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## **The Nature of the American Presidency Transcript**

Date: Tuesday, 18 September 2007 - 12:00AM

Location: Barnard's Inn Hall



**THE AMERICAN PRESIDENCY:  
TRANSFORMATION AND CHANGE  
THE NATURE OF THE AMERICAN PRESIDENCY**

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Ladies and gentlemen, this is the first of a series of lectures on the American Presidency, from Franklin Roosevelt to George W. Bush. Roosevelt was President from 1933 to 1945, the only President in American history to serve more than two terms. George W. Bush became President in 2001, and by the time I finish these lectures in 2009, he will no longer be President.

In the first of these lectures, I want to outline some of the features of the American political system and to show how different it is from our own. In particular, I want to show how the role of the President does not really correspond with the role of the Prime Minister, and how many misunderstandings, on both sides, are based on false analogies drawn between the two systems.

One of the wisest things ever said, I think, about the relationship between Britain and America was said by Oscar Wilde, that they were 'two countries divided by a common language'. Because we use the same language, we think we are talking about the same thing, but really, we are not. This is particularly the case in matters of politics and government, where the terms 'executive', 'party', 'legislature', and so on, really mean quite different things in the United States from what they mean here. Some of you may have come to the lectures I gave earlier this year and before, on the British Constitution, and you may remember that I said what I was talking about was, in a sense, a non-subject because the British Constitution does not exist. By this I meant the sense in which, in most democracies, there is a document setting out the powers of government, the way government is organised, and the rights of citizens, and we do not have that. Gordon Brown recently issued a discussion document saying perhaps we ought to have one and we were a bit of an anomaly not having one, but we do not have one yet. You may remember that one of the reasons for that is because the central doctrine of British government is, or perhaps was until we joined the European Community, the idea of the sovereignty of Parliament; the idea that Parliament can do what it likes. In the 18<sup>th</sup> Century, one constitutional thinker said, 'Parliament can do anything it likes, except turn a man into a woman or a woman into a man.' Now, that strictly is not true either, because if Parliament says, from the point of the law, a man is a woman, then that is the case.

The American revolutionaries in the 18<sup>th</sup> Century, who founded the American system, were reacting against all this whole doctrine, and in particular one exercise of the sovereignty of Parliament: the idea that they could be taxed by Westminster without being represented there. They coined the famous doctrine, 'No taxation without representation.' All this came about because, in their view, the Government in Britain was not a constitutional government because it was not constrained by any rules which prevented the Government acting in what they thought was an unfair and unjust manner. They determined they were going to put things right, so they were going to do things very differently when they came to organise their own independent state.

One of the first things they decided was they were not going to have a hereditary monarchy, but instead, their head of state was going to be a President; a leader who was originally to be elected not directly by the people, but by an electoral college composed of nominees of the State Governments and legislatures. Today, of course, the Electoral College has a purely symbolic function. We think of people as voting for the President, for Bush or Kerry, but actually, in each state, they are voting for an Electoral College mandated to support Bush or Kerry, and the candidate who has the most votes in any state gets the votes of that Electoral College for the presidency. The Electoral College does not really, for practical purposes, count for anything; they are people who are mandated. For practical purposes, the President is now directly elected.

The President replaces the hereditary monarch, but he also replaces the Prime Minister. So he has two functions: he is first the head of state; but also the head of government. The best Presidents, I think, have understood that dual function. They are not just a partisan head of a government the way Gordon Brown is a partisan head of government, but in another sense, they represent the people as a whole, in the way that the Queen represents the people as a whole. It is very difficult to do if you are

a partisan President. Obviously, this is a problem that George Bush has, and a problem partisan Presidents like Richard Nixon and Harry Truman earlier on had. Representing the whole nation while also being partisan is a difficult trick, if you like, to achieve.

The United States of America, is the only long-lived democracy which has this system. It has been copied in various Latin American countries but, on the whole, it has not lasted for long. It is a bit of a difficult system to export, unlike I think our system, which has been exported successfully to many countries.

