

# Chapter 1. Role of Government

## Section 1- Government and the Public Good

**Government**- an institution with the power to make and enforce rules for a group of people

### What is Government?

- It has the authority to set rules for all the people living in a political unit, or **state**
- Sovereignty**- The absolute authority that a government has over its **citizens**, or members of a state
- How do the governments of sovereign states establish rules for their societies?**
  - By making law
- Law**- a set of rules, made and enforced by government, that is binding on society
- Laws are part of public policies
- Public policies**- the plans and decisions that a government makes in a particular area of public concern

### Origins of Government

- to* -**Legitimacy**- the rightful authority any government has over its citizens
- Thomas Hobbes** argued that people create the state by entering into a social contract.
- Social contract**- under this contract, the people give up their individual sovereignty to the state. In exchange, the state provides peace and order.
- John Locke**
  - argued that the contract creates a limited government that relies entirely on the consent of the governed. In other words, the government has legitimacy because the people, not God or anyone else, give it authority to govern.
  - also believed that government's proper job is to secure people's natural rights.
- Natural rights**- are those that people have simply because they are human beings. (Life, liberty, and the pursuit of happiness) Locke argued that the people may throw out governments that do not secure these rights.

### *every* Functions of Government

- Maintaining Order**
  - By enforcing laws that protect the safety and security of people and property.
  - Government works to protect people from unfair or harmful business practices.
  - By protecting the country from foreign invasion.
- Providing Services**
  - Government provides many needed services that people cannot easily provide on their own. Ex) build road, mailing, inspecting food...
- Resolving Conflict**
  - Government helps resolve conflict by bringing people together to reach common goals through compromise.

-A **compromise** is a resolution of conflict in which each side gives up some of what it wants.

-Government brings about compromise through politics

-**Politics**- the process by which people participating in government express opinions about what government should do (or not do).

-**The court system** has the authority to enforce the decisions reached in these compromises.

#### **-Promoting Values**

-Maintaining order, providing services, and resolving conflict help government fulfill a fourth function- promoting common values.

-Values are basic principles by which people act and live their lives include safety and willingness to compromise.

-equality of opportunity, respect for individual rights, a good education, health care for older people and the needy, and personal responsibility.

### **The Public Good**

-These functions of government all share a fundamental purpose: to serve the public good.

-**Public good**- is another term for the public interest or the well-being of society as a whole.

-Deciding which options makes good public policy is a vital responsibility of government.

-Policies that address a wide range of concerns tend to promote the public good.

## **Section 3- Foundations of Democracy**

### **★ Benefits of Democracy**

-give people the opportunity to make choices

-recognize the dignity and worth of each person

-promote respect for the law

-protect the rights of the minority

-produce policies that promote the public good

### **Allowing Choice**

-In democracies, people have the opportunity to make their own choices. It allows people to take responsibility for their lives.

-People living in a democratic society make their own choices in free and fair elections.

-People also have the right to make their own choices regarding other areas of their lives.

### **Recognizing Individual Worth**

-By allowing all citizens to participate in governing, democracy promotes the value of every human being.

-Equality of opportunity does not mean equality of results.

-Personal responsibility for their successes and failures.

### **Promoting Respect for Law**

-All people in a democracy have a responsibility to obey the laws that are established by government.

-If citizens ignored laws they did not like, or if government simply did not establish laws to maintain order in society, the result would be **anarchy**

**-Anarchy-** a state of political disorder resulting from the absence of rules or government.  
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### **Protecting Minority Rights**

-Most decisions in a democracy are made by majority rule.

**-Majority rule-** occurs when decisions are based on the desire of more than half of the membership of a group.

-Democracy also protects the rights of the minority

**-Minority rights-** are political rights that cannot be abolished in a democracy even though they are held by less than half of the population.

### **Promoting the Public Good**

-Democracy serves the public good because it allows citizens to make informed decisions about which public policies are best for them.

