THE AMERICAN PRESIDENT AND HIS CABINET
The constitution of the United States of America provides for Presidential form of government and Article-1 of the Constitution states, “The executive powers shall be vested in the President of United States of America.” Although, ‘Strength and Safety’ has been the objectives of the founding fathers of the constitution, yet despite this, today, so much powers have got concentrated around the office of the President that according to Ogg, “He (President) is the greatest ruler of the world.”
SINGULAR OR PLURAL

EXECUTIVE: Most of the members of the convention were against Plural Executive because (i) Plural Executive proves to be weak during emergency. (ii) It is unable to conduct foreign affairs properly. (iii) It is difficult to fix responsibility in it. (iv) Plural executive can not become the chief of the forces.
(Article-II) of the constitution-
(i) He must be a natural born citizen of America.
(ii) He must at least be 35 years of age
(iii) He must have been residing in America at least for 14 years.

OTHER QUALIFICATIONS:- (i) He is the resident of a big and highly populated state.
(ii) He should be a male and Christian by faith
(iii) He should be Protestant because 80% of the population of America is Protestant.
(iv) He should be of balanced views. In the 1964 Presidential Election, the radical views held by Republican party candidate Gold water, were responsible for his defeat
(v) He should have occupied a high office.
The tenure of the President was fixed to be 4 years and no restriction has been imposed on his re-election. In 1947, 22nd amendment to the American Constitution was made and restriction on the re-election of the President for third tenure was imposed.

SUCCESION TO THE OFFICE OF THE PRESIDENT:- If for any reason, the office of the President falls vacant, then the Vice-President shall officiate for the reminder of the tenure. If the office of both, President and Vice-President falls vacant, then a list of 14 officials has been prepared according to the Presidential Succession Act, 1947 who shall officiate as President and first seven among them are-

1. Speaker of the House of Representatives
2. President Pro-Tempore of the Senate
3. Finance Secretary
4. Defence Secretary
5. Attorney General
By 25th amendment made in 1967, it has been provided that if for any reason the office of the Vice-President with the approval of the Senate. In 1973, Mr. Agnew resigned from his office, President Nixon, with the Approval of the Senate appointed Mr. Gerald Ford as Vice-President.

METHOD OF THE REMOVAL OF THE PRESIDENT:- Under Article-2, Section-4 of the constitution, American President can be removed from office before the expiry of his term by impeachment on the charges of treason, bribery, high crime and misdemeanor. The procedure of impeachment is as under-

(i) The impeachment motion is first introduced in the form of a bill in the House of Representative, the lower House of the American Congress.
(ii) The House of Representatives then constitute a judicial committee to see whether or not there are grounds for impeachment.
(iii) Thereafter, these are discussed in the whole house and in case the charges with simple majority, then the matter is referred to the Senate.
(iv) If the Senate passes the motion of impeachment with 2/3 majority, then the concern President is removed from office.
If President informs the President of Senate and the presiding officer of the House of Representative, in writing that he is unable to discharge the responsibilities of his office, then the Vice-President assumes office as officiating President. The Officiating President continues in this office until the regular President informs President.
According to Law, 1999, annual salary is 4 lakh dollars, $50,000 annually as allowance, White House is the official residence, Besides the car, President has also been provided a Yacht and aeroplane. After retirement, President gets pension of $63,000 per annum. Besides, White House, President has another office which is called Camp David.

FORMAL PROCEDURE OF THE ELECTION OF THE PRESIDENT:- Although some members of the Constituent Assembly were in favour of direct election of the President by the people, however, this method was not liked because an attempt will be made to achieve success by arousing people’s passions which would not be proper.

COMPOSITION OF ELECTORAL COLLEGE:- The total membership of the electoral college is (435+100+3=538)
1. Nomination of the candidate
2. Election of the Delegates
3. National Convention
4. Election Campaign
5. Election of the Electoral College
(i) List System adopted for the election of Electoral College:- In America, list system has been adopted for the election of the members of the electoral college. Every party presents the list of as many candidates as the number of members to be elected to the electoral college.
6. Election of the President
7. Absolute majority essential to get Elected.
1. Almost direct Election
2. Influence of Political Parties
3. Pitiable condition of electors
4. Many times President gets elected with minority Votes.
5. Small States are generally Ignored
6. In case the President is to be elected by the House of Representatives big states are Ignored.
7. Induction of nominated Vice-President into Presidency is Undemocratic and Un-Republican
8. Induction of nominated
9. It is expensive Election.
1. EXECUTIVE POWERS

1. Enforcement of the laws
2. To maintain Peace and order
3. Protection against external Invasions
4. Protection against Domestic Violence
5. To ensure Republican Governments in States
6. Control over Appointments
   (i) Senatorial Courtesy-A convention named as ‘Senatorial Courtesy’ has come into existence regarding the appointments made by the President in different states.
   (ii) Appointment made when the Senate is not in Session
   (iii) Appointment of subordinate Officials
7. Power of Removal
8. Military Powers of the President
9. Chief Architect of Foreign Policy
10. Treaty Making Power
   (i) Executive Agreements
   (ii) Trade Agreements
11. To appoint personal envoys in other countries
12. To recognize other states.
II-LEGISLATIVE POWERS

1. Right to send Messages
2. To give approval over the Bills passed by the Congress
   (a) Suspensory Veto
   (b) Pocket Veto
3. Power to issue Executive orders
4. Power to convene special Session
Other methods to Influence the Congress
1. Warning to use veto
2. Influence through A appointments
3. Legislation is technical Affair
4. Being Party Leader
5. By broadcasting his views through Radio. and Television.
6. Through Tea Party
III-FINANCIAL POWERS

Before 1921, President did not enjoy any effective financial powers. But after passing Budget and Accounting Act passed in 1921, the Bureau of the Budget’ was placed under the control of the President. Now the President gets the budget prepared under his own supervision and present it before the congress.

