

AMERICAN PRESIDENCY

A profile photograph of Barack Obama, looking towards the left. He is wearing a dark suit, a white shirt, and a striped tie. The background is a blurred American flag with stars and stripes.

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Introduction

- ① Most powerful elected executive in the world.
- ① Most powerful head of the government known to our day.
- ① He is one of the most powerful head of a state – his powers are real & effective.

Qualifications:

- ◎ To be the president of USA one should fulfill the following conditions –
 1. He should be a natural born citizen of USA,
 2. He should be of at least 35 years of age,
 3. He should not hold any office of profit under government, and
 4. Any other conditions set by the US Congress for a presidential candidate from time to time.

Emoluments:

- He receives an annual salary of \$ 2 lakhs since (1988).
- An expense allowance of \$ 50,000/, a tax free travel allowance of \$ 1 lakh, a rent free official residence (popularly known as White House).
- After his retirement he is entitled to get \$63000/ per year as pension.



Tenure:

- ⦿ He has a fixed term of 4 years.
- ⦿ He can be re-elected for a second time.
- ⦿ The 22nd Amendment Act has strictly restricted a person from contesting to the office of the President for the third term.

Succession:

- Following is the order of precedence in the event of succession to the office of president-
- Vice- President
- Speaker of the House of Representatives
- Pro-tem Speaker of the Senate
- Secretary of the State
- Followed by other members of the cabinet in the order of precedence.

Removal of President:

- ⦿ It is better known as impeachment process.
- ⦿ This can be initiated against him on grounds of treason or bribery or other high crimes.
- ⦿ The House of Representatives initiate charges with 2/3 majority.
- ⦿ The Senate acts as a court of trial in the impeachment case.
- ⦿ The Chief Justice of the S.C. chairs this session of the House.
- ⦿ The Senate can convict the President with 2/3 majority.
- ⦿ After his removal he will be disqualified to hold any office of trust & responsibility under the government of USA.

Election of the President:

- It originally provided for an indirect election.
- Used to be elected by an “Electoral college” consisting of 435 members of the House of Representatives & 100 members of the Senate
- 12th Amendment Act(1804) provided for a direct election of the president of USA.

Steps in the Electoral Process:

- ◎ The main steps involved in the electoral process are as follows –
 1. Nomination of the presidential candidates.
 2. Nomination of the electors of the president by the political parties.
 3. Election of the electors of the president(Nov.)
 4. Election of the President by electors(Dec.)
 5. Counting of the ballot papers by the Congress(Jan. 6th)
 - In order to declared elected as president a candidate must secure 270/535 votes.
 - If no candidate secures the required majority then the house of representatives elect a candidate who has secured the highest number of votes.
 - The newly elected president assumes office on 20th January.