### **Forms of Democracy**

-Direct Democracy- systems in which laws may be made directly by all citizens

**-Representative Democracy-** the people elects representatives to conduct the business of government for them.

# Chapter 2. Origins of U.S. Government.

## → Section 4. The Constitutional Convention

-On May 25, 1787, delegates met in Philadelphia to consider establishing a stronger national government for the 13 states.

-At the time, the delegates' home states did not attribute as much significance to the Convention as people would later

-The states provided limited financial support.

-Delegates worked in secrecy, hoping to ensure free and open debate without interference from outsiders. (4 months)

### I. The Delegates.

-country's most distinguished leaders and political thinkers

-The best-known delegates: George Washington, Benjamin Franklin, and Alexander Hamilton.

-Washington was unanimously named chairman of the convention.

-James Madison of Virginia: father of the Constitution

### II. Rival Plans

1. Virginia Plan

2. New Jersey Plan

### III. The Great Compromise

-An agreement that borrowed elements from both the Virginia and New Jersey Plan, first called the Connecticut Plan, adopted on July 16, 1787

-bicameral legislature

-House of Representatives: based on population, elected directly by the people

-Senate: 2 representatives, elected by state legislatures

### IV. Settling Other Issues

"Bundle of compromises"

#### 1. Slavery

-Count each slave-for the purpose of determining a state's representation in Congress- as three fifths of a free person

#### 2. Trade

-Congress could not ban the importation of slaves before 1808.

-Congress could not tax goods that were exported to other countries.

#### 3. The Presidency

-President would be chosen by state electors.

-The number of a state's electors would match the number of its representatives in both houses of Congress.

-States choose electors by popular vote.

-If no presidential candidate received a majority of electoral votes from the states, the House of Representatives would choose the president.

# Ch 3. The U.S. Constitution

## Section 1- Basic Principles

### 1. Popular Sovereignty

-For a government truly to serve the people, it must be based on popular sovereignty.

Popular sovereignty: the government's authority comes from the people.

### 2. Limited Government

-The constitution limits government by establishing guidelines for how the government may act.

### 3. Separation of Powers

-Make sure that no one branch has too much power

### 4. Checks and Balances

-The Constitution prevents the concentration and abuse of power by giving each branch of government the authority to check, or restrain, the powers of the other two branches.

#### 1) Executive and Legislative Checks

-President- veto

-Congress- able to override a veto if at least two thirds of the members in both houses

Power of the purse

#### 2) Judicial Review

-judicial review: the power of the courts to decide if laws and other government actions are valid under the U.S. Constitution

-**Marbury v. Madison in 1803**: it established the broader power of the courts to decide the constitutionality of congressional action.

-**Unconstitutional**: a law or government action that is found to violate any part of the constitution

### 5. Federalism

-The Constitution is designed to protect the rights of the states by establishing a federal system of government.

-**Federal system**: one in which powers are divided among national, state, and local governments.

-**Supremacy clause**: Article VI of the Constitution states that the power of the national government is superior to that of the state government.-> Constitution is "the supreme law of the land"

## Section 2- Amending the Constitution

The framers knew that they could not anticipate what challenges the government and people would face as the U. S. grew. So they developed methods for revising the Constitution.

-**Amendments:** Changes made to the Constitution, must be proposed and ratified through a formal process

### 1. Methods of Amending the Constitution

-Article V of the Constitution

-Amending the Constitution should be more difficult than passing an ordinary law.

-The framers helped ensure that amendments would not be frivolous and would not represent only passing interest.

#### 1) Proposing Amendments

①by vote in the Constitution

-two thirds of both the House(290 votes) and the Senate(67 votes)

②national convention

-two thirds(34) of the state legislatures

-Some people have worried that a convention might decide to open up the entire Constitution or revision.

#### 2) Ratifying Amendment

①by votes in state legislatures

-three fourths(38) of the states

②approval of special conventions

-three fourths of the states (21 amendment)

## 2. The 27 Amendments

-Because of the difficult amendment process, only 27 amendments have been added to the Constitution.

