

Government 9: The US Constitution

May 18 – May 22

Time Allotment: 20 minutes per day

Student name: _____

Teacher name: **Dr. Wofford**

Packet Overview

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Monday, May 18	1. Identify and define the five components of presidential personality.	2
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Academic Honesty

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

Student signature:

Academic Honesty

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

Parent signature:

Monday, May 18

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

Lesson: Prerogative: Presidential Character and Judgment

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

Does the man make the office? Is presidential character important? Why or why not? What characteristics do good presidents possess?

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

1. Identify and define the five components of presidential personality.

Read and Annotate

Read and annotate the following excerpt from James Barber's *Presidential Character*.

The Presidential Character

The most visible part of the pattern is **STYLE**. Style is the president's habitual way of performing his three political roles: rhetoric, personal relations, and homework. Not to be confused with "stylishness," charisma, or appearance, style is how the president goes about doing what the office requires him to do—to speak, directly or through media, to large audiences; to deal face to face with other politicians, individually and in small, relatively private groups; and to read, write, and calculate by himself in order to manage the endless flow of details that stream onto his desk. No president can escape doing at least some of each. But there are marked differences in stylistic emphasis from president to president. The balance among the three style elements varies; one president may put most of himself into rhetoric, another may stress close, informal dealing, while still another may devote his energies mainly to study and cogitation. Beyond the balance, we want to see each president's peculiar habits of style, his mode of coping with and adapting to these presidential demands. For example, I think both Calvin Coolidge and John F. Kennedy were primarily rhetoricians, but they went about it in contrasting ways.

A president's **WORLDVIEW** consists of his primary, politically relevant beliefs, particularly his conceptions of social causality, human nature, and the central moral conflicts of the time. This is how he sees the world and his lasting opinions about what he sees. **Style is his way of acting; world view is his way of seeing.** Like the rest of us, a president develops over a lifetime certain conceptions of reality – how things work in politics, what people are like, what the main purposes are. These assumptions or conceptions help him make sense of his world, give some semblance of order to the chaos of existence. Perhaps most important: a man's world view affects what he pays attention to, and a great deal of politics is about paying attention...

“Character” comes from the Greek word for engraving; in one sense it is what life has marked into a man’s being. As used here, **CHARACTER** is the way the president orients himself toward life – not for the moment, but enduringly. Character is the person’s stance as he confronts experience. And at the core of character, a man confronts himself. The president’s fundamental self-esteem is his prime personal resource; to defend and advance that, he will sacrifice much else he values. Down there in the privacy of his heart, does he find himself superb, or ordinary, or debased, or in some intermediate range? No president has been utterly paralyzed by self-doubt and none has been utterly free of midnight self-mockery. In between, the real presidents move out on life from positions of relative strength or weakness. Equally important are the criteria by which they judge themselves. A president who rates himself by the standard of achievement, for instance, may be little affected by losses of affection.

Character, world view, and style are abstractions from the reality of the whole individual. In every case they form an integrated pattern: the man develops a combination which makes psychological sense for him, a dynamic arrangement of motives, beliefs, and habits in the service of his need for self-esteem.

Presidential character resonates with the political situation the president faces. It adapts him as he tries to adapt it. The support he has from the public and interest groups, the party balance in Congress, the thrust of Supreme Court opinion together set the basic **POWER SITUATION** he must deal with. An activist president may run smack into a brick wall of resistance, then pull back and wait for a better moment. On the other hand, a president who sees himself as a quiet caretaker may not try to exploit even the most favorable power situation. So it is the relationship between President and the political configuration that makes the system tick...Besides the power mix in Washington, the president has to deal with a **NATIONAL CLIMATE OF EXPECTATIONS**, the predominant needs thrust up to him by the people.

List and Define

List and define the five pieces of presidential personality.

Tuesday, May 19

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

Lesson: Prerogative: Presidential Character and Judgment

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

What makes a government legitimate? When do citizens have to obey their government? When are they justly exempt from this obligation?

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

1. Define consent and legitimacy.
2. Explain the link between consent, legitimacy, and a citizen’s duty to obey their government.

Introduction

The decision-making process is an act of judgment. Barber's argument about presidential personality demands that the president have some range of unilateral judgment (or decision-making ability). This judgment is called prerogative (or prerogative power). That concept comes to us in articulable form via John Locke in his *Second Treatise on Government*. Written in 1688-9 on the heels of the English Civil War, the *Second Treatise* informed America's founding documents in a way few others have. Let's review a little bit about consent and legitimacy before we define prerogative.

Read and Annotate

Read and annotate the following secondary source material. Treat it like class notes.

CONSENT AND THE LEGITIMACY OF THE STATE¹

To say that a form of government is legitimate is to say that it has a right to enact laws and enforce them via coercion. If a form of government is legitimate, then citizens have a duty to obey it—its police, judges, laws, etc.