The French system seems, superficially, very similar, because they have a directly elected President. You probably followed the recent election in which Sarkozy won - he was directly elected. But it is not the same as the American, because it combines a directly elected President with a Prime Minister and Cabinet that is responsible to Parliament. So it is something of a mixture - a hybrid system, if you like - of the British and the American systems. It is not parallel to the American, because the American system has no Prime Minister, and the President is not responsible to Congress in the way that the Prime Minister here, or the French Prime Minister, is responsible to the legislature. It is a unique system, a purely Presidential system. You may ask, 'Why did they choose that system? Why did not they go for a parliamentary system?' But I think that this would be an anachronistic question to ask, because when the Americans drew up their Constitution in 1787, we in Britain did not have a parliamentary system in the sense in which we now understand it, because the Government was as much responsible then to the King, to George III, as it was to Parliament, and that was what the Americans were complaining about. They did not really have an example of a parliamentary system. We did not really have such a system, or develop it, till 1832, till the time of the first Reform Act, and it may be that if America had become independent fifty or sixty years later, they would in fact have developed a parliamentary system. They might have said the British system is in fact a good one and they would follow that, but there was not a parliamentary system for them to follow, so what they thought they were doing was adopting a monarchical system, but democratising it, and the President, as I said, part of his function was to be a monarch.

That was the first thing they did: they said, we are not going to have an hereditary monarch, we are going to have an elected monarch. But then they said, we must make sure that a President, even if he is elected, does not enjoy the untrammelled power which they thought George III and his Government had, because they said no one should have that sort of power, even if that person is elected. So they wrote a Constitution which limits the power of the President. Of course Britain then, as now, did not have a Constitution, so this was a great innovation in human affairs.

So, 220 years ago yesterday the Founding Fathers met in Philadelphia to draw up a Constitution. This is the 220<sup>th</sup> anniversary plus one day. They drew up a Constitution, which still exists, it is the same Constitution, and the oath the President takes is the same one that George Washington, the first President also took. You can see this Constitution easily, read it in any textbook of American Government or on the web. It takes a short time to read, is beautifully written, and is easy to understand. It is the oldest written Constitution still surviving, and the fact that it has survived with so little amendment is remarkable. There were ten amendments fairly quickly before the Constitution was ratified. The first ten amendments were called the Bill of Rights. Some of the states said they would not ratify it unless there was a Bill of Rights attached, so that had to be done. There were ten amendments immediately. But since then, there have only been another 17 amendments - that is a total of 27 amendments in 200 years, which is fairly remarkable. So it is the oldest Constitution still surviving.

You will remember, at the time it was written, conditions were quite different. America was a country of gentlemen farmers, and of course at that time, only the white males had the vote. France was still a monarchy; the French Revolution hadn't yet broken out. Italy and Germany did not exist as countries. So it is remarkable that it has survived.

Most other democracies now have constitutions, as I have said. There are only three which do not: Britain, Israel, and New Zealand. But in America, the Constitution has a peculiar symbolic significance as well as a legal significance, because Americans see it as somehow their birth certificate, and it has the same symbolism as the Magna Carta does in Britain, although unlike the Magna Carta, it is a proper working document.

In 1999, 85% of Americans said the Constitution was a major reason for their success in the twentieth Century. So the President is a symbolic figure, and their Constitution is also a symbolic figure.

The central theme of the American Constitution, as you will not be surprised to hear, is that all power should be limited - whoever has it, if that person is elected or not, that power should be limited, and in particular, the power of the President should be limited. This means that the President does not have the untrammelled power that the British Cabinet has. This has often been misunderstood, I think.

In 1940, when Britain was fighting alone against Hitler, there was a debate in Parliament amongst leaders as to whether we could carry on fighting alone or not. Churchill put forward an argument - I suspect he knew it was not true - that we would not be alone because the Americans would soon be joining us because Franklin Roosevelt, who was the President then, was very sympathetic to us and would therefore join the War. It was true that Franklin Roosevelt was sympathetic to us, but he could not do what a British Cabinet could do - declare war - unless he could also get the support of Congress to support a declaration of war. That, at this particular time, was not easy because Congress was very strongly isolationist and thought America should not get involved. In fact America did not join the War until the end of 1941, after she was herself attacked by the Japanese at Pearl Harbor. I do not know whether people were taken in by that argument or not, but it was trying to use a parallel with Britain which actually did not exist.

