Presidential Power: Theories and Dilemmas

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Main content

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For students of the presidency, the roots and sources of presidential power are critical to understanding the office. Axiomatic since Franklin D. Roosevelt's long tenure in office, the dilemmas and paradoxes for the modern president stem from the difficulties of relying on the limited design of the office with the burden of the weight of modern expectations.

In Presidential Power: Theories and Dilemmas, John P. Burke explores these fundamental principals and problems by summarizing and investigating the now-standard means for evaluating the president's efforts to achieve an agenda. Burke's effort is rather unique as it is not a comprehensive textbook per se but rather a treatise on presidential power. The focus for Burke is to explore what scholars, citizens, and presidents understand about power and leadership.

The key to the presidency is to appreciate the sources...

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The separation of powers is an approach to governing a state. Under it, a state's government is divided into branches, each with separate, independent powers and responsibilities so that the powers of one branch are not in conflict with those of the other branches. The typical division is into three branches: a legislature, an executive, and a judiciary, which is the trias politica model. It can be contrasted with the fusion of powers in parliamentary and semi-presidential systems, where the executive i. theories of deference, theories of power. Agency claims to deference are ubiquitous in administrative law. Although expertise has been the historical favorite, presidential control has gained ground—at least in legal scholarship—as a competing and perhaps preferable rationale for deference.
This Part begins by exploring both models of deference and linking those models to congressional preferences, as well as notions of administrative legitimacy. To further clarify the deference models, this Part also considers the roles of expertise and politics in independent agencies. A. Expertise and Pr... To what extent can presidential power be restricted by Congress? Learn about the concepts of unitary executive theory and the imperial presidency. President George W. Bush's attempt to obtain increased wartime powers represented a troubling challenge to American civil liberties, but the challenge is not unprecedented: The Sedition Act of 1798 was selectively enforced by the Adams administration against newspaper writers who supported Thomas Jefferson, his challenger in the 1800 election. The very first landmark U.S. Supreme Court case in 1803, Marbury v. Madison, established the power of the judiciary by resolving a separation-of-powers dispute between the president and Congress. INTRODUCTION: Presidential Power and Its Dilemmas

CHAPTER ONE: The Madisonian Dilemma
CHAPTER TWO: Neustadt and the "Modern" Conception of Presidential Power
CHAPTER THREE: The Executive's Prerogative: Inherent Constitutional Powers
CHAPTER FOUR: Going Public and Presidential Power
CHAPTER FIVE: Presidential Power and Historical Time, Various Interpretations
CHAPTER SIX: The First Term: Internal Time and Presidential Power
CHAPTER SEVEN: The Second Term: Internal Time and Presidential Power
CHAPTER EIGHT: Lessons for Presidential Power, Today and Beyond.