-They have protected individual freedoms, expanded voting and other rights, and extended the government's powers.

#### 1) Protecting individual freedoms

-**Bill of Rights:** the first 10 amendments, designed as a protection for individual freedoms

-also acknowledges the rights and powers of the states and the people

#### 2) Expanding Voting and other rights

-during periods of great social and political change

①After Civil War: 13<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup> - banned slavery

②1900s: 17<sup>th</sup>, 19<sup>th</sup> - democracy

#### 3) Extending Government Powers

-16<sup>th</sup>, 18<sup>th</sup>

#### 4) Ratification Deadlines

-27<sup>th</sup>

## The Amendments

1. Freedom of religion,  
Freedom of Speech,  
Freedom of Press  
Freedom of assemble  
Freedom of petition
2. Right of the people to keep and bear Arms.
3. No Soldier shall be quartered in any house  
w/o the consent of the Owner.
4. The right of the people to be secure in their  
persons, houses, papers, and effects, against  
unreasonable searches and seizures,  
Warrant.
5. Capital crime. → Grand jury  
no twice offense.  
no due process.  
nor shall private property be taken for public
6. Speedy and public trial for the accused.  
Witness against him and in his favor.  
Assistance of Counsel for his defense.
7. The right to jury trial cases that involve  
more than \$20
8. Excessive bail, fines, cruel and unusual  
punishment.
9. The Constitution shall not be construed to deny  
or disparage others retained by the people
10. reserved clause.  
Any power not in Constitution is reserved to  
the States' responsibility.
11. Cannot sue people living in other states  
or foreign states.
12. President and vice president are voted  
on separate ballot.
13. Free slaves.
14. Citizens - all persons born or naturalized  
in the US.  
• Number of male citizen for electoral vote  
• prevents states from interfering in the  
rights of citizens of the United States
15. The right to vote regardless of race,  
color or servitude
16. The Congress collect taxes on incomes.
17. Change the way to select Senate  
Senators be elected directly by the  
people instead of by the state legislature
18. ban of the manufacture, sale or  
transportation of alcohol.
19. Women's right to vote.
20. Member of Congress take office on Jan 3,  
President takes office on Jan 20.
21. repeal the 18.
22. limit two-term for president.
23. Washington D.C. got three vote.  
electors of President and Vice President.
24. right of vote shall not be denied by  
reason of failure to pay tax.
25. vice president takes over if the  
president is unable to perform the duties  
of the office.
26. 18-year-old citizens the right to vote  
in all elections
27. No law, varying the compensation for  
the services of the Senators and Rep.  
shall take effect, until an election of  
Rep. shall have intervened

## Section 3- A Flexible Document

-“living document”- it is flexible and allows government to adapt to changing times

-Government actions, political parties, and custom and tradition all have helped shape government under the Constitution

### 1. Government Actions

#### 1) Court Decisions

-The courts have been able to apply the Constitution to circumstances that the 18<sup>th</sup> century framers could not have anticipated

ex) new technologies

#### 2) Congressional Legislation

-Congress has created structures and taken on duties that are allowed by- but not specifically mentioned in- the Constitution

-also interprets vague wording in the Constitution

#### 3) Executive Actions

-executive agreements: arrangements that presidents establish with foreign governments and, unlike formal treaties, do not require Senate approval. Ex) 1940, President Roosevelt and Great Britain in WWII

### 2. Political Parties

-political party: an organized group that seeks to win elections and influence the activities of government

-important roles in electing presidents and other government officials and in organizing the day-to-day operation of Congress

### 3. Custom and Tradition

-informal, long-established ways of doing things

-They are not mentioned in the Constitution, but customs and traditions strongly influence how government carries out its functions.

- ex) cabinet: presidents' advisers, 22nd amendment

## Section 4- The Constitutional and the Public Good

-factions: groups of people usually motivated by self-interest

-James Madison argued that the constitution provides a way to make sure that the government has sufficient authority to rule effectively and that it enacts policies that promote the public good.