At the end of the War, there was another misconception by the British about America. At the end of the War, the Americans stopped the programme of lend/lease which was financing Britain, and we had to seek a loan from America, though we hoped at first for a gift. We sent the great economist, John Maynard Keynes, across to the United States to try and get the best terms he could, and the British in general said, 'Well, we should do very well, we should not have much trouble, because the President, President Truman, is a strong Anglophile. They were sympathetic to us, very aware of the sacrifices we have made in the War,' and so on. All that was true, but Truman could not do what a British Cabinet would do - decide upon the terms for a loan or gift or whatever it was - without the support of Congress, and Congress again at that time was fairly isolationist. There were many people there who said, 'Well, why should we - we are not a charitable institution, why should we give lots of money to Britain, particularly as Britain has a Labour Government', a left wing Socialist Government, as they saw it, 'developing the welfare state. It was all very well if they want to do that, but we haven't got one ourselves - why should we finance the British welfare state?' That was a problem that the British had to deal with; they had to convince not just the President, but also Congress.

That is not true in Britain. If someone wants something from the British Government, if they convince the Cabinet then it is usually alright. For example - this may not happen, but it would be unusual if it does not - the Government have agreed to the Constitutional Treaty. It would be very surprising somehow if it wasn't ratified - previous treaties have been. This might have a referendum and be rejected, but on the whole, if you get the British Government to accept something, you can rely on it getting through Parliament - there is usually not a problem. That is not the case with America, and this is something that is not, I think, always understood. Generally then, the British Cabinet and Parliament want to agree with each other, but that is not the case in America.

In America, the President is limited in a number of ways. Firstly, the whole Central Government, or Federal Government if you like, is limited by the fact that it is a federal state and some things lie in the power of the states. Therefore, if the Federal Government tries to do something which is in the power of the states, they will be told they cannot do it and the Supreme Court, in the last resort, will stop them doing it by striking down any law which, in their view, entrenches on the position of the states. So this, again, obviously is a great contrast with Britain because, even under the Human Rights Act, the courts cannot strike down legislation of the Government. They can say it is incompatible with Human Rights and strike it down, but of course we do not have a federal system. The British Government could, if it wanted, tomorrow abolish the Scottish Parliament. The Federal Government cannot abolish the State of New York.

But even more than that, power is divided at the centre, because of the doctrine of the separation of powers. The obvious feature of that doctrine, which most of us know about, is that anyone in the Executive cannot also be a member of the Legislature. In other words, a President cannot be a member of Congress, and the members of his Cabinet cannot be members of Congress. If a President chooses, as a member of his Cabinet, someone who is in the Congress, that person has to resign his seat. You cannot sit in both. Again, all this is interpreted by the Supreme Court, which strikes down any law which contravenes the Constitution.

Let me give another example at the federal level: the First Amendment to the Constitution, the first part of the Bill of Rights, says that 'Congress shall pass no law restricting freedom of speech or religion', so if such a law is passed, it will be struck down as unconstitutional. That happened in the 1950s when Congress and the President tried to ban the Communist Party in America, and the Court said that it was unconstitutional.

I want now to give three further examples of the constitutional limits on what the President can do, which would not occur, clearly, in the British context.

In 1950, the Korean War broke out, and President Truman was very worried that supplies and munitions for American troops in Korea were under threat because of a possible strike in the steel industry. So he decided, in what he said was a national

emergency, to nationalise the industry without seeking the approval of Congress, which he may not have got. But the Supreme Court said, in 1952, in a case brought by one of the private steel owners, that Truman lacked the power to do this, and that the industry had to be returned to the private owners. This is the famous Youngstown case of 1952.

Then in 1974, a case which some people here may remember, the United States versus President Nixon; there was a question concerned with the Watergate break-in and everything that followed from that, which eventually led to President Nixon's resignation. There was a question of whether the tapes that had been made of the discussions with the President could be released to the courts to judge whether some people were guilty of offences or not. President Nixon claimed that they could not be released, that they were privileged - Executive Privilege - but the Court rejected that argument and said that the President was not above the judicial process: that he was subject to the law as everyone else was. So that constrained him, and he had to release the tapes. In effect, this meant the end of his presidency, because he was then exposed as being involved in the cover-up.

