Presidential Power: Crash Course Government and Politics #11

Crash Course: U.S. Government and Politics
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=====Intro (0:06)=====

Hi! I'm Craig, and this is Crash Course Government and Politics, and today we're gonna talk about the most powerful person in the U.S. No, not Chris Hemsworth, although he is powerful in a physical sense. We're talkin' about the President of the U.S., who right now is Barack Obama, but that's the last we'll mention him specifically. Instead we'll examine the office of the presidency and what makes whoever holds the office so powerful. We're also going to talk about what makes him, and so far the president has always been a him, less powerful than you might think.

(Crash Course music)

=====Constitution (0:42)=====

So you might have noticed a trend in these episodes that we like to start with what the Constitution says about the branches of government. That's not just because it's what appears on tests or what strict constructionist, Justice Scalia, would want us to do. We start with the Constitution because it gives us a formal description of the branch, in this case the executive, upon which we can build.

Right Clone: What do you mean upon which we can build? That's nonsense. The Constitution is a limited document. It lays the framework and the rules and that's all. All this extra stuff is an unconstitutional power grab.

Center Craig: Oh, Clone from the Right, I was wondering what happened to you clones. That's a good point you make...

Left Clone: But really the world is a more complicated than it was in 1787, and we need to have a more flexible government. The Constitution provides a framework for understanding it, but it needs to change with the times. Besides, if the President becomes more powerful than what's suggested in the Constitution, whose fault is that? Congress! That's who!

Center Craig: Okay clones, we get the picture. There's a debate about the role of the Constitution in setting up the government and we're not gonna solve it today. For now, we're gonna start with the Constitution and what it says about the President.

Left Clone: You win this round, Clone from the Right.

Center Craig: All right, let's try to keep those convos in the clone zone going forward? Thank you. Anyway, as with Congress, the Constitution lays out certain qualifications for the presidency. If you want to be President of the US, and I know you do, you must be 35 years old, which in the1780s was actually pretty old. You were expected to have moved out of your parents' house by that point… And you must be a citizen of the US who was born in the United States, or one of its territories.

=====Election (2:02)=====

The President is not elected directly by the American people. Yeah, your mind is blown. In the Constitution, as was originally written, only members of the House of Representatives were directly elected by qualified citizens.

The President is actually chosen by the Electoral College, which is complicated and frustrating for many Americans, and we're not gonna go into it now, except to say that the reason it exists is because the Framers didn't trust the popular vote all that much, so they built in the Electoral College as a safeguard against the people electing scary demigods or the person.. they wanted… elected.

Some people say this is not particularly democratic, mostly because it's not particularly democratic. So democratically elected or not, the President is pretty powerful, but he has different categories of power. What are they?

=====Formal Powers (2:38)=====

First, he has military powers to send soldiers and planes and ships to do military things. He also has judicial powers, in that he appoints federal judges and Supreme Court judges, subject to Senate approval, of course.

He's the nation's chief diplomat, which is the source of his foreign policy power. The president can also propose laws, although he has to get a Congressmen or Senator to actually introduce them into Congress. This is a legislative power.

And since he's the chief executive, he also has executive power, which means he also is to ensure that the laws are carried out. This is his most far reaching power, probably because it's the least well defined. Executive power is a pretty big deal, so we're gonna give that its own episode.

Another way to describe the president's powers is either formal or informal. Formal powers are the ones we can find in the Constitution itself, mainly in Article 2. The informal powers come either from Congress or the President himself, but for now, let's look at the formal powers, which like those given to Congress, are also known as expressed powers. Let go to the thought bubble.

Unfortunately, presidents don't derive their powers from the sun, like Superman. Or from exposure to radiation like the Fantastic Four or the Hulk. The powers come from the constitution, which again, unfortunately doesn't have any super natural or mystical power, although some people like to think it does.

The first power given to the President in the Constitution is that he is the Commander in Chief of the Armed Forces, which at the time was just the Army and Navy, since there were no airplanes.

There's a reason that this should be the first power. If there's one thing that almost everyone can agree on, it's that the first job of government is to keep the citizens safe, especially from foreign invasion. The US has had a lot of generals become president: Washington, Jackson, William Henry Harrison, Taylor, Grant, Eisenhower, and many others have served in the military, but only one president has led the US troops in the field while he was President, and that was George Washington. The Whiskey Rebellion. That's something worth fighting over.

The President has diplomatic powers, although he doesn't actually do most of the diplomacy. The President has the power to make treaties, which are mostly written by the State Department officials, but he takes credit. He appoints ambassadors and those State Department officials I just mentioned. His most visible foreign policy power is to receive ambassadors, which not only makes for great photo opportunities - selfie!- but also is a significant power because receiving an ambassador effectively means recognition of that ambassador's country's existence. So the President can actually legitimize a nation-state. Maybe he does have superpowers.

The Constitution requires that the President from time to time inform Congress of the state of the Union. This takes the form of an annual

State of the Union address. Historically, presidents did this in writing, although George Washington made a formal address. We have Woodrow Wilson to thank for reviving the practice of making the State of the Union an actual speech, which now appears on television early each year. This may not seem like much of a power, but the State of the Union is a chance for the President to set a policy agenda for the next year, and it can put some pressure on Congress to make policy. Thanks, Thought Bubble.

So the President has a couple of other powers we've already talked about. The President has a form of legislative power to veto laws passed by Congress. He also has the power to convene Congress into special sessions. The President also has judicial powers. He can appoint judges, but only with the consent of the Senate. He does have the power to grant pardons and reprieves, which doesn't sound like a big deal, unless you're in jail or threatened by criminal prosecution, in which case it's a very big deal.

=====Conclusion (5:23)=====

So there you have it. Those are the formal constitutional powers of the President of the United States. You may have noticed that there aren't all that many of them. Which is kind of the point. The framers of the Constitution wanted a limited government. One that couldn't oppress the people. They were especially afraid of a strong executive, like a king, in charge of a standing army, so deliberately they tried to curtail his powers by not giving him very many. But as we'll see in the next few episodes, over the course of the last 240 years or so, the powers of the President have expanded far beyond what framers probably envisioned.

Thanks for watching. I'll see you next week.

Mmm. I can feel my powers expanding. Is this radioactive coffee?

=====Credits (5:57)=====

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Crash Course was with the help of all these superheroes. Thanks for watching.