### 1. Preventing Control by Factions

#### 1) Size

- The Constitution, with the rights and freedoms it promises, ensures that all interests have an equal chance to be represented.



-Madison said that with such a large number of interests competing for power, forming a faction that could completely dominate government would be difficult.

## 2) Checks and Balances

-The framers of the Constitution believed that each branch would use its powers to check the interests of those heading the other branches.

-If a faction took control of one of the branches of government, its power could be limited by the other branches.

## 2. Enacting Good Policies

-Constitution formed a republic in which it is likely that government will pass laws that serve the public good.

-Policies that do not promote the public good cannot win majority support in a large republic with many interests.

## 3. Effective Government

-two major problems that can make effective government difficult under the Constitution

1) **Gridlock**: the legislative process comes to a standstill because political opponents block each other's efforts. Ex) in 1995, Bill Clinton over federal budget

## 2) Avoiding Responsibility

-It is too easy for government leaders to avoid responsibility for failed policies and other problems.

## Chapter 5. Role and Powers of Congress

### Section 1. Role of Congress

-Congress- the legislative branch of the federal government

-3 key roles

-to legislate or to make laws

-oversees the performance of government agencies

- provides services to the people its members represent

#### 1. Making Laws

-Congress is responsible for making the nation's laws.

-The decisions facing members of Congress are not so easy because the forces influencing a member's vote can conflict.

##### (1) Personal Beliefs

A congressperson's personal beliefs about what promotes the public good significantly influence his or her voting decisions.

##### (2) Constituents' Interests

-Congressmen's voting decisions also are influenced by the wishes of the people they represent.

-Constituents: the residents of his or her district or state

-A member represents his or her constituents must consider how policy decisions will affect them, not just the country as a whole

-consider the public good over local interests, but expect their congress members to take care of their local interests.

##### (3) Interest Groups

-Interest groups: people acting together to achieve shared political goals.

-Interest groups provide information on issues, suggest legislation to congressmembers, and promote legislation that is favorable to their groups.

-~~Political action committees (PACs)~~: separate political branches of interest groups that are formed for the purpose of participating in politics and giving money to candidates. They contribute to members' campaigns through this.

##### (4) Political Party Loyalty

-Party loyalty on key votes in Congress has increased over the past 20 years.

-strong party leadership in Congress and in congressional election campaigns

- shared more of the same political beliefs and values.

#### 2. Overseeing Agencies

-Congress is responsible for overseeing the performance of government agencies.

-~~Congressional oversight~~: involves conducting investigations of agency actions and programs

-Investigation often focuses on abuses and scandals in government programs.

-Members of Congress conducted so few investigations b/c passing new programs was more dramatic than finding out how well existing ones were working

-In the past 25 years, congressional investigations have increased greatly.

-tight budgets have reduced the amount of money available for new programs, leading to greater scrutiny of both old and new programs.

-past scandals and abuses have led many citizens to become dissatisfied with the government.

### 3. Helping Constituents

#### (1) Individual Requests

-obtaining information or expressing views about legislation, requesting help with finding a government job, or asking for assistance with government services, such as Social Security.

#### (2) Detecting Patterns

-Congressional staffs look for changes and patterns in constituent requests

-Such patterns may signal a problem with a government program or a change in constituents' general attitudes.

#### (3) Handling Requests

-The majority of constituent service involves ordinary citizens with ordinary requests.

These requests usually are handled by congressional staffs.

-Members of Congress must avoid using the power of their office unethically to influence agencies on behalf of a particularly valued constituent.

## Section 2- Houses and Members of Congress

### 1. House of Representatives

The Constitution's framers intended the House to be closer to the people than would be the Senate- attracts ordinary citizens serving for a brief period.

#### (1) Size

-According to the population

-~~Census~~ official population count, every 10 years

-1789, 65 members -> 1910, 435

-nonvoting delegates: Washington D.C., Guam, the U.S. Virgin Islands, American Samoa, Puerto Rico

-member of Congress represent an increasing number of citizens

1910, 91 million, 209,000-> 1990, 248 million, 570,000

#### (2) Terms

-2 years

#### (3) Congressional District

-~~apportion~~-distribute

-States with significant population growth may acquire seats from those that lose residents or grow less rapidly.

