

DOCUMENTS

The following documents are NOT intended to be the only sources of information you use to prepare for the debate. You also must use your class worksheets on the Executive Branch that we have covered over the last few classes.

DEBATE: Does the President have too much power?

YES, The President DOES have too much power Documents 1-5

Document 1- The Constitution greatly limits the President's power

The President was given ONLY the powers included in Article II of the U.S. Constitution. This proves that the framers had no intention of making the President as powerful as he is today.

Article II, Section 2

*The President shall be **Commander in Chief of the Army and Navy of the United States**, ... he may **require the Opinion (Advice)**, in writing, of the principal Officer in each of the executive Departments, ... and he shall have Power to **grant Pardons** (reduce or remove punishment) for [Crimes,]*

*He shall have Power, ...with the Advice and Consent of the Senate, **to make Treaties**, provided two thirds of the Senators present concur (agree); and he shall **nominate**, and by and with the Advice and Consent of the Senate, shall **appoint Ambassadors**, other public **Ministers** ..., **Judges** of the supreme Court, and all other Officers of the United States,*

Article II, Section 3

*He shall from time to time **give to the Congress Information** of the State of the Union, and **recommend** to their Consideration such [ideas] as he shall judge necessary...; he may, on extraordinary Occasions, **convene** both Houses, or either of them, ... he shall **receive Ambassadors** and other public Ministers; he shall take Care that the **Laws be faithfully executed**,*

Document 2- The Presidency is far too much responsibility for one person

"The United States has one President, but it has two Presidencies; one for domestic affairs, and the other is concerned with defense and foreign policy." -Aaron Wildavsky

Some will argue that the duties of the Presidency are too much for one person to manage. In many other nations around the world, these duties are often divided among at least two leaders. For Example- Prime Minister and a President, or a President and a Chancellor. A "premier" is another head of state role sometimes shared with a President.

DUTIES OF THE PRESIDENT

Chief of State	Acts as the symbolic leader of the country
Chief Executive	Executes the laws, appoints key federal officials, grants pardons and reprieves
Commander in Chief	Runs the armed forces
Chief Diplomat	Negotiates with other countries
Chief Legislator	Signs or vetoes legislation, introduces legislation, works with Congress on the budget
Superpolitician	Helps his or her party raise money and elect candidates

Document 3- Presidential Pardons (see your class worksheet for examples and data on Pardons)

"The President . . . shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment."

The presidential power to pardon was derived from the royal English Prerogative of Kings. The royal power was absolute, and the king often granted a pardon in exchange for money or military service. The argument against the Presidential pardon is simple: these are convicted criminals who were fairly tried in a court of law and found guilty. The pardon makes a mockery of our justice system. Many Presidents use this power to have friends, family, or those that supported their political campaigns released from prison.

Document 4- Executive Orders make the President no different from a Dictator

An **executive order**, also known as a **proclamation**, is a directive handed down directly from a president or governor (the executive branch of government) without input from Congress or judicial branches. Executive orders can only be given to federal or state agencies, not to citizens, although citizens are indirectly affected by them.

Executive orders have been used by every American president since George Washington to lead the nation through times of war, to respond to natural disasters and economic crises, to encourage or discourage regulation by federal agencies, to promote civil rights, or in the case of the Japanese internment camps, to revoke civil rights.

There is no specific mention of executive orders in the U.S. Constitution. Instead, presidents argue that the power to make executive orders is implied in the following statements in Article II of the Constitution:

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

"The President shall be Commander in Chief of the Army and Navy of the United States"

"He shall take care that the laws be faithfully executed"

Document 5- History Shows that President's DO abuse their power

(see your class worksheet for examples and information)

A quick look at history will reveal Presidents often abuse the power of the executive office. Nixon was caught lying about the Watergate Scandal, Andrew Jackson blatantly refused to follow the decision of the Supreme Court, FDR tried to completely change the layout of the Supreme Court to remove their ability to check his power.

These abuses aren't a thing of the past. In the view of many critics, President Obama has repeatedly abused the Constitution. He waged military strikes in Libya without the approval of Congress. He also made illegal "recess appointments" (he selected leaders for different areas of government without Congressional approval).

