

## The Modern Presidency



The president is just one person however no president acts alone. The president oversees a large executive office, and depending on several factors such as which party is in power and personal presidential choices, bureaucracy plays Congress, and public opinion plays a major role in the modern presidency.

### The Vice Presidency

The Constitution created a powerful presidency but it also created a weak vice presidency. Originally the job of vice president came from a Constitutional decree that the person with the most Electoral College votes became president and then whoever came second was vice president. This changed in the election of 1800\*. Thomas Jefferson and Aaron Burr tied in the number of votes. This created a constitutional crisis. The Twelfth Amendment was ratified; instead of casting two votes for a presidential candidate, members of the Electoral College now cast two separate votes; one for the president and one for the vice president.

\*Jefferson won and was the new president, Burr the vice president.

According to the Constitution, the vice president has two jobs.

First, the vice president is the head of the Senate but not allowed to vote unless there is a tie. Rarely does the vice president preside over the Senate, instead junior senators take over this role.

Second, the vice president will take over the role of president if a sitting president vacates the office because of death, impairment, resignation, or impeachment.

The **Twenty-Fifth Amendment** of 1967 set the rules of succession and also established a process of replacing a vice president who leaves their office during their term.

The vice president will temporarily take over the role of the president when the president voluntarily removes themselves from office. This occurs when the president has a medical procedure that requires sedation.

The Twenty-Fifth Amendment also provides for a permanent replacement of a president who is no longer able to carry on with their duties of office. The president nominates a replacement and approval is required by a majority vote in **both** Houses of Congress.

There was one instance in recent history when neither the president nor the vice president were elected by the people through the Electoral College system.

In 1973, Gerald Ford who was in Congress at the time was approved as vice president when President Nixon's vice president, Spiro Agnew resigned due to criminal charges against him regarding a bribery scandal when he was the governor of Virginia. The following year, Ford became president as Richard Nixon resigned from his presidency due to the Watergate scandal. Congress then approved Ford's nomination for vice president, Nelson Rockefeller.

For much of the nation's history, the vice president has had little impact on national policy, but it is now more common for the vice president to have a larger role in White House deliberations. It is also important for a vice president to help elect the president as the right vice presidential nominee is often chosen to "balance the ticket."

### **The First Spouse**

The wife or husband of the president has no formal role in the administration but is in a unique position to act as an advisor to the president. Often, the first spouse is an important link between the president and the people.

Edith Bolling Galt Wilson, the wife of President Woodrow Wilson was probably the most powerful first lady. When her husband had a stroke in 1919, she helped organize and run the White House.

Another first lady, Eleanor Roosevelt, was an outspoken critic of race discrimination and a powerful force behind the creation of the Universal Declaration of Human Rights.



Edith Bolling Galt and Woodrow Wilson



Franklin D. and Eleanor Roosevelt

Modern first spouses often choose one or more policy areas and use their influence and visibility to call attention to certain issues. For example, Michelle Obama focused on obesity, nutrition, and physical fitness for young people. Melania Trump has brought awareness to bullying and created her “Be Best” initiative. Jill Biden, who has a doctorate in education, continued to work at Northern Virginia Community College while serving as First Lady.

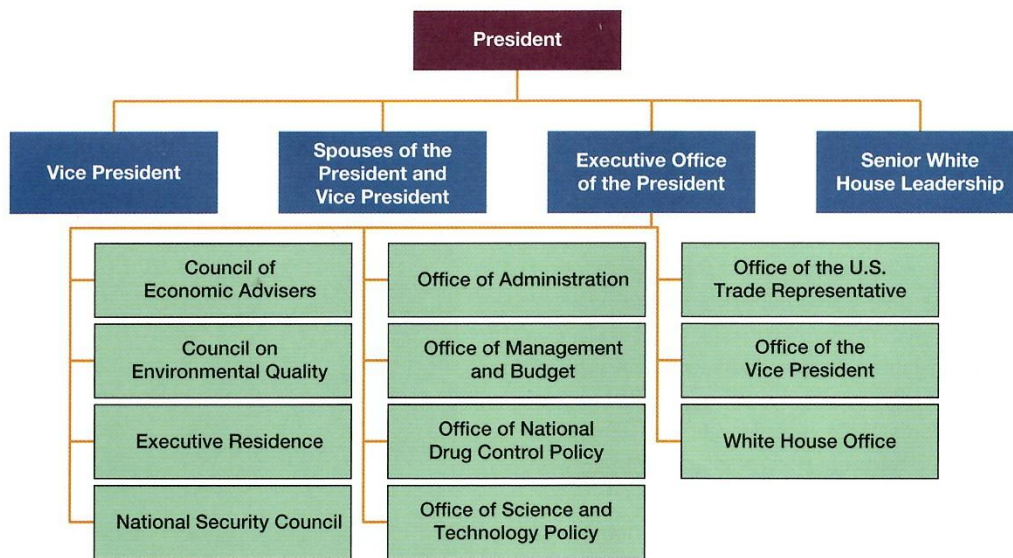
### The Executive Office of the President

Since the Great Depression and the presidency of Franklin D. Roosevelt, the presidency has become the more dominant office of the government.