#### (4) One Person, One Vote

-Wesberry v. Sanders, 1964- Court established the "one-person, one-vote" principle by banning districts that had grossly unequal population. Each person's vote, or representation in the House, should be equal to every other person's.

#### (5) Gerrymandering

-gerrymandering: the practice of establishing district lines that favor one political party over another

-Davis v. Bandemer, 1986: if the practice existed for a long time and was truly harmful to a political minority, it violated the Constitution.

## Section 3- Powers of Congress

### 1. Expressed Powers

2. **Special powers:** Some are held by the Senate, by the House, and by both

#### (1) Impeaching Officials

-House: impeach

-Senate: trials on **impeachment**, 2/3 of votes

-vice president acting as a judge.

-If it is the president being impeached, the chief justice of the U.S. presides instead

#### (2) Ratifying Treaties

-Senate: has the power to reject any treaty, or written agreement, between the U.S. and other countries

#### (3) Approving Appointments

-Senate: has the right to reject all appointments made by the president, Supreme Court justices, ambassadors, and cabinet members.

#### (4) Deciding Elections

-Congress holds the power to decide presidential elections under certain circumstances.

-House of Representatives must choose the winner from among the three candidates receiving the most votes for the President

-Senate- vice president.

### 3. Implied Powers

Necessary and Proper, or **Elastic, Clause**

-“to make all laws which shall be necessary and proper for carrying into execution the foregoing (previously mentioned) powers.”

-McCulloch v. Maryland 1819: Bank of the United States

-military academies

-The Elastic Clause has allowed Congress to expand its powers significantly.

### 4. Limits on Powers

-judicial review

-10<sup>th</sup> amendment

-taxing exports

-favoring the trade of a particular state

-**ex post facto law:** a law that applies to an action that took place before the law was passed

-**bill of attainder:** a law that punishes a person who has not been convicted in a court of law

-**writ of habeas corpus:** a court order requiring police to bring all persons accused of a crime to court and to show sufficient reason to keep them in jail

# Chapter 6. Congress at Work

## Section 1. Organization of Congress

### 1. Terms and Sessions

- election in every even numbered year in November
- Congress begins on January 3
- 1<sup>st</sup> Congress in 1789 and 1790- 105<sup>th</sup> Congress in 1997 and 1998, so on
- Quorum**: majority of members
- When Congress is in session, a quorum must be present to conduct business.

### 2. Term Limits

- Term limits**: legal limits on the number of terms a person can serve
  - Today there are no term limits for members of Congress.
- incumbents**: officeholders
  - Incumbents tend to have a good chance of being re-elected.
- (1)The Permanent Congress
  - The critics believed that Congress had become unresponsive to the people and resistant to change
- (2)Support for Term Limits
  - Criticism of the permanent Congress has sparked a grassroots movement at the state level for term limits, but the Supreme Court ruled that neither the states nor Congress may impose term limits on members of Congress without a constitutional amendment.

### 3. Congressional Leaders

- Congressional leadership is organized strictly by party.
- Majority party**: in each house of Congress the political party that holds the most seats
- Minority party**: the political party with fewer seats
- Presiding officers and committee chairs always come from the majority party.
- The House operates under stronger leadership than does the Senate and is controlled by stricter rules.
- (1)House Leaders
  - Speaker**: the most influential position in the House of Representatives.
    - officially gives the floor to members who wish to speak
    - controls floor debates and has a powerful hand in controlling the flow of legislation
    - appoint committee members and other House leaders from his or party
  - One party has controlled Congress while the other party has held the presidency.
  - Floor leader**: The majority floor leader serves as an assistant to the Speaker and is the second-most-influential member of the House. The minority floor leader is the minority party's chief spokesperson.
  - party whips**: to monitor and influence how his or her party's members vote on legislation.
- (2)Senate Leaders
  - Vice President** of the U.S. is the presiding officer in the Senate.
    - Only role in congress is to break tie votes.

