appointment process affect government work and responsiveness.

This can be seen most clearly in judicial appointments. Presidents are required by the U.S. Constitution to fill vacated seats on the Supreme Court. The Senate has the responsibility to confirm those appointments. This advice and consent responsibility have grown increasingly political. Going back at least as far as the Robert Bork nomination in 1987, the Senate has routinely chosen to make the confirmation process of judges more difficult.

Another area of dramatic tension between the president and Congress can be found in the area of foreign policy. Presidents have distinctly different agendas when it comes to foreign policy. They also possess substantial power advantages over Congress in the area of foreign policy. The Founding Fathers seemed to have intended this. Nevertheless, Congress through their power of the purse and access to the 24/7 media machine can pose serious threats to a president's foreign policy goals.

Presidents can circumvent Congressional obstructions by using their vast arsenal of informal powers. Presidents as of late have issued more waivers, recess appointments, executive orders and agreements to fulfill campaign promises and agendas. Although these tactics can fuel greater animus and mistrust between the institutions, they also reflect how presidential power has increased in recent years without too much push back by the American people.

Policy initiatives promoted by the president often lead to conflict. In our lifetime these conflicts have tended to weaken the other branches while making the presidency even stronger. Back in 1788 Alexander Hamilton called for "an energetic president." Today there can be little doubt that Hamilton's hopes have been realized.