IV-JUDICIAL POWERS

According to Article-2, Section-II of the constitution. “He (President) shall have the power to grant reproves and pardons for offences against the United States except in case of impeachment”
V. **LEADER OF THE PARTY**: American President is also the leader of his party. He plays an important role in preparing party programme, making appointments to high offices in the party organization, distributing tickets among party candidates at the time of elections.

VI. **LEADER OF THE NATION**: He is the leader of the whole nation. The whole nation listens with attention the views broadcast by the President and whenever there is any crisis, the attention of whole nation is focused at White House.
1. American President is real Executive Head
2. Leader of the Congress and Chief Legislator
3. Influence in the areas of Administration
4. Leader of the Party and of the Nation
5. American President is both, Prime Minister as well as President.
LIMITATION ON THE POWERS OF THE PRESIDENT

1. Check over President’s power of making Appointments.
2. President can not declare war.
3. Check on the formulation of foreign Policy
4. Check on treaty-making Power
5. Check on the Power of Removal
6. Limitations on the Legislative Powers of the President:-
   (i) President, can not himself, introduce the bill in the Congress and also can not take part in the meeting of the Congress.
   (ii) Congress is not bound to accept the message sent by the President.
   (iii) By passing the bill again by 2/3 majority, Congress can reject the suspensory veto exercise by the President.
1. Individual Personality of the President
2. Judicial Interpretations
3. Federal laws
4. Subordinate Legislation or Delegated Legislation
5. Conventions and Usages
6. National Emergency
7. International Situation
8. Welfare State and Positive role of the President
Article-2, Section-II of the American constitution states, “He (President) may require the opinion in writing of the Principal officers in each of the executive departments upon any subjects relating to the duties of their respective offices.”

When the President did not find any means of getting advice regarding administration, he started calling the meeting of the executive heads of the various department to get their advice and these meetings later on took the form of cabinet.
Gradually, the cabinet expanded. There used to be only four departments. At the present there are 12 departments in all and these are-

1. Secretary of State
2. Secretary of Treasury
3. Secretary of defence
4. Attorney General
5. Post master general
6. Secretary of Interior
7. Secretary of trade
8. Secretary of labour
9. Secretary of Health, Education and welfare
10. Secretary of Agriculture
11. Secretary of Housing and Urban Development
12. Secretary of Transport
APPOINMENT OF MINISTERS: Minister are appointment by the president with the approval of Senate.

PRESIDENT IS NOT BOUND TO TAKE SECRETARIES FROM THE SAME PARTY: American President is not bound to take all his secretaries from the same party.

TENURE OF THE CABINET: The tenure of the cabinet is not fixed in America rather they remain in the office during the pleasure of the President.

QUALIFICATIONS: There are no fixed qualifications for becoming a member of the cabinet.

SALARY AND ALLOWANCE OF MEMBERS OF CABINET: The salaries and allowances of the members of the cabinet are fixed by the Congress.

MEETINGS: President can call the meeting of the cabinet whenever he wants. It meets once a week.

CHAIRMAN OF THE CABINET: President presides over the meeting of the cabinet, prepares its agenda etc.
FUNCTIONS OF THE CABINET

1. Administrative Functions
2. Advisory Functions
3. To prepare the drafts of the Bills
4. To help the President in preparing the report of the state of the Union
5. To provide necessary information to investigating Committee.
In America, the cabinet is the advisory committee of the President and it is upto the President to accept its advice. All the decisions of the cabinet are the decisions of the President. President can take any decision against the advice of the cabinet.
Article-2 of the American constitution make provision of the office of the Vice-President.

QUALIFICATIONS:- (i) He must not be less than 35 years of age. (ii) He must be natural born citizen of U.S.A. and at the time of election he must have been living in America continuously 14 years. According to a convention he should be the resident of that state from where he is contesting election.
METHOD OF ELECTION:- Before the 12th amendment, who emerged as the runner-up was declared elected as the Vice-President. But now the same electoral college which elects President, elects the Vice-President.

ELECTION OF VICE-PRESIDENT BY SENATE:- In case no candidate is able to get absolute majority in the electoral college, then the Vice-President is elected, out of the same candidates by senate.

TENURE:- 4 years.

NOMINATED VICE-PRESIDENT:- The 25th amendment made in 1967, makes the provision that case the office of the falls vacant, the President with the approval of congress can nominate the vice-President.

SALARY AND ALLOWANCE OF VICE-PRESIDENT:- 1,81,400 dollors per year. He gets many more facilities and allowances.
FUNCTION OF VICE-PRESIDENT

1. As President of the state:- The vice-president is the presiding officer of the Senate. He is not a member of the upper House, but presides over it. He has no veto except in case of a tie, when he can exercise casting vote. In this role Vice-President have contributed little to the legislation.

2. AS A SUCCESSOR OF THE PRESIDENT:- In the case of vacancy in the Presidency due to death, resignation or removal, the vice-President is called upon to assume the office of the President.
POSITION OF VICE-PRESIDENT

Article-2 of the American constitution makes provision of the office of the Vice-President. Some persons are in the favour of the office of Vice-President, Some are believe that the creation of Vice-President position is but some others want to be strengthened. President of U.S.A. is the most over-worked person in the country. It will be better to relieve him of some of his duties and pass on the to the Vice-President. But the situation has been differed from time to time. Benjamin Franklin was so much disgusted with the vice-Presidency that he suggested that the vice-president should be addressed as “His Superfluous Highness”.
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THANKS

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