

Government 9: The US Constitution

April 13-April 17

Time Allotment: 20 minutes per day

TEACHER: _____

STUDENT: _____

Packet Overview

Date	Objective(s)	Page Number
Monday, April 13	Easter Monday	
Tuesday, April 14	1. Outline Article II, Sections 1-2 of COTUS.	1
Wednesday, April 15	1. Outline Article II, Sections 3-4 of COTUS. 2. List the enumerated (formal) powers of the executive.	5
Thursday, April 16	1. Define the power to persuade. 2. Compare the informal power to persuade with the president’s formal powers listed in Article II.	7
Friday, April 17	1. Define the power to persuade. 2. Compare the informal power to persuade with the president’s formal powers listed in Article II.	13

Additional Notes: I miss y’all! Happy reading, writing, and thinking! Holler if you have questions. 😊

Academic Honesty

I certify that I completed this assignment independently in accordance with the GHNO Academy Honor Code.

Student signature:

I certify that my student completed this assignment independently in accordance with the GHNO Academy Honor Code.

Parent signature:

Tuesday, April 14

Unit: Executive Power: Decision, Activity, Secrecy, and Dispatch

Lesson: Formal and Informal Powers

Lesson Socratic Question: Keep these questions in mind as you study this lesson!

What is presidential power? How does the type of power an executive needs differ from the power a legislature needs? Should executives have prerogative? How does prerogative differ from preference?

Objectives: Be able to do this by the end of this lesson.

1. Outline Article II, Sections 1-2 of the COTUS.

Read and Annotate

Read and annotate Article II, Sections 1-2 of the COTUS.

Article II

Section I.

The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President, chosen for the same term, be elected, as follows [the excluded clauses describe the Electoral College later modified by Amendment 12]

...No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty five years, and been fourteen Years a resident within the United States.

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

The President shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation:-
-"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States."

Section 2.

The President shall be commander in chief of the Army and Navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

Section 3.

He shall from time to time give to the Congress information of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

Section 4.

The President, Vice President and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

Outline Article II, Sections 1-2

Outline Sections 1 and 2 (labeled with Roman numerals and clauses – think, paragraphs) of Article II. Do not use complete sentences. Include key words and/or phrases. We'll do more with this outline in future weeks. Do not agonize about creating a perfect outline. Instead, get the general idea of each section and clause. We'll refine it together.

Article II Outline

Section I.

1. _____

2. _____

3. _____

4. _____

5. _____

Section II.

1. _____

2. _____

3. _____

Wednesday, April 15

Unit: Executive Power: Decision, Activity, Secrecy, and Dispatch

Lesson: Formal and Informal Powers

Lesson Socratic Question: Keep these questions in mind as you study this lesson!

What is presidential power? How does the type of power an executive needs differ from the power a legislature needs? Should executives have prerogative? How does prerogative differ from preference?

Objectives: Be able to do this by the end of this lesson.

1. Outline Article II, Sections 3-4 of the COTUS.
2. List the formal powers of the president.

Read and Annotate

Read and annotate Article II, Sections 3-4 of the COTUS.

Outline Article II, Sections 3-4

Outline Sections 3 and 4 (labeled with Roman numerals and clauses – think, paragraphs) of Article II. Do not use complete sentences. Include key words and/or phrases. We’ll do more with this outline in future weeks. Do not agonize about creating a perfect outline. Instead, get the general idea of each section and clause. We’ll refine it together.

Article II Outline, continued

Section III.

1. _____

Section IV.

1. _____

List the Formal Powers

List the powers explicitly granted to the president in Article II. These are called the president’s *formal* powers. There are several ways to list these powers, but combining them into six categories is common. Do your best to paraphrase!

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

Memorize

Memorize the definitions of the president’s formal and informal powers.

Formal presidential powers refer to things the Constitution tells a president he can or must do (e.g., recommending appointees to the Supreme Court).

Informal presidential power refers to the president’s sway over public opinion and his ability to persuade (directly or indirectly) other politicians to pursue his policies.

Thursday, April 16

Unit: Executive Power: Decision, Activity, Secrecy, and Dispatch

Lesson: Formal and Informal Powers

Lesson Socratic Question: Keep these questions in mind as you study this lesson!

What is presidential power? How does the type of power an executive needs differ from the power a legislature needs? Should executives have prerogative? How does prerogative differ from preference?

Objectives: Be able to do this by the end of this lesson.

1. Define the power to persuade.
2. Compare the informal power to persuade with the president's formal powers listed in Article II.

Read and Annotate

Read and annotate the following excerpt from Richard Neustadt's *Presidential Power*.

IN THE EARLY summer of 1952, before the heat of the campaign, President Truman used to contemplate the problems of the general-become-President should Eisenhower win the forthcoming election. "He'll sit here," Truman would remark (tapping his desk for emphasis), "and he'll say, 'Do this! Do that!' And nothing will happen. Poor Ike-it won't be a bit like the Army. He'll find it very frustrating."....And this reaction was not limited to early months alone, or to his party only. "The President still feels," an Eisenhower aide remarked to me in 1958, "that when he's decided something, that ought to be the end of it ... and when it bounces back undone or done wrong, he tends to react with shocked surprise." Truman knew whereof he spoke. With "resignation" in the place of "shocked surprise," the aide's description would have fitted Truman. The former senator may have been less shocked than the former general, but he was no less subjected to that painful and repetitive experience: "Do this, do that, and nothing will happen." Long before he came to talk of Eisenhower he had put his own experience in other words: "I sit here all day trying to persuade people to do the things they ought to have sense enough to do without my persuading them.... That's all the powers of the President amount to."