According to presidential scholar Fred Greenstein, there are four (4) main features of the modern presidency.

1. The president now regularly initiates legislation
2. Many unilateral powers have been delegated to the presidency by Congress, including greater authority over trade policy and war.
3. The president is now the focus of public attention
4. There is large staff directly working for the president housed in the **Executive Office of the President (EOP)** – *a collection of offices within the White House organization designed mainly to provide information to the president; the president’s closest advisors.*

### The Organization of the Executive Office



Data from the White House.

In choosing the members of the White House staff, presidents value political skills and loyalty. Many staff members were involved in the president's election campaign. The White House secretary acts as the president's spokesperson with press briefings and media coverage.

### **The President and a Partisan Congress**

Presidents expect to battle with members of the opposing party in Congress. Also, support from their own party members can never be taken for granted. To deal with Congress, presidents use **bargaining and persuasion**: *an informal tool used by the president to persuade members of Congress to support the administration's policy initiatives*. This may be from using personal phone calls, or a promise to support an incumbent running for reelection. The president may also approach a member of the opposition and try to convince them that the administration's proposals will benefit their constituents.

### **The President and Public Opinion.**

Public opinion plays a major role in expanding or constraining the president's power. Modern technology and ease of travel has made it easier for the president to connect with the American public. A tactic used is **bully pulpit**: *presidential appeals to the public to pressure other branches of government to support the president's policies*. This can be done at the State of the Union Address, press conferences, major speeches, and statements on social media platforms allowing the president to "go public."

### **Presidential Approval Ratings**

A president with a high approval rating is in a more powerful position in relation to Congress than one with a low or sinking rating. Sometimes unanticipated events, and the president's response, can produce dramatic changes in presidential approval. An example was the months after the September 11<sup>th</sup> attacks. President George W. Bush's approval rating rose to 90%, the highest ever recorded, but it later declined as the public became skeptical towards his handling of the Iraq War and the national economy.

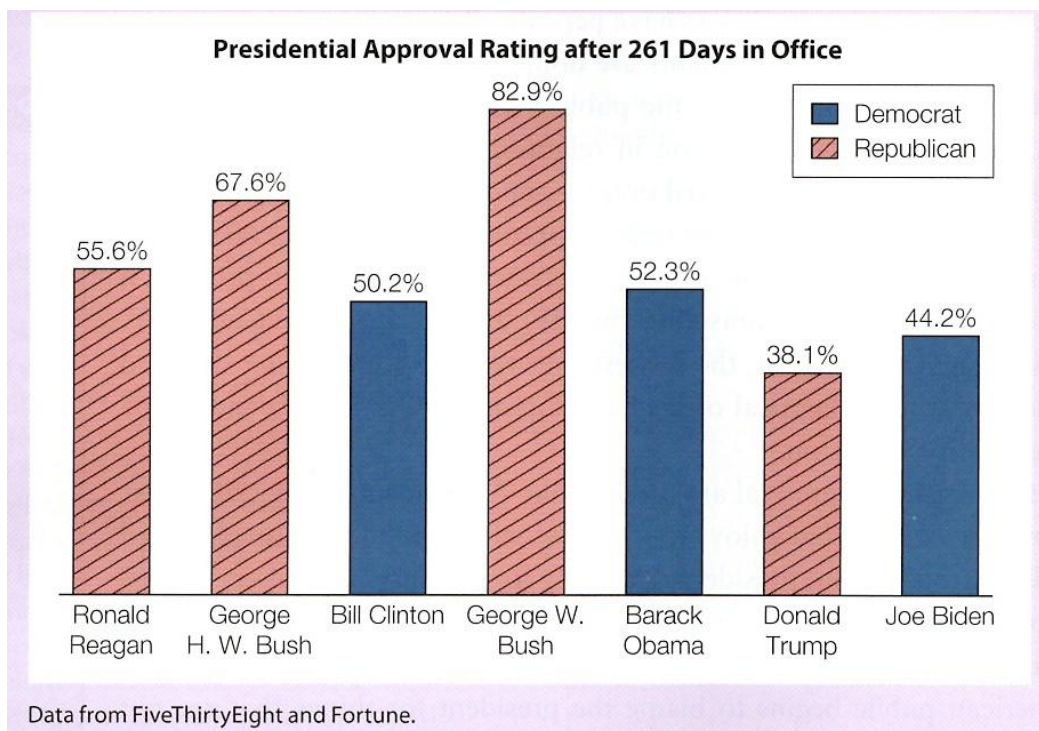
Some patterns of presidential approval are predictable. After a convincing first-term victory, a president often enjoys a period of strong public approval (called a honeymoon period). Because of this, presidents try to have Congress pass legislation in the first term in order to gain public support and build momentum for future legislation.