-**president pro tempore**: the formal head of the Senate in the absence of the vice president

-the person in the majority party who has been the Senate the longest

#### 4. Rules of Conduct

-The Constitution gives Congress the power to judge its members' qualification.

-The House and the Senate have each set strict rules of conduct for the members, including in financial matters.

-Either house may vote by a simple majority to discipline one of its members b/c of poor conduct in the form of reprimand, or scolding, or censure.

-**censure**: stronger disciplinary measure

-**Expulsion**: for more serious or criminal conduct. Requires a two-thirds vote and formally removes a member from office

### Section 2- The Committee System

-Congressional committees were formed to allow legislation to be examined by smaller bodies that are more expert in the subject than the house or the Senate as a whole.

-**Bills**: proposed legislation.

-Committees pore over bills before they are submitted to the House or the Senate as a whole.

-also oversee the performance of the executive branch agencies in their policy area.

#### 1. Type of Committees

(1)2 basic types: authorizing and appropriations

-**Authorizing committees** establish government policies, propose solutions to public, such as crime, and determine how much funding is needed to put them into effect.

-**Appropriations committees** make the **appropriations**- funds set aside for specific purposes- for these solutions

-Many authorizing committee but only one appropriations committee.

(2)5 other categories

-**Standing Committees**: the permanent committees in each house of Congress 19 in the House, 17 in the Senate, deal with broad areas of legislation, such as trade, foreign policy, or finance.

-**Subcommittees**: standing committees are further divided into smaller, more specialized bodies

-**Select Committees**: committees created to deal with special issues not covered by standing committees. Focus on investigations rather than legislation, temporary  
Watergate case in the 1970s

-**Joint Committees**: committees made up of members from both the House and the Senate. Deal with matters that are best handled by the two houses working together.

-**Conference Committees**: temporary bodies appointed to work out a compromise between House and Senate versions of a bill passed by both houses.

#### 2. Committee Assignments

-Committee assignments give members a visible role for which they can claim credit in their district or state.

(1)Committee Chairs

-great deal of power

-always belong to the majority party and traditionally selected by the seniority system

-**Seniority system**: by the length of time they served on the committee in question

-good: great skill, independence from relying on the party leadership

-bad: locked out many younger members

-Today they are elected by members of the majority party.

(2)Committee Membership

-according to members' own wishes

-seek special benefits for their districts or states

-to influence broad public policy issues of national concern

### 3. Congressional Resources

-Congress members and committees have large staffs to assist them

(1)Personal Staff (congressmembers)

-They suggest policies to members, draft bills, and negotiate with other staff about the language of proposed legislation.

(2)Committee Staff (committee members)

-Each member of a committee typically hires one or more committee staffers who work primarily for him or her, much like personal staff, know more about the issues they work on than do personal staff

(3)Congressional Agencies

-help Congress carry out its work.

## Section 4- Congress and the Public Good

### 1. Influence of Special Interests

(1)Interest Groups

-**Interest groups** use campaign donations and other tactics to control members of Congress.

-However, Congress members are more influenced by their own beliefs, constituents' views, and the position of their political party.

(2)Home Districts

-constituents' interests play in the lawmaking process

-**Pork-barrel spending**: members represent their constituents' interests by acquiring funds for unnecessary project. "pork" from the gov. "barrel" to a home district

### 2. Power of the Committee System

-Current congressional committees do not properly represent the concerns of Congress or the country as a whole.

-Most committee members represent a few strong local concerns instead of the interests of the country as a whole.

### 3. Voice of the People

-The federal government is also made up of the president, all the government agencies and the federal courts which represent the national concerns as a whole.

## Chapter 7- The Presidency

### Section 1- The Presidential Office

#### 1. The President's Roles *essay Q*

##### (1) Chief Executive

-As head of the executive branch, the president is responsible for executing, or carrying out the nation's laws.

