

Daily Lecture Notes

Lesson

9-1

Did you know?

Strong presidents sometimes defy even the Supreme Court. President Andrew Jackson was determined to force Native Americans in the Southeast to move west to the Oklahoma Territory. When Chief Justice Marshall ruled that the Cherokee nation's treaty with Georgia protected its rights and property, Jackson reportedly refused to accept the decision. "John Marshall has made his decision. Now let him enforce it," Jackson reportedly said. He ignored the Court and carried out the Indian Removal Act passed by Congress in 1830.

Outline

I. Constitutional Powers (pages 245–247)

- A. The Founders recognized the need for a strong executive branch to overcome the weaknesses of the Confederation government and to hold the legislative branch in check.
- B. Article II grants the president broad but vaguely described powers. He heads the executive branch, is commander in chief, conducts foreign policy, and has judicial powers.

Discussion Question

Why do you think the Founders granted the president broad but vaguely described powers? (They wanted an executive that would protect personal liberty, property, and business and hold the legislature in check.)

II. Informal Sources of Power (pages 247–249)

- A. Presidents have added to their powers by their actions; for example, Theodore Roosevelt declared his intent to do anything the needs of the nation required if such action was not expressly forbidden by the Constitution.
- B. During national crises, presidents like Abraham Lincoln, Franklin D. Roosevelt, and George W. Bush greatly expanded the powers of the presidency as the federal government dealt with dangers facing the United States.


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II. Informal Sources of Power (pages 247–249, continued)

- C. Modern presidents claim their ideas and policies represent a mandate from the people, and they use all forms of mass media to build support for their ideas.

Discussion Question

Do you agree or disagree with critics who complain that modern presidents have too much power? Explain. (Answers will vary. Students should demonstrate knowledge of informal sources of power.)

III. Limits on Presidential Power (pages 249–250)

- A. The Constitution gives Congress the power to limit presidential authority by overriding a veto or impeaching and removing the president from office for clear abuse of power.
- B. The federal courts also limit the president's power. The Supreme Court can overturn presidential actions, as it did President Truman in *Youngstown Sheet and Tube v. Sawyer* (1952).
- C. The federal bureaucracy sometimes limits presidential power by obstructing programs or failing to carry them out properly, especially when key bureaucrats work closely with powerful congressional leaders to carry out their own programs rather than the president's.
- D. Public opinion can limit the president's actions, as it did with President Lyndon Johnson's policies in Vietnam and President Clinton's proposed national health care program.

Discussion Question

How can public opinion limit the president's power? (Public opinion can derail the most central presidential programs because members of Congress, who must vote on legislation to enact the president's programs, are subject to reelection. If they go against voters' wishes, they may lose in the next election.)

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Did you know?

Former President George Bush, who led the nation to victory in the Persian Gulf war in 1991, made a parachute jump as a personal fiftieth anniversary celebration in 1997. As a Navy pilot, Bush had escaped death in World War II by parachuting into the Pacific after his plane was shot down by the Japanese.

Outline

I. As head of state, the president: (page 252)

- A. represents the nation at ceremonial functions;
- B. is considered more than a politician, but rather a symbol of the entire United States.

Discussion Question

Which role makes the president a living symbol of the nation? (Head of state.)

II. As chief executive, the president: (pages 253–254)

- A. heads the 2 million person executive branch;
- B. influences how laws are executed through executive orders, presidential appointments, removal of appointed officials, and impoundment;
- C. grants pardons, reprieves, or amnesty.

Discussion Question

Do you think the president should have the power to impound money appropriated by Congress? (Answers will vary. Impoundment is sometimes useful when the need for spending changes.)

III. As chief legislator, the president: (pages 254–255)

- A. proposes legislation to Congress, usually in the State of the Union Address;
- B. must work harder for congressional support when Congress is controlled by the opposition party;

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III. As chief legislator, the president: (pages 254–255, continued)

- C. may use political favors to gain congressional support;
- D. has the threat of the veto to influence Congress.

Discussion Question

Why do members of Congress pay close attention to the State of the Union message? (It contains information about the president's possible legislative proposals for the coming year.)

IV. As economic planner, the president: (page 256)

- A. has gained important economic powers since the New Deal;
- B. promotes high employment, production, and purchasing power;
- C. is required to prepare the federal budget each year.