Presidential approval usually declines over time as the American public begins to blame the president for issues that are not going well. There is usually some recovery as the term draws to a close. President Trump was the first president whose approval ratings were never above 50 percent through his entire first term.

### Average 30 month (2.5 years) Job Approval Ratings for Post WWII Presidents

President	Year	Approval Rating %	Number of Polls
Joe Biden	2023	40.7	3
Donald Trump	2019	42.7	6
Barack Obama	2011	46.8	88
George W. Bush	2003	64.0	9
Bill Clinton	1995	49.3	4
George H.W. Bush	1991	73.6	9
Ronald Reagan	1983	44.4	5
Jimmy Carter	1979	30.7	6
Richard Nixon	1971	49.2	5
John F. Kennedy	1963	63.0	5
Dwight Eisenhower	1955	69.3	4

Gallup has conducted polls since the end of World War II. These are the average ratings for these presidents from roughly the middle of the third year in office.



**Assignment: Based on the bar graph above:**

- Identify the president with the highest approval rating on day 261 in office.
- Describe a pattern in presidential approval ratings during the time period shown on the graph.
- Why are the ratings shown on the graph not likely to remain at the same level during the remainder of a presidency?

## **The aftermath of the 2020 Election and a Threat to the Peaceful Transfer of Power.**

Allegations of fraud in a national election will undermine the public confidence in the system. In a free and fair election, the losing candidate must accept the results and power must transfer peacefully.

In the 2020 election, Donald Trump claimed election fraud. His legal team filed more than 60 lawsuits challenging the results. Judges across the country rejected the president's claims. Christopher Krebs, director of the Cybersecurity and Infrastructure Security Agency stated that the election was free and fair. President Trump fired Krebs! Attorney General William Barr claimed there was no fraud, and then resigned!

Trump continued to challenge the election results. On January 2, 2021, President Trump spoke to Brad Raffensperger, Georgia's Secretary of State, and asked him to "find 11,780 votes." Raffensperger declined and stated that Georgia's ballots had been counted three times already and there was no fraud.

On January 6, 2021, Congress met to certify the vote, a ceremonial duty written in the Constitution. Thousands of pro-Trump supporters gathered in Washington, D.C. President Trump told the crowd to march to the Capitol building. The protestors began rioting and attacked police officers, broke windows and stormed the building. President Trump posted a video on Facebook again claiming the election was stolen but also told the rioters to go home. By nightfall, order was restored but five people were dead, including a Capitol police officer.

Despite the violence, members of Congress who fled during the rioting returned to the Capitol building. On January 7<sup>th</sup>, Congress certified Joe Biden's victory for the 2020 election. President Biden was sworn in on January 20, 2021.

In the aftermath, both Facebook and Twitter banned President Trump stating he incited violence. On January 13, 2021, the House of Representatives approved articles of impeachment, charging President Trump with inciting an insurrection. He was acquitted in the Senate trial, only fifty-seven senators supported a guilty verdict, short of the two-thirds majority needed for conviction.



In the years following the January 6<sup>th</sup> insurrection, over a thousand rioters were charged. Of these, about 500 plead guilty and over 300 were sentenced to jail time. On August 1<sup>st</sup>, 2023, a federal grand jury approved an indictment charging former President Trump with conspiracy relating to claiming election fraud and his attempt to overturn the 2020 election. He was charged with two felony counts of obstructing an official proceeding, one felony count of conspiring to defraud the United States, and one felony count of conspiracy to deprive voting rights. In addition, he faced thirteen counts in the State of Georgia related to his attempt to have the Secretary of State overturn the election results.

Trump has defended his actions during the January 6<sup>th</sup> insurrection as protected under the First Amendment. He claimed that his actions were based on the advice of his attorneys. He stated that the charges against him were a “political witch hunt.”

Within many expert reports and academic papers, there was no evidence of election fraud found. In the case *Trump v. United States* (2024), arising from the federal grand jury indictment, the Supreme Court held that **presidents have absolute immunity for conduct pursuant to their constitutional authority.**

### **The Modern President in Context**

The office of the president is full of paradoxes (contradictions). The framers of the Constitution wanted a strong and decisive office, yet they were wary of creating an elected monarch. Americans often look to the president for leadership separate from partisan politics, yet the people still have to remember the system of checks and balances. Americans look to their presidents for leadership and also expect them to follow the Constitution and the will of the people.

One has to remember that even though the President of the United States is one of the most powerful people in the world, they are still accountable to Congress, the judiciary, and ultimately the people.

