



## **What would the Founding Fathers say about growing executive power**

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Executive power has been steadily growing, regardless of which party is in power. The Constitution clearly gives Congress the power to declare war. Still, we have gone to war in Korea, Vietnam, Iraq, and Afghanistan upon the authority of the president alone. Today, the president, on his own authority, imposes tariffs upon China, Canada and a host of other countries.

How many of the rules under which we live are the result of executive order? Executive orders signed into law by Presidents Bill Clinton, George W. Bush, Barack Obama, and Donald Trump. Actions executed without input by our elected representatives in Congress.

**The Founding Fathers understood that freedom was not man's natural state.**

Their entire political philosophy was based on a fear of government power and the need to strictly limit that power. It was fear of a totalitarian government which led to the rebellion against the rule of King George III.

**A totalitarian regime crushes all autonomous institutions in its drive to seize the humansoul**  
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**(Arthur M. Schlesinger, Jr.).**

The Founding Fathers tried their best to construct a form of government led by the Constitution that would protect the individual. Those same Founders would express disappointment to see the growth of government power, particularly in the executive branch.

But they would not be surprised.

In a letter to Edward Carrington, Thomas Jefferson wrote that,

**“The natural progress is for Liberty to yield and government to gain ground.” He noted that, “One of the most profound preferences in human nature is for satisfying one’s needs and desires with the least possible exertion, for appropriating wealth produced by the labor of others, rather than producing it by one’s own labor...the stronger and more centralized the government , the safer would be the guarantees of such monopolies, the weaker the producer, the less consideration need be given him and the more might be taken away from him.”**

That government's power has limitations by virtue of its three separate branches. Those branches, the Executive (President), Legislative (Congress) and Judicial (the Supreme Court) creating checks and balances. Those founders knew that power is a corrupting force.

In The Federalist Papers, James Madison declared:

**“It may be a reflection on human nature that such devices should be necessary to control the abuses of government...But what is the government itself but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If Angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed, and in the next place, oblige it to control itself.”**

The Founding Fathers were not utopians. They understood man's nature. They attempted to form a government which was consistent with, not contrary to, that nature. Alexander Hamilton pointed out that,

**“Here we already have seen enough of the fallacy and extravagance of those idle theories which have amused us with promises of an exemption from the imperfections, weaknesses, and evils incident to society in every shape. Is it not time to awake from the deceitful dream of a golden age and adopt as a practical maxim for the direction of our political conduct that we, as well as the other inhabitants of the globe, are yet remote from the happy empire of perfect wisdom and perfect virtue.”**

Rather than viewing man and government in positive terms, the framers of the Constitution had almost precisely the opposite view. John Adams expresses:

**“Whoever would found a state and make proper laws for the government of it, must presume that all men are bad by nature.”**

Adams attempted to learn something from the pages of history:

**“We may appeal to every page of history we have hitherto turned over, for proofs irrefragable, that the people, when they have been unchecked, have been as unjust, tyrannical, brutal, barbarous and cruel as any king or senate possessed of uncontrollable power. All projects of government, formed upon a supposition of continued vigilance, sagacity, and virtue, firmness of the people when possessed of the exercise of supreme power, are cheats and delusions. The fundamental article of my political creed is that despotism, or unlimited sovereignty, or absolute power, is the same in a majority of a popular assembly, an aristocratic council, an oligarchical junto, and a single emperor. Equally bloody, arbitrary, cruel, and in every respect diabolical.”**

During the colonial period, Americans became all too familiar with the dangers of an all-powerful King. And the unlimited and arbitrary government. The Revolution's goal is to stop governmental abuse.

When the Articles of Confederation were under debate, there were expressions of fear of an excessive concentration of authority.

The town of West Springfield, Massachusetts, to cite one example, reminding its representatives of the

**“...weaknesses of human nature and growing thirst for power. It is freedom, Gentlemen, it is freedom. and not a choice of the forms of servitude for which we contend.”**

To prevent the growth of unlimited government power, the Constitution divided government between a legislative, executive and judicial branch. The Congress was to be the most important branch, elected by the people on a frequent basis. The experience of life under an all-powerful King made a powerful president less than appealing. As years went by, however, the executive, whether Democrat or Republican, assumed more and more power.

Under President George W. Bush, for example, many began to refer to a new “Imperial Presidency.” The Cato Institute study, “The Cult of the Presidency” notes that the Bush administration’s broad assertion of executive power includes.:

**“...the power to. launch wars at will, to,tap.phones and read e-mails without a warrant, and to seize American citizens on American soil and hold them for the duration of the war on terror, in other words, perhaps forever, without ever having to answer to a judge.”**

The study’s author, Eugene Healy, points out that,

**“Neither left nor Right sees the president as the Framers saw him: a constitutionally constrained chief executive with an important, but limited, job: to defend the country when attacked, check Congress when it violates the Constitution, enforce the law and little else. Today, for conservatives as well as liberals, it is the president’s job to, protect us from harm, to ‘grow the economy,’ to spread democracy and American ideals abroad, and even to heal spiritual malaise.”**

The modern presidency has become one far different from the one set forth in the Constitution. The Cato Institute provides this assessment:

**“The constitutional presidency, as the Framers conceived it, was designed to stand against the popular will as often as not, with the president wielding the veto power to restrain Congress when it transgressed its constitutional bounds. In contrast, the modern president considers himself the tribune of the people, promising transformative action and demanding the power to carry it out. The result is what political scientist Theodore J. Lowi has termed ‘the plebiscitary presidency’: *‘An office of tremendous personal power drawn from people, and based on the theory that the presidency with all powers is the necessary condition for governing a large democratic nation.’*”**

The men who led the Revolution in both parties were suspicious of power and those who hold it.

Samuel Adams saying:

**“There is a degree of watchfulness over all men possessed of power or influence upon which the liberties of mankind much depend. It is necessary to guard against the infirmities of the best as well as the wickedness of the worst of men. Jealousy is the best security of public Liberty.”**

Our increasingly powerful government and chief executive role is not something to make the Founding Fathers happy. But it would not be surprising. Leaving the Constitutional

Convention, Benjamin Franklin was asked what kind of government had been established. He replied,

**“A Republic if you can keep it.”**

People who call themselves “conservative” used to understand all this. Now, they seem to have forgotten.