##### (2) Commander in Chief

-As head of the U.S. armed forces, the president commands all military offices in both wartime and peacetime.

-He stays in frequent contact with the nation's military leaders and has the final say in wartime decisions.

##### (3) Chief Agenda Setter

-In January the president delivers a **State of the Union Address**, which sets forth the programs, policies, and legislation that he or she wants Congress to enact.

-The president also sends Congress a budget proposal, recommending how the federal government should raise and spend its money.

##### (4) Representative of the Nation

-The president represents-in a way that no member of Congress can- all of the people.

-The president is often the focus of political attention- during crises; he travels to the site of a natural disaster.

##### (5) Chief of State

-As chief of the state the president symbolizes the United States and its people.

-represents the nation when meeting with foreign leaders both at home and abroad

-engages in **diplomacy**, the art of conducting negotiations with foreign countries

-performs many ceremonial duties: awarding citizens, lighting the nation's Christmas tree

##### (6) Foreign-Policy Leader

-Related to the role of chief of state

-As the head of one of the most powerful countries in the world, the president must give constant attention to the nation's foreign policy.

-**foreign policy**: its plans for dealing with other countries

Goal: to promote trade and friendship with other countries while maintaining the security of the U.S.

-Special role: as commander in chief and the power to negotiate treaties with foreign nations

-take an oath: preserve, protect and defend the Constitution of the United States

##### (7) Party Leader

-makes speeches to help other party members who are running for public office

-helps the party raise money for its political campaigns, candidates, and programs

### 2. Qualifications and Terms of Office

#### (1) Formal Qualifications

-be a native-born U.S. citizen

-be at least 35 years of age



-has been a U.S. resident for at least 14 years

**(2) Presidential Background**

-white, male Christians: changing

-highly educated

**(3) Terms**

-4 years

-22<sup>nd</sup> Amendment, two-term limit for the presidency

**(4) Salary and Benefits**

-\$200,000+ \$50,000 for official expenses+ additional allowances for travel and entertainment

-Congress sets the president's salary, but a change in salary cannot take place until the beginning of the next presidential term.

-White House

-Camp David, a mountain retreat in Maryland

-fleet of cars, helicopter, and airplanes, including the presidential jet, *Air Force One*

**(5) Presidential Succession**

-The Constitution states that if the president dies, resigns, or is removed from office, the vice president becomes president.

-**Presidential succession:** who should fill the presidency and in what order, in the order in which their departments were created

-25<sup>th</sup> Amendment provided for the president to nominate a new vice president.

The nominee takes office only if approved by a majority vote of both houses of Congress.

## Section 2- Presidential Powers

### 1. Executive Powers

-carrying out laws, appointing officials, and executive privilege

**(1) Executing Laws**

- has a great deal of freedom in interpreting how to carry out and enforce them

-exercise this power by issuing executive orders

-~~executive orders~~: detailed instructions, regulations, and rules that state how to carry out and enforce legislation, have the force of law.

**(2) Appointing Officials**

-By appointing people to fill key positions in government, the president can influence the government's priorities and policies.

-limited to key official, heads of the major executive departments and agencies, policy-making officials.

-The president's appointment power is checked by the Senate- confirms or rejects

**(3) Executive Privilege**

-~~executive privilege~~: the president's right not to hand over documents or to testify regarding matters that he or she believes are the executive branch's confidential business

-controversial:

-The certain matters, such as delicate negotiations with foreign countries, often must be kept secret.

-Congress must have access to all the material it needs to oversee agencies and to write legislation.

## 2. Diplomatic Powers

-The president is the main person responsible for the nation's foreign policy.

~~-speed~~

-A large body such as Congress, by requiring debate and majority agreement, would move too slowly to handle many foreign-policy situations.