In these words of a President, spoken on the job, one finds the essence of the problem now before us: "powers" are no guarantee of power...The President of the United States has an extraordinary range of formal powers, of authority in statute law and in the Constitution....despite his "powers" he does not obtain results merely by giving orders. He also has extraordinary status, ex officio, according to the customs of our government and politics....despite his status he does not get action without argument. Presidential power is the power to persuade....

The limits on command suggest the structure of our government. The Constitutional Convention of 1787 is supposed to have created a government of "separated powers." It did nothing of the sort. Rather, it created a government of separated institutions sharing powers. "I am part of the legislative process," Eisenhower often said in 1959 as a

reminder of his veto. Congress, the dispenser of authority and funds, is no less part of the administrative process. Federalism adds another set of separated institutions.... The separateness of institutions and the sharing of authority prescribe the terms on which a President persuades. When one man shares authority with another, but does not gain or lose his job upon the other's whim, his willingness to act upon the urging of the other turns on whether he conceives the action right for him. The essence of a President's persuasive task is to convince such men that what the White House wants of them is what they ought to do for their sake and on their authority.

Persuasive power, thus defined, amounts to more than charm or reasoned argument. These have their uses for a President, but these are not the whole of his resources. For the individuals he would induce to do what he wants done on their own responsibility will need or fear some acts by him on his responsibility. If they share his authority, he has some share in theirs. Presidential "powers" may be inconclusive when a President commands, but always remain relevant as he persuades. The status and authority inherent in his office reinforce his logic and his charm....

A President's authority and status give him great advantages in dealing with the men he would persuade. Each "power" is a vantage point for him in the degree that other men have use for his authority. From the veto to appointments, from publicity to budgeting, and so down a long list, the White House now controls the most encompassing array of vantage points in the American political system. With hardly an exception, those who share in governing this country are aware that at some time, in some degree, the doing of their jobs, the furthering of their ambitions, may depend upon the President of the United States. Their need for presidential action, or their fear of it, is bound to be recurrent if not actually continuous. Their need or fear is his advantage.

A President's advantages are greater than mere listing of his "powers" might suggest. Those with whom he deals must deal with him until the last day of his term. Because they have continuing relationships with him, his future, while it lasts, supports his present influence. Even though there is no need or fear of him today, what he could do tomorrow may supply today's advantage. Continuing relationships may convert any "power," any aspect of his status, into vantage points in almost any case. When he induces other people to do what he wants done, a President can trade on their dependence now and later.

The President's advantages are checked by the advantages of others. Continuing relationships will pull in both directions. These are relationships of mutual dependence. A President depends upon the persons whom he would persuade; he has to reckon with his need or fear of them. They too will possess status, or authority, or both, else they would be of little use to him. Their vantage points confront his own; their power tempers his....

The power to persuade is the power to bargain. Status and authority yield bargaining advantages. But in a government of "separated institutions sharing powers," they yield them to all sides. With the array of vantage points at his disposal, a President may be far more persuasive than his logic or his charm could make him. But outcomes are not guaranteed by his advantages. There remain the counter pressures those whom he would

influence can bring to bear on him from vantage points at their disposal. Command has limited utility; persuasion becomes give-and-take. It is well that the White House holds the vantage points it does. In such a business any President may need them all-and more....Presidents [should be] ... more skeptical than trustful, more curious than committed...A President cannot abolish bad behavior, but he sets a tone, and if he is alert to possibilities he can set traps, and with them limits. We now stand on the threshold of a time institutions, Congress and the President, share in which those separated powers fully and uncomfortably across the board of policy, both foreign and domestic. From the 1940s through the 1960s-"midcentury" in this book's terms--Congress, having been embarrassed at Pearl Harbor by the isolationism it displayed beforehand, gave successive Presidents more scope in defense budgeting and in the conduct of diplomacy toward Europe and Japan than was the norm between the two world wars. Once the Cold War had gotten under way, and then been largely militarized after Korea, that scope widened. With the onset of the missile age it deepened. Should nuclear war impend, the President became the system's final arbiter. Thus I characterized JFK against the background of the Cuban missile crisis. But by 1975 the denouement of Watergate and that of Vietnam, eight months apart, had put a period to what remained of congressional reticence left over from Pearl Harbor....In a multipolar world, crisscrossed by transnational relations, with economic and environmental issues paramount, and issues of security reshaped on regional lines, our Presidents will less and less have reason to seek solace in foreign relations from the piled-up frustrations of home affairs. Their foreign frustrations will be piled high too....

Reading Questions

Complete the reading question using Neustadt's work.

1. In a minimum of three sentences, what is the power to persuade? Provide one example of this informal power from Neustadt's description.

Friday, April 17

Unit: Executive Power: Decision, Activity, Secrecy, and Dispatch

Lesson: Formal and Informal Powers

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Objectives: Be able to do this by the end of this lesson.

1. Define the power to persuade.
2. Compare the informal power to persuade with the president’s formal powers listed in Article II.

Reread

Reread the following excerpt from Richard Neustadt’s *Presidential Power*.

Reading and Notes Questions: Minor Assessment *Without consulting the reading or your notes (above or taken on separate paper), answer the following questions.*

---- Reading and Notes Questions: Minor Assessment ----

1. True OR False The power to persuade is listed in Article II of the COTUS.
2. True OR False Declaring war is a formal power of the president.
3. True OR False Declaring war is a formal power of the president.
4. True OR False Appointing an ambassador is an informal presidential power.

5. Define informal power.

6. Define formal power.

7. Describe the president’s power to persuade. Note if this power is formal or informal.
