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**I believe in the free speech that liberals used to believe in, the economic freedom that conservatives used to believe in, and the personal freedom that America used to believe in.**

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### [The Cult Of The Imperial Presidency](#)

by Doug Mataconis @ 6:35 pm on October 30, 2009.



Over the past 30 years, America has seen Presidential scandals ranging from Watergate to Iran-Contra to Travel-gate, Whitewater, the Lewinsky scandal, and the Valerie Plame affair. We've learned the truth about some of the truly nefarious actions undertaken by some of most beloved Presidents of the 20th Century, including the iconic FDR, JFK, and LBJ. And, yet, despite all of that, Americans still have a reverential view of the President of the United States that borders on the way Englishmen feel about the Queen or Catholic's feel about the Pope.

How did that happen and what does it mean for America ?

Gene Healy does an excellent job of answering those question in [The Cult of the Presidency: America's Dangerous Devotion to Executive Power](#), making it a book that anyone concerned with the direction of the American Republic should read.

As Healy points out, the Presidency that we know today bears almost no resemblance to the institution that the Founding Fathers created when they drafted [Article II of the Constitution](#). In fact, to them, the President's main job could be summed up in ten words set forth in Section 3 of Article II:

he shall take Care that the Laws be faithfully executed,

The President's other powers consisted of reporting the state of the union to Congress (a far less formal occasion than what we're used to every January), receiving Ambassadors, and acting as Commander in Chief should Congress declare war. That's it.

For roughly the first 100 years of the Republic, Healy notes, Presidents kept to the limited role that the Constitution gave them. There were exceptions, of course; most notably Abraham Lincoln during the Civil War but also such Presidents as James Polk who clearly manipulated the United States into an unnecessary war with Mexico simply to satisfy his ambitions for territorial expansion. For the most part, though, America's 19th Century Presidents held to the limited role that is set forth in Article II, which is probably why they aren't remembered very well by history.

As Healy notes, it wasn't until the early 20th Century and the dawn of the Progressive Era that the idea of the President as something beyond what the Constitution said he was took forth. Healy documents quite nicely the ways in which Presidents from Theodore Roosevelt to Woodrow Wilson to FDR went far beyond anything resembling Constitutional boundaries to achieve their goals, and how they were aided and abetted in that effort by a compliant Supreme Court and a Congress that lacked the courage to stand up for its own Constitutional prerogatives. Then with the Cold War and the rise of National Security State, the powers of the Presidency became even more enhanced.

One of the best parts of the book, though, is when Healy attacks head-on the "unitary Executive" theory of Presidential power that was advanced by former DOJ official John Yoo in the wake of the September 11th attacks and the War on Terror. As Healy shows, there is no support for Yoo's argument that the Founders intended for the President to have powers akin to, or even greater than, those of the British Monarch that they had just spent seven years fighting a war to liberate themselves from. The dangers of Yoo's theories to American liberty and the separation of powers cannot be understated.

If the book has one weakness, it's in the final chapter where Healy addresses only in passing reforms that could be implemented to restrain the Cult Of the Presidency. I don't blame Healy for only giving this part of the book passing attention, though, because what this book really shows us is that no matter of written law can stop power from being aggregated in a single person if that's what the people want and, to a large extent, we've gotten the Presidency we deserve.

Healy's closing paragraph bears reproducing:

"Perhaps, with wisdom born of experience, we can come once again to value a government that promises less, but delivers far more of what it promises. Perhaps we can learn to look elsewhere for heroes. But if we must look to the Presidency for heroism, we ought to learn once again to appreciate a quieter sort of valor. True political heroism rarely pounds its chest or pounds the pulpit, preaching rainbows and uplift, and promising to redeem the world through military force. A truly heroic president is one who appreciates the virtues of restraint — who is bold enough to act when action is necessary yet wise enough, humble enough to refuse powers he ought not have. That is the sort of presidency we need, now more than ever.

And we won't get that kind of presidency until we demand it."

And, if we don't demand it we will find ourselves living in a country where the only difference between President and King is merely the title.