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Book Reviews

THE PRESIDENCY TODAY, by EDWARD S. CORWIN and LOUIS W KOENIG. New York, New York University Press, 1956, 133 pages, \$3.00.

On October 30, 1956, the executive head of the United Kingdom served an ultimatum on Egypt, demanding temporary control of the Suez Canal. This action was taken without consulting Parliament. The next day, as British aircraft struck at Egyptian territory, Mr. Eden appeared before the House of Commons. One of the first questions put by a member of the opposition party was "By what authority did you act?" Eden's answer was that the nature of the emergency resulting from the Israeli attack on Egypt justified immediate action by the executive. Essentially the answer was the same as Lincoln's answer to those who objected to the legality of the Emancipation Proclamation, and Truman's justification when he seized the steel mills in 1952.

The question is not new in American constitutional law, but is more pressing than ever in an era of what looks like permanent war — hot, cold or lukewarm. If a similar problem were faced by our President, could he constitutionally take the same action that the British Prime Minister took? This question of American executive power is the principal problem of "The Presidency Today." Both authors have written elsewhere about the Presidency at greater length and with greater profundity, but this volume fills a real need for a brief readable account of the sources, nature and limits of presidential powers.

An examination of the text of the Constitution reveals that the framers of our basic charter had quite definite ideas as to the function of the legislative and judicial arms of government, but were uncertain as to both the function and methods of the management branch. This uncertainty is reflected in Article II, the most loosely drawn chapter of the Constitution, and is evident in the opening words of the Article: "The Executive power shall be vested in a President of the United States of America." Is this phrase a mere designation of an office or is it a grant of power? If the latter, what is this executive power? The answers have been supplied only in part, and by historical precedent, not by the courts. The authors examine this history and forcibly point out the role of crisis in the growth of the Presidency. The thesis suggested by the authors is that we now recognize that crisis, and especially international crisis, has become a "way of life" for our national government, and that reliance on undefined and intermittent presidential dictatorship is no longer the safe answer. A partial solution lies, not in the abrogation of presidential powers, as by the Bricker Amendment, but by providing a more formal-

ized relation between Congress and the President. The authors summarize some of the steps that Congress can take to provide the President with a clear statutory policy for his acts, and present the case for a new type of cabinet that will include legislative leaders.

Presidential leadership and the power that goes with it is no longer national leadership but world leadership. Indicative of this is the fact that President Eisenhower is the first President whose claim to his party's nomination has twice rested almost exclusively on his prestige and record in world affairs. Recent events in Hungary and the Suez have resulted in a clear loss of moral leadership on the part of Britain, France and Russia. To the uncommitted nations of Asia and Africa, the United States is the new world leader and President Eisenhower personifies this world primacy. Clearly this is a moment in history when we desperately need a careful examination of the Presidency and its tradition as a great office. In my opinion, the need has been well filled by this book.

HUGH ALAN ROSS*

NON-INTERVENTION: THE LAW AND ITS IMPORT IN THE AMERICAS by ANN VAN WYNEN THOMAS and A. J. THOMAS, JR. Dallas, Southern Methodist University Press, 1956, 416 pages, \$8.00.

Intervention is an everpresent feature of international relations. Its rudimentary form is the threat or actual use of military force. Though this form may seem somewhat on the decline, it is still very much with us. The British-French operations in the Suez crisis of 1956 were an example too classical for the mid-20th century; the maneuvering of Soviet land and naval forces amidst the changes in Polish communist leadership was an intervention even though some of these forces were on Polish soil under the Warsaw Pact — the "eastern NATO", the use of Soviet armor to uphold the toppling governments of Gero, Nagy and Kadar in Hungary was an instance as clearcut as it was brutal.

From the more crude military-diplomatic forms, intervention has been shaped over the centuries into ever more effective and refined patterns. Into the field, which in the American mind got its classical image from Marine landings, off-shore cruising of foreign fleets, economic diplomacy and diplomatic intrigue, new possibilities were injected by the great inventions of mass propaganda and trans-national political movements. A perfect, though pathetic, combination of these and the more conventional elements into a monstrous, multiform intervention was the communist success in Czechoslovakia between 1945 and 1948.

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