
American Presidential Power

A Research Guide

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The role and powers of the president have come under increasing scrutiny since the tragic events of September 11. While the current political debate is focused on the unilateral actions of the office of the president since the terrorist attack, interest in the ways presidents use and manage the power of their position have been a subject of concern since George Washington. Amalia Monroe explores the history and methods of presidential power in this highly useful guide. While the guide is designed for college-level research, there are many suggestions for public libraries and a selection that would serve the needs of high school students as well. Monroe is a social sciences librarian at the University of Kansas, where she works as the bibliographer for political science and international documents. In addition to receiving her MLS from Indiana University, Monroe has a BS and MS in political science from Illinois State University.—*The Editor*

American presidential power has long been an area of interest in the social sciences and receives increasing attention from researchers and the mass media. This popularity has resulted in an abundance of research materials on the topic. The problem, however, is that these materials can be very difficult to locate, as they are scattered across several disciplines (e.g., political science, history, and sociology) and are published in a variety of sources that are not always well indexed by databases and online catalogs (e.g., articles in reference sources and chapters in books). Locating research materials on American presidential power can also be difficult because it is often subsumed in sources covering the presidency as a whole. Even bibliographies, which could help to identify resources in this area, are scarce and dated. The goal of this guide is to fill this gap by listing and describing core resources addressing American presidential power as well as resources that librarians can use to evaluate or update their existing collections. The guide includes some of the most important reference sources, biographical sources, books, periodicals, journal articles, databases, government information resources, and Internet resources on the topic.

REFERENCE SOURCES

Genovese, Michael A., ed. *Encyclopedia of the American Presidency*. New York: Facts on File, 2004 (ISBN: 978-0-8160-4699-7).

Arranged alphabetically by topic, this encyclopedia includes entries addressing the operations and the institution of the presidency and individual administrations. Relevant

articles include “War Powers,” “Presidency, Theories of,” and “Separation of Powers.” Each entry is brief but concise, explaining key concepts related to the presidency. The title is out of print but remains an essential reference source and should be retained in all collections.

Israel, Fred L. *Presidential Documents: The Speeches, Proclamations, and Policies That Have Shaped the Nation from Washington to Clinton*. New York: Routledge, 2000 (ISBN: 978-0-415-92037-7).

Guide to significant presidential sources from important events in the American presidency. Sources include speeches, proclamations, and executive orders. This is a selective source; however, each entry is followed by a discussion explaining its significance. These sources are useful for understanding the actions of presidents.

Nelson, Michael. *Guide to the Presidency*. 4th ed. Washington, D.C.: CQ Pr., 2007 (ISBN: 978-0-87289-364-1).

Two volumes covering all aspects of the American presidency. It is divided into eight parts. In the third part, “Powers of the Presidency,” the authors divide different sources and expressions of presidential power into seven detailed and exhaustive chapters. These include “Unilateral Powers of the Presidency,” “Legislative Leader,” and “Commander in Chief.” Each ends with notes and selected bibliographies. Cross-referencing is also provided, which demonstrates the relationship between discussions of presidential power.

Nelson, Michael, ed. *The Presidency A to Z*. 4th ed. Washington, D.C.: CQ Pr., 2007 (ISBN: 978-0-87289-367-2).

Addresses presidential power in different sections: bureaucracy, veto power, and separation of powers. This is a good source for beginning researchers because of the easy-to-understand writing style and the additional reading lists at the end of every section. Cross-referencing is also provided at the beginning of some sections.

Nelson, Michael, ed. *Powers of the Presidency*. 3rd ed. Washington, D.C.: CQ Pr., 2008 (ISBN: 978-0-87289-958-2).

Powers of the executive branch are broken down into several sections, including “Unilateral Powers of the Presidency,” “Chief of State,” “Legislative Leader,” “Chief Diplomat,” “Commander in Chief,” and “Chief Economist.” This book is a good source for understanding the formal and informal powers of the executive from historical, constitutional, and current perspectives.

Sisung, Kelle S. and Gerda-Anne Raffaele, eds. *Presidential Administrations Profiles for Students*. Detroit: Gale Group, 1999 (ISBN: 978-0-7876-3911-2).

Reference work intended for students, undergraduate students, and teachers. It is arranged chronologically by administration (Washington to Clinton). Each profile contains a biographical section and an administration section. At the end

of each profile a bibliography and list of suggested readings is provided. Though intended for lower-level students, this source provides important information on each administration and is an easy to use and understand reference source for beginning researchers.