Discussion Question

Why does Congress continue to expand the president's powers in economic affairs? (Answers will vary. Perhaps to make the executive branch more and more responsible for the economy.)

V. As party leader, the president: (pages 256–257)

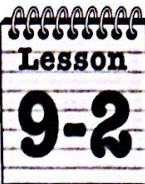
- A. helps raise party funds and plan campaign strategies;
- B. uses political patronage to appoint party members to government jobs.

Discussion Question

Do you agree with critics who claim the president's job as leader of a political party clashes with his other duties? Explain. (Answers will vary. See text pages 256–257 for discussion of conflicting roles.)

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VI. As chief diplomat, the president: (pages 257–258)

- A.** directs foreign policy and oversees foreign affairs information agencies;
- B.** has sole power to make treaties, with Senate approval;
- C.** may make, without congressional approval, executive agreements having the force of treaties with foreign nations;
- D.** has the sole power to recognize foreign governments.

Discussion Question

Do you think executive agreements, like treaties, should have the Senate's approval? (Answers will vary, but students should recognize that the approval process for some treaties has proved cumbersome and time-consuming. Executive agreements are more efficient for time-sensitive decisions.)

VII. As commander in chief, the president: (pages 258–259)

- A.** shares with Congress the power to wage war;
- B.** makes key military policy decisions;
- C.** supports war efforts on the home front during wars;
- D.** may use the armed forces to end disorders or give aid in natural disasters.

Discussion Question

Do you think a president with military experience makes better decisions as commander in chief? Explain. (History helps answer this. Students may refer to presidents Franklin Roosevelt, Dwight Eisenhower, etc.)

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Did you know?

The first president to exercise executive privilege was George Washington when he refused the House information on the Jay Treaty. The Eisenhower administration used the term *executive privilege* for the first time, although many other presidents have invoked the privilege.

Outline

I. Increased Responsibilities (pages 261–262)

- A. Modern presidents have provided strong leadership for the nation, even though the Founders expected Congress to lead the nation.
- B. Presidents provide leadership in introducing bold new ideas as well as responding to crises at home and abroad.

Discussion Question

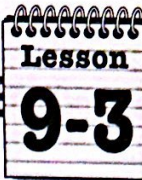
Do you agree or disagree with the Founders' belief that Congress should take the leadership role in government? Explain. (Answers will vary. Students should support their assessment of the advantages and disadvantages of strong presidential leadership versus strong congressional leadership.)

II. Leadership Qualities and Skills (pages 262–264)

- A. Presidents must know and understand the people of the United States.
- B. Presidents must be able to communicate effectively and to explain their policies clearly in order to inspire public support.
- C. Presidents must know when the time is right to introduce new policies or make key decisions.
- D. Successful presidents must:
 - 1. be flexible and open to new ideas;
 - 2. be able to compromise;
 - 3. have political courage and be willing to go against public opinion in matters they believe are vital to the nation's interests.

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Discussion Question

What do you think is the most important skill a president should have? Explain.

(Answers will vary. Students should support their opinions with examples.)

III. Presidential Isolation (pages 264–266)

- A.** The special treatment given to modern presidents risks isolating them from information and advice they should have to carry out their duties effectively.
- B.** Presidents may discourage staffers from disagreeing with them or giving them unpleasant advice.
- C.** Access to the president often forces top staffers and advisers to flatter the president and provide only good news and favorable opinions.
- D.** Top staffers control access to the president.
- E.** Dealing with White House staff requires much of the president's time and makes it more difficult to keep in touch with the public.

Discussion Question

How do you think presidential isolation might be lessened? (Answers will vary. For a discussion of isolation see text pages 264–266.)

IV. The Use of Executive Privilege (pages 266–267)

- A.** To keep White House discussions and advice secret, presidents invoke executive privilege to avoid giving such information to Congress or the courts.
- B.** Modern presidents have claimed that executive privilege also protects their communications with other members of the executive branch.
- C.** The Supreme Court has ruled that executive privilege is constitutionally based.

Discussion Question

Do you agree or disagree with the Supreme Court ruling that executive privilege is constitutional? Explain. (Answers will vary. For a discussion of executive privilege see text pages 266–267.)

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