A more recent example comes from 1996 when Congress, at the bidding of President Clinton, passed legislation providing for what is called a line item veto. A line item veto means that the President, if he wants to veto legislation, does not have to veto the whole of it, which had been the situation up till then, but could just veto a particular part of it. This President Clinton wanted because he said, and indeed a number of Presidents have said: 'There is often legislation passed where there are some bits of expenditure that I do not like, but I do not want to veto the whole thing, because in general, the legislation is beneficial. I want to be able to pick and choose, and veto just one part of it,' a line item as it were; a line item veto. Critics said this would give the President a much greater degree of power as he could veto a lot more legislation, and be put right in the centre of the legislative process where he should not be. Anyway, Clinton got Congress to pass it in 1996, and in 1997, Clinton used it eleven times to strike no less than 82 items from the Federal Budget - so he did not have to veto the whole Federal Budget, just those bits he did not like. But in 1998, the Supreme Court said the line item veto was unconstitutional, and they said this: 'The political branches cannot agree to rearrange the powers amongst themselves, because that would destroy the separation of powers which is at the basis of the American Constitution.' If they could agree, then they could agree that the judges should all be members of the President's Party - why do they not agree on that, or all sorts of ways of rearranging power? - and that would subvert the basic principle of the American Constitution, which is the separation of powers. They said if you want to achieve the line item veto, you cannot do it simply through Congress, you have to explicitly amend the Constitution.

As I said, the Constitution has been amended only 27 times since it was promulgated, and since it is difficult to amend, that is not surprising. To amend it, you need a two-thirds majority in both Houses, or majorities in three-quarters of the States' legislatures or special conventions, which is very difficult to achieve. One famous amendment, which went the rounds for many years before not getting the approval of the states, was the Equal Rights Amendment; to put in the Constitution 'equal rights to women' as you have 'equal rights to non-white people'. That did not get the majority. - It is very, very difficult to achieve.

But anyway, the line item veto was declared unconstitutional. So there exists a power of the courts over the President, not merely a symbolic but a real power, and every President has to be careful of that and also careful of the power of Congress, which I am now going to talk a bit more about.

Congress, even when controlled by the President's Party, will cause him trouble, but more often these days, it is not controlled by the same Party. There are twelve Presidents from Roosevelt to Bush but only four who have been able to govern without, at some point, a Congress with a different Party. The four are Roosevelt, Kennedy, Johnson, and Carter - all four Democrats, as it happens. Carter was the last President with that luxury and he left office in 1981. Since then, every President has had to face, at some time, a Congress controlled by the other Party, of course something that cannot happen in Britain. In a parliamentary system, by definition, a Prime Minister enjoys the confidence of the House of Commons - the majority will normally support the Prime Minister, the Government, more or less in whatever they do.

But even when the President has a majority of his Party, it is not necessarily helpful, and certainly you cannot rely on automatic support the way you can in Britain. The reason for that is because the very notion of 'party' means something quite different in America from what it means here. The key element in the American system, which has altered the nature of party politics and was introduced in the early twentieth Century, is the direct primary by which candidates are chosen. You have probably all been following the Presidential race, and in both of the Parties, the candidates are competing to do well in the first primaries. It used to be the case the first primary election was held in New Hampshire. Last time, it was in Iowa. So the important thing is to get support there, try and get some momentum, because the candidate is chosen, not by the Party machine, the Party caucus or the Party in Parliament, Party Members, as here, but much more widely. It is an American invention, the direct primary, an early twentieth Century invention.

The nearest we have to it in Britain has been proposed - a rather daring proposal I think - by David Cameron, who has said that for the choice of Conservative candidates for the Mayor of London - and of course Boris Johnson is one of the candidates - that anyone who is registered in London as a voter can vote to choose who they want. That is the nearest we have got to an American primary, and you will see how it is a quite radical and revolutionary change that candidates will be chosen in that way.

It is true that some other countries do have primary elections, but they are much more restricted than the American one because, in other countries, the people who can vote are the paying members of the party. In America, it differs, as so many things do, from state to state, the qualification to vote in primaries differ from state to state, but the most restricted ones say you have simply to declare a preference beforehand, whether you are a Democrat or a Republican. You do not have to pay any money; you just have to declare a preference, register in advance, and then you can vote in the primary. Obviously that is a much wider criterion than being a paying party member. But some states have this open system that Cameron is suggesting for London, that any registered member in the state can vote in the primary election regardless of their political views. This system is used not just for the presidency but for Congressional elections as well, Senate elections and most elections in America.