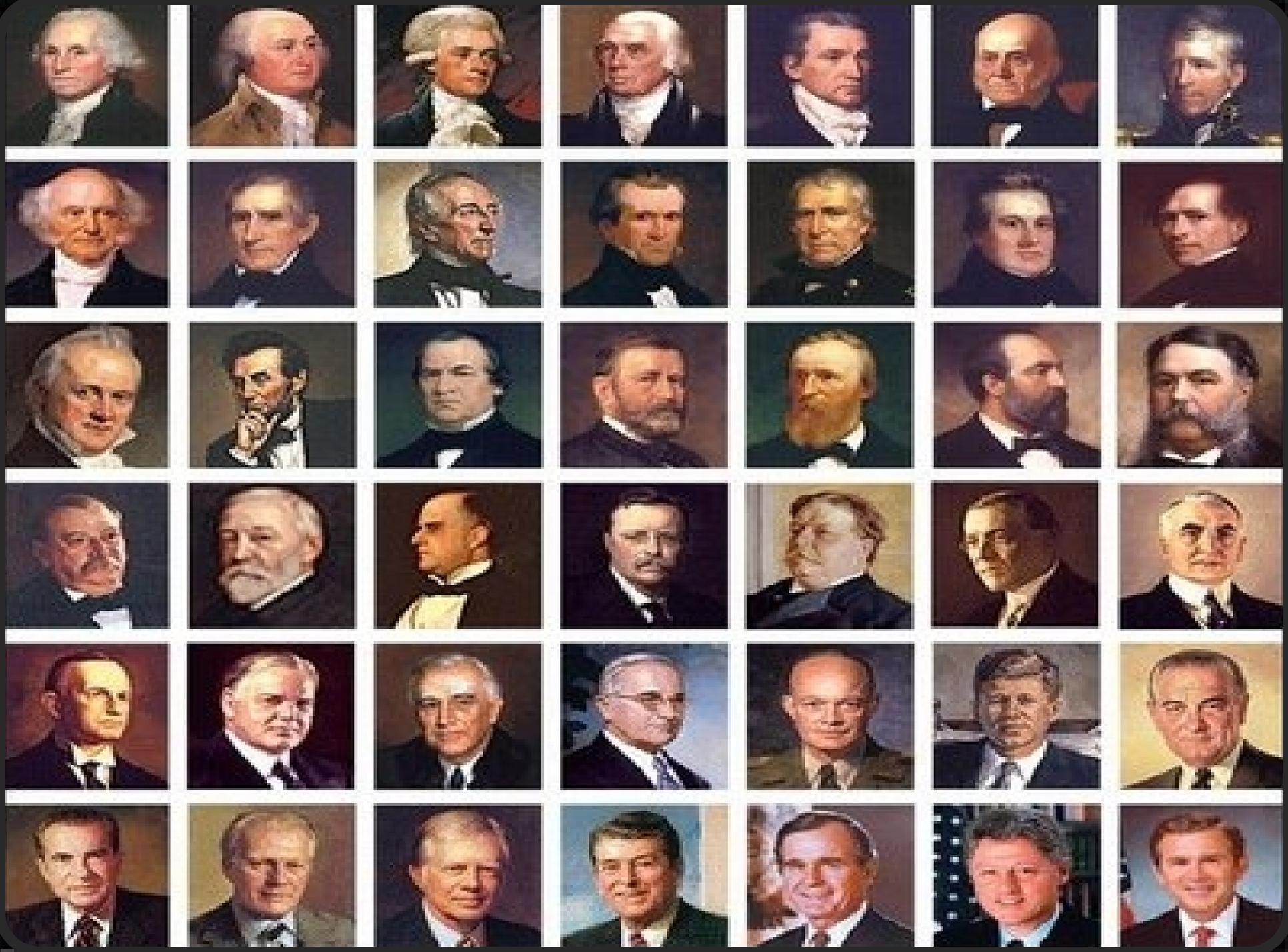
Powers of the President

◎ There are various sources from which the president derives his power, such as

—

1. Original Constitution,
2. Decisions of the Supreme Court,
3. Statutes of the Congress,
4. Emergency Powers,
5. Customs & conventions, etc.

- His powers & functions are as follows -



1.Executive Powers:

- ⦿ **A. As the Head of the Administration:**
- ⦿ Enforces Federal Laws & Treaties,
- ⦿ General supervisor of the executive actions of the Republic.
- ⦿ Issue Directions to the higher officials in the implementation of laws.

B. C-in-C of the armed forces:

- ⦿ Responsible for the defense of the country.
- ⦿ He appoints officers of the defense forces.
- ⦿ He can make war unavoidable.
- ⦿ He can issue order to send American army at any place and at any times.

C. Chief Exponent of Foreign Policy:

- He represents USA in foreign relations.
- He appoints all diplomatic representatives to foreign countries & also receives foreign diplomats accredited to USA.
- He negotiates treaties & Agreements with other countries.
- He personally attends various International Conferences.

D. Appointment Powers:

- ⦿ He makes a large number of appointments to federal offices.
- ⦿ He appoints his members of his cabinet, judges of the supreme court, ambassadors, officers of armed forces, etc.
- ⦿ All these appointments are subjected to the confirmation of the Senate.

E. Chooses His own Cabinet:

- The president is free to choose his own cabinet better known as president's secretariat.
- He is also free to remove or dismiss any of his ministers at his pleasure.
- He has discretionary power to accept or reject the advice rendered by his secretariat on administrative matters.



F. Power of Removal:

- ⦿ He can dismiss any federal official subjected to the following restrictions –
 1. Those officers who can be impeachable by the congress,
 2. Chairmen of Commissions, and
 3. Can remove only those officers who were appointed by the Public Service commissions.

2. Legislative Powers:

- ① The constitution of USA separates the executive from the legislature.
- ① Hence, he can influence the legislative business in an indirect way.
- ① Following are some of his legislative powers –
 1. He can request the Congress to pass a particular Bill.
 2. He can initiate legislation through his messages.
 3. He may convene extra-ordinary sessions of the congress.

Legislative Powers contd...

4. He may issue executive orders/ordinances.
5. He has the power of delegated legislation.
6. He can pressurize the Senators & the Representatives belonging to his party to pilot certain Bills & get it passed in the Congress.
7. He can employ the agencies of public opinion to compel the Congress to pass a legislation in the interest of the nation.

Legislative powers contd....

8. Then president has his veto powers – general/pocket vetoes.
 - No bill of the Congress becomes a law without the consent of the president.
 - Veto power of the president simply means the denial of his approval to a bill passed by both the Houses of the Congress.
 - In other words, it means killing a particular bill by not signing it by the president.
 - Within ten days of the receipt of the bill the president can return it to the Congress with recommendations for modification in the bill.

3. Judicial powers:

- ⦿ He is the Fountain head of the judiciary.
- ⦿ His main judicial functions are as follows
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 - 1. Appoint the judges of the Supreme Court.
 - 2. Grant pardon or mercy to persons convicted by the supreme court.

4. Financial Powers:

- ◎ He is the general manager of the finances of the government. His financial powers are as follows-
 1. To see that the annual budget is formulated by the Bureau of the Budget.
 2. To take steps to introduce greater economy & efficiency in financial management.
 3. To appoint directors of the Bureau of the budget.
- Though theoretically federal finances is controlled by the Congress but in actual practice it is with the president.

Position of the President:

- ① He is one of the most powerful head of the state because his powers are real & effective.
- ② He is the voice of the people of America & leader of the Nation.
- ③ He is the sole spokesman in the country's foreign affairs.
- ④ He provides guidance & Leadership in the domestic affairs.

Position of the president contd....

- ① He is the ceremonial head of the state, chief executive, chief legislator, chief diplomat, supreme C-in-C of the armed forces of the nation, General manager of finances of the country and all at the same time.
- ② He acts like a constitutional dictator during national crisis's.
- ③ The actual position is determined on the basis of his personality, intelligence, ambitions & skills.
- ④ There were strong presidents like Jackson, Lincoln, Roosevelt who made the congress to follow them.
- ⑤ There were weak presidents like Hoover, Carter who were led by the congress.
- ⑥ The real position depend upon the ,man who occupied the office & also the circumstances surrounding him.