Wettreau, Bruce W. “Chief Executive” and “Commander in Chief.” *Congressional Quarterly’s Desk Reference on the Presidency*. Washington, D.C.: CQ Pr., 2000 (ISBN: 978-1-56802-589-6).

Wettreau addresses commonly asked questions about the powers and functioning of the executive office in a clear and concise manner (e.g., Who declares war, the president or Congress? What is an executive order?). These articles provide a starting point for researching presidential power and will help in understanding the many different subsections of the topic.

Woll, Peter. “Executive Power.” In *Encyclopedia of the American Presidency*, ed. Leonard W. Levy and Louis Fisher, 587–93. New York: Simon & Schuster, 1994 (ISBN: 978-0-13-276197-0).

Effectively summarizes the growth of presidential power in the twentieth century. Sections addressing the different powers of the president are also included. Woll further explains the most influential perspectives on presidential power put forth by experts such as Edwin Corwin, Richard Neustadt, and Arthur Schlesinger. The title is out of print; however, it should be retained by libraries because of its continued usefulness.

BOOKS

Included are classic works as well as more recent publications. Recently published books specifically addressing American presidential powers post–September 11 are listed because they represent a shift in the academic literature.

Crenson, Matthew A., and Benjamin Ginsberg. *Presidential Power: Unchecked and Unbalanced*. New York: Norton, 2007 (ISBN: 978-0-393-06488-9).

Discusses the expansion of the presidency. The authors frame their argument of the expanded executive branch in relation to the decline of “popular political engagement” among the general public of the United States. It considers the motives and opportunities utilized by the executive that has led to the “aggrandizement” of the American presidency. This is a useful source for current analysis of presidential power.

Gergen, David R. *Eyewitness to Power: The Essence of Leadership—Nixon to Clinton*. New York: Simon & Schuster, 2001 (ISBN: 978-0-7432-0322-7).

Examines presidential power by focusing on leadership traits. Gergen has worked with presidents and believes the presidency is still the core of democracy but requires strong

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leadership skills. This book offers a different perspective than some of the more scholarly books written on the presidency because of the professional experience of the author.

Koenig, Louis W. *The Chief Executive*. 6th ed. New York: Harcourt Brace College Publishers, 1996 (ISBN: 978-0-15-503176-0).

Good source for understanding the development of different theories of presidential power. Koenig explains the major schools of thought (e.g., imperial presidency, personality president). Shifts in American politics are also used to explain changes in presidential power, which establish a context for understanding this multifaceted and highly debated topic.

Krent, Harold J. *Presidential Powers*. New York: New York Univ. Pr., 2005 (ISBN: 978-0-8147-4782-7).

Offers a comprehensive analysis of the constitutional powers of the president. Each of the five chapters in the book discusses one type of constitutional power granted to the president (e.g., president's power to execute the laws passed by Congress). This source clarifies the vague powers granted to the president within the Constitution.

Milkis, Sidney M., and Michael Nelson. *The American Presidency: Origins and Development, 1776–2007*. 5th ed. Washington, D.C.: CQ Pr., 2007 (ISBN: 978-0-87289-336-8).

Traces how the executive branch has changed over the course of history. The theme of presidential power is present in many chapters as an important aspect of the presidency. Relevant sections include “The Reaction against Presidential Power: Andrew Johnson to William McKinley,” “John F. Kennedy and the Rise of the Personal President,” and “A Restoration of Presidential Power? Ronald Reagan and George Bush.” This latest edition includes information on the George W. Bush administration, including the 2004 and 2006 elections. This is a good source for students and beginning researchers because it covers the entire span of the American presidency.

Neustadt, Richard E. *Presidential Power and the Modern Presidents: The Politics of Leadership from Roosevelt to Reagan*. New York: Maxwell Macmillan, 1990 (ISBN: 978-0-02-922796-1).

From a more political culture approach rather than an institutional approach, the author argues that presidents should use their immense influence to its fullest extent to lead the United States. However, this should occur within the context of the Constitutional powers granted the executive. This is a seminal book representing a major shift in presidential studies scholarship because the analysis shifts away from the institutional approach and instead focuses on the personal qualities and abilities of individual presidents.