This has very important consequences because it means that the candidates are dependent as much on the locality as on the party machine. The important thing for the candidate is not necessarily to follow a party whip, because there is no point in following a party whip in Washington if you have lost your support at home. If you vote for the party whip on some measure which upsets your constituents in Oklahoma, you are not going to get the nomination next time. So if you want to stay in, you have to do what the voters in Oklahoma want, not what your Party leadership want, and this means the President and the Party leadership cannot control the actions of Congressional members. Therefore Congress, and the Senate too, to some extent, they are localist institutions, where the members are genuinely responsible to their constituencies rather than to the party leadership. We say this happens here; that we are selecting someone for West Berkshire or whatever it is, but in fact that person is going to follow the party whip most of the time. It may be that the introduction of a direct primary system would have the same effect here, of making parties much more localist in style than they are a parliamentary party. This has its good side and its bad side. Some people say there is too much parish pump in American politics; that Congressmen, instead of considering the wider issues of foreign policy are simply asking how things will go down in Nevada or Oklahoma or wherever it is, but obviously, it has its good side. Anyway, that is the way the system works.

Some people have said that there are not really - shall we say - two parties represented in the Senate, but 100 parties, because there are fifty states and there are the same two parties competing in each state, and each party is really a state party, and each Senator is responsible to his own state rather than to any machinery in Congress. It is partly because America is such a vast country - a continent in a way rather than a country - that it has to have something of a loosely organised party system. A more tightly organised party system would not work, because the interests of, shall we say, New York are very different from those of Texas or Oregon, and so on. So it is very loosely organised. It is as if Europe as a whole was united. You would have a very loose party system to represent the areas of very different geographical interests.

These limitations on the power of the President are particularly noticeable in an area which perhaps concerns us most of all in Britain; in foreign affairs. I want to read you what the Constitution says about foreign affairs. It first says that the President is the Commander in Chief, but it then says: 'Congress shall have the power to declare war, to raise and support armies, to provide and maintain a navy,' - there's nothing said about the Air Force of course because that did not exist in 1787. 'Congress shall have power to declare war,' in other words the President cannot declare war, so quite different from Britain.

In 1914 and 1939, the Government declared war without a Parliamentary vote. They got Parliament support afterwards, but it did not go to Parliament. Poor Tony Blair, much attacked for his policy on Iraq, was the first to get a parliamentary vote to support him on a war. On the whole, Prime Ministers can be fairly sure that the party will follow him if he seeks a Parliamentary vote. You cannot, for the reasons I have given, in America. The President cannot declare war.

So the implication of all this is that it is Congress that makes the policy, and Congress provides the money, for no more than two years at a time - it is not allowed to do more than that - and the President carries out that policy, as with other legislation. Congress makes the legislation and the President carries it out.

This was a provision, as it were, in the horse and buggy age 200 years ago. I suppose when the American Constitution was drawn up, 220 years ago, there was no reason to believe that America would be so heavily involved in foreign policy. You may say it is a Constitution for an isolationist state. What do you do if Congress is not in session when there is some trouble, like 9/11 or Pearl Harbour? Or when instant response is needed? Does this really make any sense when you have to respond

very rapidly to foreign policy crises? I do not think it does.

For much of American history, you have had to depend on Congress to declare or authorise a major military action, and that happened even after Pearl Harbour. President Roosevelt had to go to Congress to get a declaration of war. He got it without any trouble, obviously, but it is arguable that, without that, although he thought Britain ought to be helped, he would not have been able to get Congress to agree to committing American troops.

When the United States was debating after the Second World War whether it should join the United Nations, President Truman had to promise Congress that he would seek specific Congressional approval before there was any commitment of troops to the United Nations. President Truman ignored or broke that promise when he committed troops to Korea in 1950. He did not seek Congressional approval.

President Johnson managed to get around this in the Vietnam War, some people say deceitfully. There was no war declared, but a resolution was passed by Congress in 1964, when, as President Johnson said, some American ships had been attacked in Tonkin Bay by North Vietnamese aircraft. He said that there was a resolution that America should be able to hit back, and it was on that basis that America committed huge numbers of ground troops, in effect an undeclared war, in Vietnam.