No, The President DOES NOT have too much power Documents 1-5

Document 6- The Times have changed and the Presidency must adapt

The Constitution was written in 1787, over 200 years ago. The people who wrote it did not know about nuclear weapons or rockets to the moon or computers or television. They didn't know that the U.S. would some day be the richest, most powerful nation on Earth... Therefore, the rules that they wrote in the Constitution say little about a modern president's real power. For example, George Washington would be shocked to know that the U.S. has thousands of missiles with nuclear warheads, that can destroy entire cities and only the president can give the signal to launch them. In 1787, Washington had only a few cannons and 718 soldiers.

In the old days, an army could move only as fast as its horses and sailing ships. There was plenty of time for Congress to debate issues of war and peace. But not today. Only the president can act fast enough in an emergency.

Document 7- The President's power is ALREADY greatly limited *(see your class worksheet for examples and information)*

If the people feel the President is abusing his power, they can vote him out of office in four years. This is unlike Congress where a Senator can be reelected indefinitely. There is also the Congressional power of impeachment in cases where the President may break the law. Laws (the nuts and bolts of our Republic) are created in Congress, not in the Executive Branch. The Judicial Branch can declare Presidential Actions to be unconstitutional. At every turn, the power of the President is limited through the system of checks and balances.

Document 8-The President's brings Americans together

Unlike members of Congress, the president is elected by all the voters. The president does not represent just one part but the whole of the country. He is the face and voice of the nation. Congressional leaders arrive in Washington D.C. with the goal of representing their States or Districts. This often leads to clashes and stagnation in the Legislative Branch. The recent Government Shutdown debacle is evidence of this. The shutdown was a result of the inability of Congressional leaders to compromise and work together.

Only the president can give real leadership on the many national problems. Congress cannot lead as well as the president simply because there is only one president, but there are 435 Representatives and 100 Senators. Members of Congress seldom agree on what to do.

Document 9-We depend upon the power of the Presidency *(see your class worksheet for examples and information)*

After the Terrorist attack of September 2001, President George Bush introduced the Patriot Act. The controversial policy allows the government to eavesdrop on private conversations, hold suspected terrorists without being charged, and even use torture tactics such as waterboarding to gain important intelligence information to prevent future terrorist attacks. Since 2001, over 60 terror plots have been foiled. These included blowing up airliners, bombing multiple targets in New York City, and attempting to use a dirty bomb (nuclear material). The policies of the Patriot Act worked and are keeping Americans safe. President Bush was able to quickly create and implement this security policy at a time when the nation was in need.

Document 10-The President is our representative abroad

The President is the face of our nation. His duties include "Chief of State" and "Chief Diplomat", managing our foreign affairs, interests, and relationships. He needs to be able to quickly make decisions and bear the necessary amount of power in his dealings with other nations. In order for other nations to seriously negotiate with the President, they need to believe that he has the power to back up what he promises abroad. This is unlike the leaders of some other nations who hold little power and can make few decisions without the approval of their legislators back home. For example, in 2010, President Obama met with Russian leaders to decide how to reduce the amount of nuclear weapons held by each nation. This led to the creation of the "New START", The New Strategic Arms Reduction Treaty which would cut the amount of nuclear weapons in half. Although Obama would later need Congressional approval of the plan, he was able to seriously negotiate with the Russian leaders because they are aware that he holds a significant level of power at home in the U.S. Government.

Document 11-Government has grown and so should the President's power

As the United States has grown, so did the agencies and services of the Federal government. Americans have demanded more and more from their government: Disaster relief services, the regulation of food and drugs, more national security, better highway safety etc. There are so many government agencies that in July of 2013, the Federal Government admitted that it doesn't know the exact number of agencies and commissions that exist in the United States. It is estimated by some researchers to be over 1400 agencies. Each agency is like its own corporation that requires a budget, supervisors, employees, objectives and goals, accountability and auditors (the list goes on and on). In order to manage this vast amount agencies and services, the president needs to have a sufficient amount of decision-making power. Imagine if Congress (who was largely unable to pass one budget for the nation) was responsible for making all of the decisions for each individual agency. The president acts as a CEO for most of the agencies appointing supervisors and managers who are accountable and report directly to him.

