

Current Events and the Constitution

Current Events Briefing Sheet

Constitutional Principle(s): Separation of Powers, Executive Power

Constitutional Question: Does the President have the constitutional power to appoint “czars” without getting the advice and consent of the Senate?

Resources:

'Czar' wars pits White House against lawmakers

<http://www.chicagotribune.com/news/chi-tc-nw-czars-1006-1007oct07,0,4961038.story>

Senator questions use of administration “czars”

<http://www.google.com/hostednews/ap/article/ALeqM5jvJvzC84sUX3Wfw4WqixENoQ2UcwD9B5SFRO1>

A brief history of White House “czars”

<http://www.time.com/time/politics/article/0,8599,1925564,00.html>

[Separation of Powers](#) | [Checks and Balances](#)

Excerpts from Article II Section 2:

The executive power shall be vested in a President of the United States of America.

...He shall have power, by and with the advice and consent of the Senate, to ... 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....

Questions to Consider:

1. What does “executive power” mean? Is appointing advisors part of executive power?
2. Do any of the “czars” in the Obama administration have powers that go beyond offering the President advice? If so, what else do they do?
3. The title “czar” is a media-created term, and is not used by the White House. What does the term mean? What kind of ruler was a czar?
4. Is there a difference between the position of “czar” and the “officers” listed in Article II? Explain.

What do YOU think?

I think that the President DOES HAVE the constitutional power to appoint czars without the advice and consent of the Senate. My constitutional reasoning and/or citations are:

No. I think the President DOES NOT HAVE the constitutional power to appoint czars without the advice and consent of the Senate. My constitutional reasoning and/or citations are:

Print Your Response

