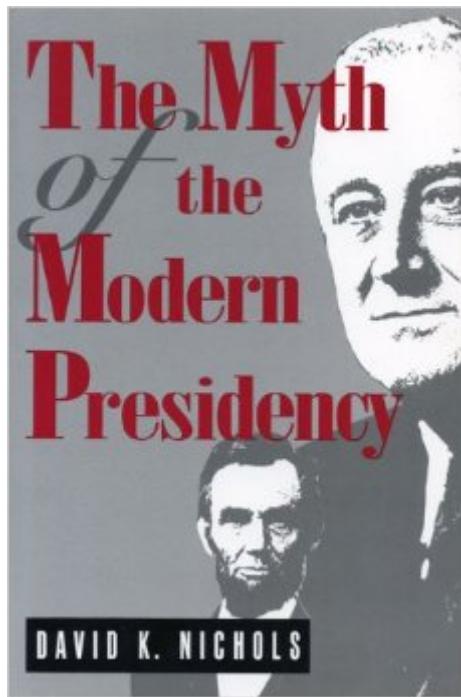


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The Myth Of The Modern Presidency



Synopsis

The idea that a radical transformation of the Presidency took place during the FDR administration has become one of the most widely accepted tenets of contemporary scholarship. According to this view, the Constitutional Presidency was a product of the Founders' fear of arbitrary power. Only with the development of a popular extra-Constitutional Presidency did the powerful "modern Presidency" emerge. David K. Nichols argues to the contrary that the "modern Presidency" was not created by FDR. What happened during FDR's administration was a transformation in the size and scope of the national government, rather than a transformation of the Presidency in its relations to the Constitution or the other branches of government. Nichols demonstrates that the essential elements of the modern Presidency have been found throughout our history, although often less obvious in an era where the functions of the national government as a whole were restricted. Claiming that we have failed to fully appreciate the character of the Constitutional Presidency, Nichols shows that the potential for the modern Presidency was created in the Constitution itself. He analyzes three essential aspects of the modern Presidency: "the President's role in the budgetary process, the President's role as chief executive, and the War Powers Act" that are logical outgrowths of the decisions made at the Constitutional Convention. Nichols concludes that it is the authors of the American Constitution, not the English or European philosophers, who provide the most satisfactory reconciliation of executive power and limited popular government. It is the authors of the Constitution who created the modern Presidency.

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