As a result of that commitment in Vietnam, Congress passed an act trying to stop this happening again in 1973, over President Nixon's veto, the so-called War Powers Act. Under the War Powers Act, any commitment of troops has to be endorsed by Congress within sixty days, or the troops have to be withdrawn. That was a strengthening of the powers of Congress and was very controversial. It passed over President Nixon's veto, and to pass something over a veto requires a two-thirds vote in both Houses, so you will see how annoyed Congress was about the Vietnam commitment, which obviously turned out badly, and that strengthened the position of Congress in foreign affairs. This, again, was something quite different from British experience.

Further than that, any treaty that the President signs has to be ratified, not by the House, but the Senate, the Upper House, with a two-thirds majority. Imagine: if Gordon Brown had to get the European Constitutional Treaty ratified by a two-thirds majority in the Commons - he wouldn't have a hope! The Maastricht Treaty or other treaties like it would not have been ratified if you needed a two-thirds majority.

This is not a mere paper power either, because, in one of the most important decisions in the twentieth Century, the Senate refused to ratify a very important treaty. It was before our period began but, arguably, influenced much of the period - the Treaty of Versailles, ending the First World War. That Treaty committed America to the defence of France, in case she was attacked again by Germany, and also America promised, with that Treaty, to join the new League of Nations, which was a predecessor of the United Nations. President Woodrow Wilson signed the Treaty, and had to struggle to get it ratified he did not succeed. He got a majority in the Senate, but not a two-thirds majority. The consequence was that the Versailles Treaty was not underwritten by America, America did not join the League of Nations, which obviously weakened it, and really retreated into isolationism for many years. A number of historians say that this was one of the important factors in causing the Second World War, because if America had been involved in the security system, it might have made it more difficult for Hitler and the Nazis in the 1930s. So it was a very crucial decision that the Senate refused to make.

More recently, in the late 1970s, President Carter signed with the Soviet Union as it then was, a strategic arms limitation treaty, but he decided, after some thought, that he was not even going to submit it to the Senate because he was not going to get a two-thirds majority there, because a number of Senators said 'We are not going to sign this treaty unless you allow us to attach to it human rights provisions, particularly concerning the free right of emigration of Soviet Jews.' Carter said this was not in the treaty and the Soviets will never agree to it, so it was withdrawn.

So this power of the Senate is a very real power limiting the President. A minority, in effect, as long as it is more than a third, can stop something happening. This is bound to constrain the President because he knows that every treaty needs bi-partisan support. It was not enough for Woodrow Wilson to get the support of his own Democratic Party, he needed the support of enough opposition Republicans to get it through, which he could not achieve. It is as if Gordon Brown could not get a constitutional treaty for the European Union through just with the Labour Party, but he needed half the Conservative MPs to support it as well, which obviously he would not get. So I think that is very important.

It does not apply just on foreign policy. Even on domestic policy, the President cannot be sure of getting his own policy though. You may have read in today's papers that Hillary Clinton, one of the Presidential candidates, is putting forward a new healthcare plan - the sort of National Health Service equivalent for America. When President Clinton was in office in the 1990s, he tried to put forward such a plan, but it was defeated in Congress. Again, you cannot imagine that happening in this country.

So I think this is very important, and the basic point is that both the President and Congress can each claim to represent the whole people. Both are directly elected by the people, and the separation of powers means that they are separate and checking each other; a kind of built-in limitation of power into the Constitution.

Therefore, if we were talking about the American Government or the American Administration, as we often do, we must not just think of the President and the President's Cabinet, but in a sense, we must think of Congress as well. The equivalent of the British Cabinet is probably the President and Congress, not just the President, but we often do not think in that way.

