



The Preeminence of Politics: Executive Orders from Eisenhower to Clinton (Law and Society)

Ricardo Jose Pereira Rodrigues

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Executive orders have become, since World War II, major presidential policy-making tools. They carry the force of law, require no congressional approval, and potentially bypass the legislative process. Previous research suggests that executive orders reduce the presidents' necessity to persuade other political actors and, thus, undermine the checks and balances of the American political system. However, presidents do not enjoy complete freedom when pursuing policies by decree. Forces within the political system constrain the presidents' unilateral action. In most cases, executive orders follow congressional intent. Executive orders that run against the interests of the majority in Congress only prevail when a set of favorable conditions exist in a president's political environment. These conditions include divisiveness in Congress, public support for the contemplated action, and support from core elements of a president's coalition.

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