Rossiter, Clinton L. *The American Presidency*. 2nd ed. Baltimore: Johns Hopkins Univ. Pr., 1987 (ISBN: 978-0-8018-3545-2).

A classic work on the presidency. This book discusses the

powers of the president through a historical, institutional, and cultural framework. Though originally published in 1956, it is representative of this influential perspective of the presidency. This edition includes an introduction by Michael Nelson expanding Rossiter's analysis to more recent administrations.

Savage, Charlie. *Takeover: The Return of the Imperial Presidency and Subversion of American Democracy*. New York: Little, Brown, 2007 (ISBN: 978-0-316-11804-0).

A current book analyzing increased presidential power by examining the agenda and actions of the George W. Bush administration. Savage argues that the Bush-Cheney administration has permanently increased executive power resulting in a change in the balance of powers outlined in the Constitution.

Schlesinger, Arthur M. *The Imperial Presidency*. Boston: Houghton Mifflin, 2004 (ISBN: 978-0-618-42001-8).

Schlesinger outlines his theory of the imperial presidency in this classic work on American presidential power. He discusses the need for having a strong presidency but one that remains within the Constitution.

Wilson, Robert A. *Power and the Presidency*. 1st ed. New York: Public Affairs, 2000 (ISBN: 978-1-891620-43-0).

Includes seven chapters by historians, biographers, and journalists, each addressing presidential power from a personal point of view. Although not very scholarly, the essays can be useful for some researchers or for those wanting to understand executive power outside an academic framework.

PERIODICALS

The following periodicals frequently cite or publish articles on American presidential power.

Political Science Quarterly. New York: Academy of Political Science, 1886–. Quarterly (ISSN: 0032-3195).

Presidential Studies Quarterly. New York: Center for the Study of the Presidency, 1972–. Quarterly (ISSN: 0360-4918).

American Political Science Review. Cambridge: Cambridge Univ. Pr., 1906–. Quarterly (ISSN: 0003-0554).

Journal of Politics. Malden, Mass.: Blackwell, 1939–. Quarterly (ISSN: 0022-3816).

American Journal of Political Science. Malden, Mass.: Blackwell, 1950–. Quarterly (ISSN: 0092-5853).

JOURNAL ARTICLES

The following is a selection of some of the most influential

journal articles published on this topic in the last ten years. Each discusses different aspects of American presidential power.

Nancy V. Baker, "The Law: The Impact of Antiterrorism Policies on Separation of Powers: Assessing John Ashcroft's Role," *Presidential Studies Quarterly* 32, no. 4 (2002): 765–78.

Analyzes John Ashcroft's role as "defender of the unilateral presidency" since the events of September 11. Baker concludes that antiterrorism legislation has helped in the development of a stronger executive branch; power is not equally distributed between the three branches.

Matthew A. Crenson and Benjamin Ginsberg, "Downsizing Democracy, Upsizing the Presidency," *South Atlantic Quarterly* 105, no. 1 (2006): 207–16.

Argues that presidential powers have been increasing since before September 11. Cites examples demonstrating that the executive branch has been gaining more power through the use of executive orders and clearance powers.

Louis Fisher, "The Law: When Presidential Power Backfires: Clinton's Use of Clemency," *Presidential Studies Quarterly* 32, no. 3 (2002): 586–99.

Argues that President Clinton weakened his presidency by not using established procedures for granting clemency. This article provides an interesting look at a specific executive power and how it can and cannot be used.

T. M. Moe and W. G. Howell, "The Presidential Power of Unilateral Action," *Journal of Law Economics & Organization* 15, no. 1 (1999): 132–79.

Discusses one aspect of presidential power: the ability of the executive to act unilaterally without Congressional approval. Such power is a result of Constitutional ambiguities. The authors argue that presidents can and do take advantage of this power without the Congress and judiciary stopping them.

John E. Owens, "Presidential Power and Congressional Acquiescence in the 'War' on Terrorism: A New Constitutional Equilibrium?" *Politics & Policy* 34, no. 2 (2006): 258–303.

Analyzes the relationship between the executive branch and Congress during times of war or other external crises. This article argues that there are historical precedents of Congressional retreats during these times of crisis, granting the executive increased power.

Andrew Rudalevige, "The Contemporary Presidency: The Decline and Resurgence and Decline (and Resurgence?) of Congress: Charting a New Imperial Presidency," *Presidential Studies Quarterly* 36, no. 3 (2006): 506–24.

