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Presidential Mandates and the Need for Push-Back

By: Wallace Henley - January 3rd, 2013

A free republic is never in more danger than when its chief executive believes he rules by mandate.

It should encourage no one – not even President Obama's supporters – that many of his partisans are encouraging him to see his re-election as a mandate. America's political landscape is littered with the wreckage wrought from Chief Executives, Democrat and Republican, who believed voters were giving them a license to govern like an autocrat.

President Andrew Jackson perhaps started what Yale political scientist Robert A. Dahl calls "the myth of the mandate" when he advanced the idea that a President's election is an automatic granting of a mandate.

There's a troublesome tendency on the part of some victors to believe the mandate doesn't even require a bug-squashing victory, as Ronald Reagan showed in 1980, when, with just 50.9 percent of the vote, he trumpeted his "mandate."

Theodore Roosevelt had no popular mandate at all when he became President, since, as Vice President, he stepped into office when William McKinley was assassinated in 1901. But that did not squelch Roosevelt's mandate-mindedness. The Chief Executive had the prerogative of determining the public interest, Roosevelt believed. He charged ahead with his sometimes intrusive reformist agenda with the passion of his assault on Cuba's San Juan Hill in 1898.

President Woodrow Wilson brought the mandate notion all the way into "canonical form," writes Professor Dahl. Wilson believed "the President is at liberty, both in law and conscience, to be as big a man as he can." For this reason and others, George Will tagged Wilson as "The Root of Much Mischief," and told a 2012 Cato Institute audience that "Wilson ruined the 20th century."

Ruin has been the legacy of power-intoxicated Chief Executives and their regimes throughout American history. Lyndon Johnson used his "mandate" to broaden the welfare state and wage war in Vietnam on an ever-expanding scale. Richard Nixon, after his stomping win over George McGovern, claimed he should be left alone about the Watergate scandals, telling America in a speech, "Your votes were a mandate... to complete the initiatives we began in my first term and to fulfill the promises I made for the second term."

Scary, disastrous stuff.

The miserable history of presidential mandates shows how important it is that the Constitution's checks and balances be taken seriously. Presidents near-drunk with the hubris of the mandate-mentality require much push-back.

Coach John Madden created his "Most Valuable Protectors Award" for the NFL offensive lines that, week-by-week, held off the defensive bulls charging at their quarterbacks. Here are some players needed now to form the protective line that will block yet another mandate-minded presidency from ripping the ball away from the people:

- The House of Representatives

President Andrew Jackson pushed the idea the President is the direct representative of the people. Not so. The House of Representatives is the foundational institution of American government, the successor to the first Continental Congress. Its Members are elected by popular vote in designated districts whose interests they are to represent in Washington. This is why, among other things, "the sole power of (presidential) impeachment" is granted the House, under Article I, Section 2, of the US Constitution.

- The States

From gun control to birth control, and much in-between, President Obama threatens to intensify the federal encroachments on individual states, with Obamacare as perhaps the most ominous sign. Texas Governor Rick Perry was right in urging the states to hold Obama's and Congress' "feet to the fire."

- The Biblically-based Church

Yale Professor Harry Stout wrote about Colonial churches' push-back to British claims to absolute sovereignty over the Colonies. In fact, he says, "the American revolution was first and foremost a religious event." Now, the church holding to biblical authority must lead in resisting the destruction of traditional marriage, and the expansion of the death culture of abortion and possibly even euthanasia, aided and abetted by the Obama Administration.

- Small and Medium-sized Businesses

America's biggest corporations cannot be counted on to provide push-back regarding business and marketplace controls from the mandate-minded White House because many of their leaders either gave heavily to the Obama campaign, or they want to remain positioned for the next round of bailouts. Hobby Lobby, a family-operated company, is providing an example of push-back in its resistance to aspects of Obamacare, like the requirement to provide the morning-after birth control pill to employees.

So, if that chunky line of the House, the Bible-based Church, the States, and small to medium Business holds, it will deserve "The Most Valuable Protectors Award" for providing the push-back to forces that threaten to overwhelm constitutional government with their arrogant mandate presumptions.

That line may be all that stands between the people and the "big man" presidency notion promoted by Woodrow Wilson.