### (1) Making Treaties

-w/ the advice and consent of the Senate

-**peace agreements** to end wars

-**trade agreements** that set up economic ties and terms of trade

-**Alliance**- agreements between two or more countries to help each other for defense, economic, scientific, or other reasons

### (2) Making Executive Agreements

-The president and the leader of a foreign government may arrange a more informal understanding, **executive agreement**.

-cover a variety of areas such as educational and scientific exchange programs, joint economic ventures, and economic assistance

-ex) Mexican president Ernesto Zedillo, President Clinton arranged for a loan of \$20 billion to Mexico.

-has grown recently: don't need to go through Congress's slow-moving treaty approval process, Congress needs only to be officially notified of the agreement within 60 days.

### (3) Recognizing Countries

-The president has the right to establish **diplomatic recognition**, to determine whether the U.S. officially recognizes a government as the proper representative of its country's people.

-To recognize a foreign country means to set up official relations w/ that nation's government.

## 3. Military Powers

-may order troops, warships, and fighter planes to faraway places

-makes recommendations to Congress about the military's size and equipment needs

### (1) Committing Troops

-1992 President George Bush, Somalia to help keep the peace and pass out food to starving people

-1994 President Clinton, Haiti to help restore democracy in that country.

### (2) War Powers Act

-**War Powers Act**: requires that soldiers sent abroad by the president be brought back within 60 days unless Congress approves the action. May be extended to 90 days if needed to ensure the safe removal of U.S. troops

## 3. Judicial Powers

-**Supreme Court justices** cannot be removed from office by the president once they are seated.

-the appointment of all other federal judges, and granting reprieves, pardons, and commutations

- Reprieve** postpones the carrying out of a person's sentence. Allows a convicted person to gather more evidence or to appeal for a new trial
- Pardon** grants forgiveness to a convicted criminal and frees the person from serving out his or her sentence.
- Commutation** lessens the severity of a convicted person's sentence.

#### **4. Legislative Powers**

##### **(1) Recommending Legislation**

- Congress and the public have come to expect the president to play a key role in setting the legislative agenda.
- The State of the Union Address:** president's major opportunity for proposing a legislative program. Outline the president's priorities in broad terms
- Annual budget: details of the legislative program. Proposes how much money government will spend and on what programs.

##### **(2) Vetoing Legislation**

- It can help undo laws with which he or she disagrees.
- threat to pressure Congress into modifying a bill
- veto certain part

##### **(3) Lobbying**

- by making personal telephone calls
- by inviting members of Congress to the White House
- before final floor consideration
- wooing, not threatening (President Ronald Reagan)

#### **5. Growth of Presidential Powers**

##### **(1) Early Presidents**

###### **-President George Washington**

- the president a symbol of federal authority
- Whiskey rebellion

###### **-Thomas Jefferson**

- The model of the president as a strong executive
- foreign affairs: Barbary pirates (undeclared presidential war)
- Louisiana Purchase w/o Congress consent

###### **-Andrew Jackson**

- stopped the Bank of the United States

##### **(2) The Modern Presidency**

Modern presidents have used frequent speeches and media attention to try to reach the people.

###### **-Theodore Roosevelt**

- First to reach out to people widely & press

###### **-Woodrow Wilson**

- The first president to act the way that someone living today expects a president to act.
- Lobbied Congress directly & proposed entire legislative program to Congress

###### **-Franklin D. Roosevelt**

- took advantage of the technology of radio by broadcasting "fireside chats" to Americans.

- proposed the most thorough legislative agenda in U.S. history to try to bring the country out of the **Great Depression**

- A tremendous increase in public interest in the president and his ideas.

**(3)The Imperial Presidency**

- Lyndon Johnson** and **Richard Nixon** in the 1960s and early 1970s

- committed thousand of U.S. soldiers in the undeclared war in Vietnam, initially w/o congressional approval.

- Nixon: Watergate case

**(4)The Presidency Today**

- Distrust of the president and of government after 1960s and 1970s

- Investigations: Iran-contra affair, Whitewater, Travelgate

- The presidency remains the focus of the U.S. political system and the most powerful office in the world.