Presents a history of the rise of presidential power since Vietnam and Watergate using Schlesinger and Sundquist's theories of presidential power. It argues that those two crises prompted Congressional action that led to more power being

restored to the legislature. However, Congressional fragmentation emerged once more, even before September 11. The author identifies a "new imperial presidency" and discusses the possibility of the reemergence of a stronger Congress to respond to this crisis. This article bridges the gap between older and current scholarly discussions on the topic.

DATABASES

The following databases provide the most comprehensive coverage of American presidential power literature in a wide variety of disciplines. When using these databases, "executive power" and "presidential power" are the most effective search terms.

Academic Search Premier. Ipswich, Mass.: EBSCO Pub. Coverage: 1965–present.

America: History and Life. Santa Barbara, Calif.: ABC-CLIO. Coverage: 1964–present.

InfoTrac. Detroit, Mich.: Gale Group. Coverage: 1980–present.

International Political Science Abstracts. Norwood, Mass.: SilverPlatter International. Coverage: 1989–present.

PAIS International. Bethesda, Md.: Cambridge Scientific Abstracts. Coverage: 1972–present.

Sociological Abstracts. Bethesda, Md.: Cambridge Scientific Abstracts. Coverage: 1952–present.

Web of Science. Philadelphia, Pa.: Thomson Scientific. Coverage: Varies.

Worldwide Political Science Abstracts. Bethesda, Md.: Cambridge Scientific Abstracts. Coverage: 1975–present.

GOVERNMENT INFORMATION

Current and retrospective government information is now widely available for free on the Internet. Such primary sources can assist researchers with understanding American presidential power from the actual actions of the president and not just scholarly interpretations. Included in this section are online sources that can be used to find government information related to American presidential power.

Internet Sources

The White House official website (www.whitehouse.gov)

Main source for finding information on the current administration. Includes links to all Cabinet webpages, nominations and appointments, current information on Iraq,

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Homeland Security, the USA PATRIOT Act, and press briefings. All executive orders and proclamations from the current administration are available.

National Archives and Records Administration (<http://archives.gov>)

Presidential documents can be searched through this site. Full text is available for some documents, including executive orders, beginning in 1993; older documents are indexed. The *Federal Register* and *Weekly Compilation of Presidential Documents* can also be searched beginning with the Clinton administration.

Presidential Libraries (www.archives.gov/presidential-libraries/contact/libraries.html)

Links to all presidential libraries. The National Archives and Records Administration oversees the presidential library system. The amount and number of documents available from each library differs. Most include papers, speeches, executive orders, and proclamations. Personal papers are sometimes available.

GPOAccess: Executive Branch Resources (www.gpoaccess.gov/executive.html)

Offers a list of executive branch resources, subdivided into three categories: The Regulatory Process: Implementing Laws Passed by Congress; Presidential Materials: Remarks, Speeches, & Executive Orders; and Executive Publications: Reports, Investigations, Findings, Etc. Although this site can be difficult to navigate and requires some knowledge of the structure of government and what types of sources are wanted, it is an excellent place to find sources related to the executive branch.

The American Presidency Project (www.presidency.ucsb.edu/ws)

Covers the Messages and Papers of the Presidents (Washington to Taft), the Public Papers of the Presidents (Hoover to Bush), and the *Weekly Compilation of Presidential Documents* (Clinton to George W. Bush). This is an excellent source for finding full-text executive documents. Examples of information are executive orders and proclamations, State of the Union addresses, and news conferences. Data regarding popularity, Congressional concernment with the president, and vetoes is also available. Some audio files of presidential speeches are included.

Online Guides to Government Information

The following online guides are included because they are useful in understanding where to start with government information related to the presidency. They can assist researchers with finding relevant electronic and print documents.

Federal Government Resources: President of the United

States, The University of Michigan Documents Center (www.lib.umich.edu/govdocs/fedprs.html#speech)

Guide: Presidential Information, Indiana University: Government Information, Microforms & Statistical Services (www.libraries.iub.edu/index.php?pageId=2797)

Government Information: President/Executive Branch, University of California Berkeley Library (www.lib.berkeley.edu/doemoff/govinfo/federal/gov_uspres.html)

Congressional Research Service Reports

The following are recent examples of Congressional Research Service Reports addressing different aspects of presidential power. These reports are well-researched and nonbiased. They provide quality introductions to current issues and a good basis for further legal and government research. Also, less specialized legal or government knowledge is necessary to understand the information provided. The Congressional Research Service (CRS) also updates reports as needed; the information remains current.