As I said earlier, the separation of powers means that neither the President nor the Cabinet can be members of Congress. In fact, most Cabinet members have never been members of Congress, quite unlike Britain, where you're very unlikely to become a Cabinet minister - there are one or two counter-examples to this, but they are very rare - unless you have been in Parliament for some time, most likely in the Commons, though one or two in the Lords. Some Presidents have been Members of Congress, but the last President who was directly elected from Congress was President Kennedy in the election of 1960 - he became President in 1961. He was directly elected from the Senate. Perhaps Hillary Clinton or Obama will be the next, but the prognosis is not good, for a reason I will give in a moment. Of the other Presidents in the list, Truman and Johnson and Nixon had been Senators - Nixon was for a very brief time, just two years - and Ford had been a Congressman, but they were not directly elected to the Presidency from the Senate or Congress. All the others had no experience of any kind of government at the Federal level. Again, that would not happen in Britain; you would not get someone who'd run Birmingham City Council suddenly being made Prime Minister. Most of the Presidents in recent years have been Governors of states, fairly large states often, but still Governors of states. Carter was the Governor of Georgia, a medium sized state, the equivalent perhaps to being the leader of Manchester City Council. Obviously in Britain, every Prime Minister has had extensive Parliamentary experience.

In the last election, as you probably remember, President Bush stood against Senator Kerry. Kerry had the problem any Congressman has, and why it is so difficult to get elected - if you are in the Senate or Congress, you have very publicly to take up explicit positions through congressional votes. Kerry in particular had had to take up positions on the Iraq War, which were unpopular to large numbers of Americans. If you are a Governor, you're not under such pressure necessarily to take up these national positions, so you have not made so many enemies. You may have taken certain positions but it is not necessary that you have. In particular I think that some of the Governors fighting for the Republican nomination; Thompson and Romney from Massachusetts. I think no one is quite clear what positions they do hold until they put them forward, so they have not immediately lost large numbers of people through casting unpopular votes. So I think this is the reason why it is so difficult for someone to get directly elected from the Senate or Congress to the Presidency.

There are many further differences, and in particular, the notion of the Cabinet has quite different meanings in Britain and America, because whereas the Cabinet in Britain is a Cabinet of colleagues, the Cabinet in America is a Cabinet of subordinates. The Cabinet in Britain is collectively responsible and reaches decisions together, and even when it is said there is Prime Ministerial Government, if the Cabinet objects, the Prime Minister cannot continue with the decision. One very good example, which you would not get a parallel to in America, it was always said that Tony Blair wanted to join the Euro and that Gordon Brown was opposed. In America, that would not be a problem: either the Treasury Secretary agrees with the President, or the President gets another Treasury Secretary, because a Treasury Secretary is not a Member of Parliament and has no political weight. He is just an appointee, and you can just get rid of him. You cannot do that in Britain.

There is a famous story - I do not know whether it is true or not - that during the Civil War in America, President Lincoln went round the table asking for the votes on a particular issue and said it came to fourteen votes to one, but the one had it, because the one was him and the other fourteen were subordinates! It is very easy to dismiss, in normal times, a Cabinet Secretary, as they are called in America, because they have no political weight in the way that most Ministers do in Britain. There are examples in the early 1980s when President Reagan dismissed his Secretary of State, Alexander Haig, without a qualm, and no problem about that. Recently, as you probably noticed, President Bush dismissed Donald Rumsfeld, the Defense Secretary, who was powerful when he had the President's support, but as soon as that was withdrawn had no power at all. President Nixon dismissed his Secretary of State, William Rogers, in 1972. President Truman, in the late '40s, dismissed his Secretary of State, James Burns, without any problem. Really, American Cabinet Members are more like Permanent Secretaries, administrative heads of departments, than they are like British Ministers. They can be from another political party even. For instance, President Kennedy appointed, as Defense Secretary, Robert McNamara, who was a Republican. Some of them have not met the President before they take office - Dean Rusk, who was Kennedy's Secretary of State, had not met him before he was asked would he be Secretary of State. This is all quite different from Britain.



I was first alerted to this difference, it only came home to me through personal knowledge, because one of the former members of my College had been a Congressman in America, and had risen quite high in the House of Representatives. He was number three in the Democratic hierarchy; he was a whip. He had been offered the position of Secretary of Health, Education and Welfare by President Carter, he told me, and had turned it down. I said, 'Now, why did you do that?' He said, 'Well, that is a very British question.' He said, 'In America, being Whip in the House is a much more powerful position than being a Secretary of Health, Education and Welfare, who can be dismissed at a moment's notice by the President. I had got much greater influence and power in the House.' That does sum up the difference between the two systems, that the Cabinet members are more like Permanent Secretaries than they are like leading politicians.

