Introduction to the American Political Process

Making Legislation: The Powers of the President

Presidential Primaries

- Iowa Electronic Markets
  - http://www.biz.uiowa.edu/iem/

Iowa Electronic Market

- Buy "shares" in candidates
- Investments limited to $500 per trader
- Total size of market ranges from a dozen to over 500

Quote as of 2/26/04 – 7:45 AM

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Overview

- Still talking about public policy, but shifting discussion to the President

Themes

- Formal Powers of the President
- Informal Powers
- Bargaining
  - Vetoes
  - Executive Orders

Formal Powers of the President

- Veto
- Executive Order
- Commander-in-Chief
- Judicial Appointments
- Diplomacy
- Pardons
- Administration of the Bureaucracy

Informal Powers

- Is this the makings of “the most powerful person in the world?”

Truman: “He’ll sit here, and he’ll say, ‘Do this! Do that!’ And nothing will happen. Poor Ike—it won’t be a bit like the Army. He’ll find it very frustrating.”
Informal Powers

- Neustadt: "The power to persuade."
- Agenda Setting
  - Bully Pulpit
  - State of the Union Address
- Still…doesn’t take into account full range of power

Vetoes

- Veto
  - Take it or leave it
  - Pocket Veto
  - Line-item veto (RIP)
- What’s the big deal?
  - Veto rarely used
  - Between 1945 and 1992 434/17,000 bills vetoed

Vetoes

- Bill importance
  - Vetoes more frequent on important bills, especially with divided government
  - Veto power comes through "the logic of anticipation."

The Second Face of Power

- Bargaining as a multi-stage game
  - Congress acts, then the president acts
- Role of uncertainty
  - Who is the veto pivot?
  - What is the President's ideal point?
  - Veto is a powerful tool for bargaining

Executive Orders

- Presidents can issue Executive Orders
  - Have the force of law until the president or a successor retracts it, Congress nullifies it, or a federal court rules it unconstitutional
  - 1907-2002: 13,000 orders issued
  - Over time, fewer Executive Orders, but more "significant" Executive Orders.

Executive Orders

- Vary greatly in importance
  - Executive Order 9983: Exemption of Garland S. Ferguson from Compulsory Retirement for Age.
  - Executive Order 13154: Establishing the Kosovo Campaign Medal.
  - Executive Order 9981: Establishing the President's Committee on Equality of Treatment and Opportunity in the Armed Services
Executive Orders

- Types of Executive Orders
  - Management orders (EO 1058: smoke-free workplace)
  - Create Agencies (Nixon: EPA)
  - Enact major policy changes
    - Truman integrating military
    - Ike: EO 10730 – Little Rock
    - Abortion counseling: Reagan to Clinton to Bush

- Create new Status Quo
  - Example: EO 9981
    - 1948 Selective Services Bill: 7 desegregation amendments fail
    - 1950 Extension of Selective Services Act: pro-segregation amendments fail