U.S. Congressional Research Service. “*Hamdan v. Rumsfeld*: Military Commissions in the ‘Global War on Terrorism.’” (RS22466 July 6, 2006). By Jennifer K. Elsea.

Report summarizing *Hamdan v. Rumsfeld*, the case in which the Supreme Court ruled that the President’s “Authorization to Use Military Force,” which grants the use of war powers, does not extend the executive’s powers beyond those set forth by the Uniform Code of Military Justice. This case addressed the treatment of detainees at the Guantanamo Bay detention facility.

U.S. Congressional Research Service. “Declarations of War and Authorizations for the Use of Military Force: Historical Background and Legal Implications.” (RL31133 Mar. 8, 2007). By Jennifer K. Elsea and Richard F. Grimmett.

Report discussing the difference between declarations of war and authorizations for the use of military force. Two appendixes are included that list and summarize the statutes “triggered by a declaration of war, declaration of national emergency, and/or the existence of a state war.” This report will assist researchers with understanding the legal components to the executive’s war powers—an important discussion in the current political climate.

U.S. Congressional Research Service. “National Emergency Powers.” (98-505 GOV, Aug. 20, 2007). By Harold C. Relyea.

This in-depth report addresses the emergency powers granted the executive. The development of the National Emergencies Act (50 U.S.C 1601-1651) and subsequent declarations of national emergencies are the focus of the report. This is a good source for understanding the history and continual changes to a controversial aspect of executive power.

WEB RESOURCES

These resources were chosen specifically because they represent three different categories of studies on American presidential power: powers of the presidency, arguments against expanded presidential power, and arguments in favor of expanded presidential power.

The Powers of the Presidency

“The President of the United States—Briefly,” <http://usgov.info.about.com/cs/agencies/a/presbrief.htm>

Brief entry that nicely summarizes how the executive office functions and the powers it is granted in the United States Constitution. It also provides links to more information on specific topics, such as Constitutional amendments related to the president’s power. A link to books about the presidency is also included.

“Administration of the Government,” <http://millercenter.org/academic/americanpresident/policy/government>

Provides a discussion of presidential powers, both formal and informal. This is a good source for understanding how the president uses both types of power. This entry provides a nonbiased presentation of presidential powers, which will be helpful for understanding and evaluating sources arguing in favor or against expanded presidential power.

“Executive Power in American Institutional Development,” www.princeton.edu/~kewhitt/POP_Executive.pdf#search=%27american%20executive%20power%20high%20school%20classroom%27%20

Authors argue against the theory of congressional centrality of American politics. It is a good source for understanding the institutional theory of presidential power.

Discussions against Expanded Presidential Power

“Executive Orders and National Emergencies: How Presidents Have Come to ‘Run the Country’ by Usurping Legislative Power,” www.cato.org/pubs/pas/pa358.pdf

Authors address how presidents in the twentieth century have extended executive power through use of the generally defined war powers of the executive. The authors argue that executive power has grown because of the overall expansion of the federal government. They believe that it is the fault of the Congress for not limiting executive power. They address many of the core elements to understanding executive power: constitutional limits, the role of the legislature, and national emergencies.

“Executive Power and Breathing Space for Liberty,” <http://jurist.law.pitt.edu/forumy/2006/06/executive-power-and-breathing-space.php>

Commentary by law professor Peter Shane addressing the difference between norms and technical law. The author, writing about the CIA surveillance project, argues in favor of looking at violations by the executive regarding the norms of American politics rather than debating if the executive technically broke any laws.

Discussions in Favor of Expanded Presidential Power

“Lincoln’s Example and the Survival of Constitutionalism,” www.apsanet.org/imgtest/PerspectivesDec05Kleinerman.pdf

B. A. Kleinerman, in the article “Lincoln’s Example and the Survival of Constitutionalism,” argues in favor of a strong executive in the United States. The author uses the example of Lincoln’s administration as a basis for a discussion of contemporary uses of executive power.

“History and Executive Power,” www.taemag.com/issues/articleid.19011/article_detail.asp

While this article comes from a decidedly biased source, the *American Enterprise*, it is effective for understanding one side of the debate of presidential power in the current political climate. The author argues in favor of a strong presidency through a brief historical analysis of past administrations.