The President does not have to call Cabinet meetings if he does not want to. In Britain, they are roughly once a week now and people expect to be there, members of committees and so on. The Cabinet is an instrument for the President to use if he wants to use it. Of course, Cabinet Ministers generally have high political standing, and in modern times, every Prime Minister has come from the Cabinet. No American President in recent times has come from the Cabinet - no Cabinet Member has become President.

The American President, therefore he is strong in the Executive, much stronger than the Prime Minister, he controls his Cabinet in a way the British Prime Minister does not control his Cabinet; but he's weak vis-à-vis the Legislature, in the way that the British Cabinet is strong vis-à-vis the Legislature. The Cabinet, once it has made up its mind, can generally get its way, the President cannot - that is the difference. People mistakenly talk sometimes about the imperial presidency and they talk about the British Prime Minister having become presidential. That is all a misunderstanding I think, because in some ways, the President is weaker than a Prime Minister.

But all this, again, leads to great misunderstandings, and I will put one out to you - more will come in the course of lectures. I will end with this case study, at the time of Suez in 1956, a great crisis which led to very considerable differences between Britain and America. Indeed, when the British and French invaded Egypt, the Americans attacked them in the United Nations, and prevented us borrowing money that we wanted to use. So we and the French, for the first time, used a veto against the Americans - a very serious breach of relations.

But how did this breach come about? It was partly because the signals were not properly seen. Some of the negotiations and discussions beforehand were carried out by two Cabinet Members in Britain and America. The British Cabinet Member was Harold Macmillan, who was Chancellor of the Exchequer in the Government of Anthony Eden. The American Cabinet Minister was John Foster Dulles, who was the Secretary of State - a rough equivalent, although as I have shown, it is not a real equivalent - a Foreign Secretary in the Government of President Eisenhower, and both misunderstood the other's role.

Firstly, Dulles misunderstood Harold Macmillan's role. He said, 'He is the Chancellor of the Exchequer - that is, he is the money man,' in the way that Hank Paulson who is the Treasury Secretary now is the money man. 'There is no point discussing these things with him. He deals with the money.' That was how the Americans would see it. But Harold Macmillan was not the money man - he was the second most powerful person in the Government, and had tremendous political weight, which an American Treasury Secretary does not, and therefore, if you wanted to get at the British Prime Minister and say what the American attitude would be, Harold Macmillan would be just the person you would want to talk to. He had tremendous political weight, and if you had said, point blank, to him, 'Look Mr Macmillan, if you do this, we Americans will oppose you to the limit of our power,' that would be a warning he could not ignore. But Mr Dulles, and I think possibly even the President, thought of him as the equivalent of an American Treasury Secretary, as the chap who deals with the money but has no wider political importance.

Similarly, the British thought of Mr Dulles as the Foreign Secretary, and Dulles was rather more sympathetic to the British position than President Eisenhower was. So the British said, 'What we need to do is to convince Mr Dulles, because Eisenhower is an elderly and perhaps slightly fading President - he spent a lot of time on the golf course - but Dulles is the real man who counts, and if we can get Mr Dulles on our side, then we have got a good chance of getting the President on our side, if Dulles sympathises with us.' Mr Dulles did sympathise with the British, very considerably. The trouble was that Dulles did not have the sort of influence that the British Foreign Secretary does. Dulles was a clerk who did what the President told him, and Eisenhower, from the beginning, had made up his mind that he was not going to support Britain, but the British did not take the hint. Dulles was not a Foreign Secretary in the way the British were.

It was complicated by the fact that there was a Presidential election coming, and Dulles very much wanted to continue to be a

Secretary of State in Eisenhower's second term, which as you know Eisenhower won, and the best way not to be reappointed was to argue with Eisenhower on an issue on which he felt very strongly, so Mr Dulles was not going to do that.

So the signals were completely misread on both sides. It may be also that they were misread in recent times on the Iraq War - perhaps we have to wait for the paper to see that. But the superficial similarity of the two systems, I think, does disguise from us these very great differences.

Let me end at this point, and I apologise if it has been very dry. There will be more excitement I hope in the lecture next month, on Franklin Roosevelt, thought by some to be the greatest of all American Presidents, from 1933 to '45, had to face very serious problems with peace time, the Great Depression, and then of course the Second World War.

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