



THE POWERS OF THE PRESIDENT

Overview

In this lesson, students apply their knowledge of the Constitution to the issues in the 2008 presidential election. After viewing and hearing statements from the two major presidential candidates on a number of issues, students will assess which part of the Constitution (if any) gives the President the authority to carry out these ideas.

A government ought to contain in itself every power requisite to the full accomplishment of the objects committed to its care, and to the complete execution of the trusts for which it is responsible, free from every other control but a regard to the public good and to the sense of the people.

–Alexander Hamilton, 1787

[The President] is the dignified, but accountable magistrate of a free and great people. The tenure of his office ... is a tenure of the noblest kind.

–James Wilson, 1791

Critical Engagement Question

How does the Constitution apply to the issues of Election 2008?

Objectives

Students will:

- Explore issues of the 2008 presidential election.
- Understand the powers and duties of the President.
- Analyze statements by candidates in light of the Constitution.
- Personally evaluate and assess the candidates' plans.

Standards

CCE (9-12): IB1, IIIB1, VC2

CCE (5-8): IB1, IIIA1, VC2

NCSS: Strands 2, 6, and 10

Materials

- **Handout A:** What are the Powers of the President?
- The United States Constitution
- **Handout B:** The Presidential Candidates, the Constitution, and You
- **Handout C:** Discussion Questions
- Being an American Today: The Powers of the President (On-line activity)

Time

One fifty-minute class period

Background/Homework

10 minutes the day before

Have students read **Handout A: What are the Powers of the President?**

Warm-up

10 minutes

- A. Discuss the reading as a large group and go over any questions students have.
- B. Distribute a copy of the **Constitution** and have students skim Article I, Section 7 and all of Article II. As a large group, list the main powers of the President, including but not limited to:
 - Veto laws passed by Congress
 - Serve as Commander in Chief
 - Negotiate treaties
 - Nominate Supreme Court Justices
 - Recommend measures to Congress
 - Enforce the law
- C. Distribute **Handout B: The Presidential Candidates, the Constitution, and You**. Call students' attention to the "issues" on the left side of the chart, and define terms as needed.
- D. Using the information from the Constitution, have students complete the first column of the chart.

Activity

30 minutes



- A. Have students go to www.BillofRightsInstitute.org/Today and complete the activity "Being an American Today: The Powers of the President." (Alternatively, you may wish to project the activity on a screen and work through it as a class. The activity is also available to download and save.) As they proceed through the activity, students should complete the second two columns of **Handout B** individually or in pairs.
- B. Have students fill in the fourth column of **Handout B** individually.

Wrap-up

10 minutes

- A. Have students share their responses to **Handout B**.
- B. Using an overhead of **Handout C: Discussion Questions**, conduct a large group discussion to answer the questions. You may also ask:
 - Does the President have more or less power under the Constitution than you thought?
 - Why do you think the Founders structured the President's powers this way?

- How do the issues in the election relate to the President’s constitutional powers?
- Did this activity change the way you think about the presidency and the candidates’ stated plans on issues? If so, how?

Homework

- A. Have students write one paragraph answering the question, “Why does the President take an oath to ‘preserve, protect, and defend the Constitution of the United States?’”
- B. Have students write an editorial or letter to the editor supporting the candidate of their choice, using arguments based on the Constitution to strengthen their case.

TEACHER NOTES

Extension

1. For each of the issues in the activity, have students research how much—if any—responsibility the Founders believed should be taken by the following:
 - individuals
 - families
 - churches
 - charities
 - state and local governments
 - the federal government
2. Have students research third party candidates and evaluate their statements using the issues and questions on **Handout B**. For a list of the candidates, visit: <http://www.BillofRightsInstitute.org/2008candidates>.

WHAT ARE THE POWERS OF THE PRESIDENT?

As we head into the general election of 2008, it is important to think about the President's constitutional roles and responsibilities. When the new President of the United States takes office next year, he will take the oath of office. This promise is written in Article II, Section 1 of the Constitution. It reads,

“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.”

At election time—and all the time—citizens should know what powers the people of the United States give to the President through the Constitution.

What does “executive power” mean?

The President is the nation's chief executive officer. (Article II states that “The Executive power shall be vested in a President of the United States of America” and that the President “shall take care that the laws be faithfully executed.”) Enforcing the laws passed by Congress is a chief duty of the President.

Article II, Sections 2 and 3 state additional powers given to the President by the people. These include serving as Commander in Chief of the armed forces, nominating Supreme Court Justices, and reporting to Congress about the state of the Union.

In addition to powers listed in the Constitution, the President is said to have “inherent powers” which go along with his role as Chief Executive. People sometimes disagree about what these powers are. Throughout American history, the office of President has been shaped by tradition as well as the Constitution.

Checks and Balances

The Constitution creates an executive branch, a legislative branch, and a judicial branch, based on the idea of separated powers and checks and balances. This means that all three branches can do different things, and they sometimes depend on other branches for their decisions to be carried out. As you go through the On-line activity, think about how the President must work with other branches of government.

THE PRESIDENTIAL CANDIDATES, THE CONSTITUTION, AND YOU

Directions: Complete the first column of the chart as you read through the Constitution. Next, fill in the second and third columns as you go through the “**Being an American Today: Powers of the President**” On-line activity. Finally, fill in the last column with your own opinion.

	What does the Constitution say the federal government can do? Which branch can do it?	What does Barack Obama say the federal government should do?	What does John McCain say the federal government should do?	What do you think the federal government can/should do?
<i>Economy</i>				
<i>Education</i>				
<i>Health Care</i>				
<i>Iraq War</i>				
<i>Supreme Court Justices</i>				
<i>National Security</i>				

DISCUSSION QUESTIONS

1. Which level and branch of government—if any—did the Founders believe had the primary responsibility for:
 - national security?
 - appointing Supreme Court Justices?
 - making rules for the economy?
 - making rules for education?
 - making rules for the environment?
 - making rules for health care?

2. For each of these issues, how much—if any—responsibility do you believe should be taken by:
 - individuals?
 - families?
 - churches and synagogues?
 - charities?
 - state and local governments?
 - the federal government?