

Before and Beyond the Constitution: What Should a President Do? –
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Name _____ Date _____

From The Federalist Papers: The Real Character of the Executive Alexander Hamilton, Friday, March 14, 1788



NOTE: Definitions for underlined terms are in parentheses.

Group 1: The President Is the Head of the Executive Branch (person responsible for making sure laws are enforced)

The first thing which strikes our attention is, that the executive authority... is to be vested in a single magistrate (The President)... That magistrate is to be elected for FOUR years; and is to be re-eligible as often as the people of the United States shall think him worthy of their confidence. In these circumstances there is a total dissimilitude (difference) between HIM and a king of Great Britain, who is an HEREDITARY monarch, possessing the crown as a patrimony descendible to his heirs forever...

(The President is to have power) to take care that the laws be faithfully executed; and to commission all officers of the United States." In most of these particulars, the power of the President will resemble equally that of the king of Great Britain...

Group 2: The President Can Be Impeached (put on trial to see if he should be removed from office) and Afterwards Arrested

The President of the United States would be liable to be impeached, tried, and, upon conviction of treason, bribery, or other high crimes or misdemeanors, removed from office; and would afterwards be liable to prosecution and punishment in the ordinary course of law. The person of the king of Great Britain is sacred and inviolable (above the law)...

Group 3: The President Has Veto Power Over Acts of Congress

The President of the United States is to have power to return (veto) a bill, which shall have passed the two branches of the legislature, for reconsideration; and the bill so returned is to become a law, if, upon that reconsideration, it be approved by two thirds of both houses. The king of Great Britain, on his part, has an absolute negative (veto) upon the acts of the two houses of Parliament (the English version of our Congress)...

Group 4: The President Is Commander-in-Chief of the Armed Forces

The President is to be the "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.

...the President will have only the occasional command of such part of the militia of the nation as by legislative provision may be called into the actual service of the Union...

...the President is to be commander-in-chief of the army and navy of the United States. In this respect his authority would be nominal (seem to be)... the same with that of the king of Great Britain, but in substance much inferior to it... that of the British king extends to the DECLARING of war and to the RAISING and REGULATING of fleets and armies, all which, by the Constitution under consideration, would appertain to the legislature...

Group 5: The President Has Some Power in Developing Laws

He (The President) is to have power to... recommend to the consideration of Congress such measures (laws) as he shall judge necessary...

to convene (call into a meeting), on extraordinary occasions, both houses of the legislature, or either of them, and, in case of disagreement between them WITH RESPECT TO THE TIME OF ADJOURNMENT (ending the meeting), to adjourn (end) them to such time as he shall think proper;

...the President can only adjourn the national legislature in the single case of disagreement about the time of adjournment. The British monarch may prorogue (call off until a later time) or even dissolve (to break up) the Parliament...

Group 6: The President Conducts Our Relations with Other Countries

The President is to have power, with the advice and consent of the Senate, to make treaties, provided two thirds of the senators present concur. The king of Great Britain is the sole and absolute representative of the nation in all foreign transactions. He can of his own accord make treaties of peace, commerce, alliance, and of every other description...

The President is also to be authorized to receive ambassadors and other public ministers...

Group 7: The President Nominates Candidates for Many Jobs in Our Government

The President is to nominate, and, WITH THE ADVICE AND CONSENT OF THE SENATE, to appoint ambassadors and other public ministers, judges of the Supreme Court, and in general all officers of the United States established by law, and whose appointments are not otherwise provided for by the Constitution. The king of Great Britain is emphatically and truly styled the fountain of honor. He not only appoints to all offices, but can create offices...

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The Chief Executive

	Articles of Confederation	Proposed Constitution	King of England
1. How many chief executives at the same time?			
2. What is the term of office?			
3. What provision is made for cases of abuse of office?			
4. What power does the chief executive have in the passage of laws?			
5. What limits are there on the executive in the passage of a law?			
6. What military powers does the chief executive have?			
7. What powers to call the legislature together does the chief executive have?			
8. What powers does the chief executive have in foreign affairs?			
9. What power does the chief executive have to make appointments?			