For Locke there are two separate conditions that a government has to satisfy in order for a citizen to have a duty to obey it:

- 1. It must respect and protect its citizens' natural rights to life, liberty, and property.*
- 2. It must enjoy the consent of that citizen. (agreement)*

***BOTH CONDITIONS** Each condition is necessary/required; neither is by itself sufficient/enough/satisfactory. Hence, if you consent to a form of government that violates either your own or other people's natural rights, you have no duty to obey it. You also do not have a duty to obey a government that excels at protecting everyone's natural rights if you did not consent to its authority.*

Comprehension Questions

1. Explain the difference between necessary and sufficient.
2. Define consent and legitimacy.
3. According to Locke (and the American Founders), citizens are only obligated to obey a government that has (or does) these two things:

¹ Locke notes taken from Dr. Cary Nederman's lecture notes in the political theory graduate course series at TAMU.

Wednesday, May 20

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

Lesson: Prerogative: Presidential Character and Judgment

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

Is prerogative necessary? Is it inherently dangerous? What is the relationship between presidential character and prerogative?

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

1. Define prerogative.

Introduction to Lesson

Remember, the decision-making process is an act of judgment. If an executive's decisions (i.e., judgments) are to have any power, Locke argues, they must be legitimate (just like the government in which that executive serves). Locke gives us the criteria for a legitimate government worthy of a citizen's loyalty and obedience (see Thursday's lesson). He builds on this criteria to offer a specific definition of when executive judgment (often secretive and quick by virtue of the position's responsibility for national defense) should be considered legitimate and just. This criteria is covered in the umbrella term, prerogative.

Read and Annotate

Read and annotate sections 159-160 of Chapter 14 in Locke's *Second Treatise on Government*.

159. When the legislative and executive powers are in distinct hands (as they are in all moderated monarchies and well-formed governments), the good of the society requires that various things should be left to the discretion of the executive. The legislators can't foresee and make legal provision for everything that may in future be useful to the community, so the executor of the laws—having the power in his hands—has by the common law of nature a right to make use of it for the good of the society in many cases of difficulty where the existing law doesn't deal with the difficulty—until the legislature can conveniently be assembled to make laws that do. There are many things that the law can't possibly provide for, and those must be left to the discretion of him who has the executive power in his hands. . . . Indeed, it is appropriate that the laws themselves should in some cases give way to the executive power, or rather to the fundamental law of nature and government that All the members of the society are to be preserved as much as may be [here = 'as far as is reasonably possible'].

Many events may occur in which a strict and rigid adherence to the laws may do harm; for example, a house is burning and the fire can be stopped from spreading by pulling down the house next door, which is against the law. Again, a man may come within the punitive reach of the law (which doesn't distinguish one person from another) through an illegal action that deserves reward and pardon; so the ruler should have a power to mitigate the severity of the law and pardon some offenders. Since the purpose of

government is the preservation of all as much as may be, even the guilty should be spared when this will do no harm to the innocent.

160. The word 'prerogative' is the name for this power to act according to discretion, for the public good, without the support of the law and sometimes even against it.

161. ...If a question does arise between the executive power and the people about something claimed as a prerogative, the dispute is easily decided by considering whether the disputed exercise of the prerogative tends to the good or to the harm of the people.

162. It is easy to conceive that in the early days of governments, when commonwealths were not much bigger than families, they had very few laws; their governors were like fathers watching over them for their good, and the government was almost all prerogative. A few established laws were all that was needed, and the ruler's discretion and care supplied the rest. But when weak monarchs were led to use this power for their own private ends and not for the public good (being led to this by their own mistakes, or by the flattery of others), the people had to have laws that explicitly set limits to the prerogative with respect to matters in which they had found it working to their disadvantage. Thus the people found that they had to declare limitations of prerogative, where previously they and their ancestors had given the utmost latitude to monarchs who used the latitude only in the right way, namely for the good of their people.

Comprehension Question

1. Define prerogative. Use Locke's work, NOT the class notes. Separate the definition into prerogative's three components.

Thursday, May 21

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

Lesson: Prerogative: Execution Discretion

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

Is prerogative problematic? Should executives be able to act extralegally? How does prerogative challenge the rule of law? How can just laws possibly harm us?

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

1. Connect the limit Locke places on prerogative to the concepts of consent, legitimacy, and popular sovereignty.
2. Identify the document that limits presidential prerogative.

Re-read

Re-read sections 161 and 162 of Chapter 14 in Locke's *Second Treatise on Government*.

Comprehension Questions

Type your responses or write your responses on a separate sheet of loose leaf paper.

1. What social/natural transformation caused the rise of formal, legal limitations on executive prerogative?
2. Name the primary legal limitation on presidential prerogative in the United States. HINT: See Article II of COTUS.
3. How is the concept of prerogative connected to consent, legitimacy, and popular sovereignty? Think specifically about prerogative's limits.

Friday, May 22

Your name: _____

MINOR ASSESSMENT – 9 GOVERNMENT

Instructions:

Provide concise, accurate answers to the following questions. You may type your response under each question OR write your responses long-hand on a separate sheet of paper. Each question should be answered in no more than three sentences.

1. Define prerogative.
2. How is prerogative limited, according to Locke?
3. What American document limits prerogative? Where are those limits in that document?
4. Use Locke's burning house example to explain why an executive needs prerogative.
5. According to Locke, what executive power/action exemplifies prerogative?
6. List and define the components of presidential personality.
7. Describe Barber's project. What is he trying to do?