

How Far Does the President's Power Reach?



Bell Receiving the Attorney General Oath of Office from Chief Justice Warren E. Burger in January 1977.
Griffin Bell Papers, Georgia Historical Society, Washington D.C.

Supporting Questions

1. What powers are given to the president in the U.S. Constitution?
2. Can the president's power go beyond those given in the U.S. Constitution?
3. How do the legislative and judicial branches check and balance the power of the executive branch?

How far does the President's power reach?

Inquiry Standard	SS8H12 Explain the importance of developments in Georgia since the late 20th century. <ul style="list-style-type: none">Describe the role of Jimmy Carter in Georgia as state senator, governor, president, and past president. L6-8RHSS3: Identify key steps in a text’s description of a process related to history/social studies (e.g., how a bill becomes law, how interest rates are raised or lowered).		
Staging the Compelling Question	Students examine the "King Andrew the First", political cartoon by identifying symbols used to represent the caricature of Jackson as a despotic monarch.		
Supporting Question 1		Supporting Question 2	Supporting Question 3
What powers are given to the president in the U.S. Constitution?		Can the president’s power go beyond those given in the U.S. Constitution?	How do the legislative and judicial branches check and balance the power of the executive branch?
Formative Performance Task		Formative Performance Task	Formative Performance Task
In your own words, list the formal powers given to the President of the United States.		Summarize at least one method Jimmy Carter used to ensure effective administration of his policies during or after his term as president.	Draw a diagram or visual representation of how the judicial or legislative branches may check and balance the power of the President of the United States.
Featured Sources		Featured Sources	Featured Sources
Source A: Executive Powers		Source A: Jimmy Carter's Presidential Powers	Source A: Balancing the Power of the Executive Branch
Summative Performance Task	ARGUMENT Construct an argument (e.g., detailed outline, poster, essay) in response to the compelling question using specific claims and relevant evidence from historical sources, while acknowledging competing views.		
	EXTENSION Analyze the constitutionality of the use of Executive Orders. Background information on Executive Orders .		
Taking Informed Action	UNDERSTAND Read about differing proposals regarding the make-up of the executive office. (NPR) ASSESS Weigh the alternative proposals against the current make-up of the executive office. Determine what you think is the best choice. ACTION Write a persuasive speech detailing your opinion on the make-up of the executive office.		

Overview

Inquiry Description

This 8th grade annotated inquiry asks students to examine primary sources to infer the powers of the president. Students then assess policies and actions of the Jimmy Carter administration to decide if the president can expand their power beyond what the Constitution gives the executive. Finally, students will analyze the processes in which the legislative and judicial branches check and balance the power of the executive branch. As an extension activity students are challenged to analyze the constitutionality of Executive Orders.

Structure

The inquiry is meant to build upon basic understanding of Article II of the United States Constitution. It begins with the powers given to the president by the Constitution. Next, students will examine the Jimmy Carter administration to see examples of how a president can use their power. Finally, students will consider the process of checks and balances and how the president's power may or may not be limited by the other branches of government.

Staging the Compelling Question	
Compelling Question	How far does the President's power reach?
Featured Sources	<ul style="list-style-type: none"> ● Source A: "King Andrew the First", Political Cartoon

Staging the compelling question

Cartoonists use simple objects, or symbols, to stand for larger concepts or ideas. After identifying the symbols in a cartoon, discuss what the cartoonist intends each symbol to represent.

Compelling Question

Featured Source A

"King Andrew the First", Political Cartoon

Excerpt

["King Andrew the First", Political Cartoon](#), LOC

Source:

King Andrew the First. , 1833. [New York?: s.n] Photograph. <https://www.loc.gov/item/2008661753/>.

Supporting Question 1

Supporting Question	What powers are given to the president in the U.S. Constitution?
Formative Performance Task	In your own words, list the formal powers given to the President of the United States.
Featured Sources	<ul style="list-style-type: none">● Source A: Executive Powers

In order to understand the extent of the reach of presidential power, students must first understand the powers given by the Constitution to the executive branch.

Formative Performance Task

Students should analyze each primary source looking for clues about the powers of the president. Students will use inference skills to create a list of presidential powers.

Supporting Question 1

Featured Source A

Executive Powers

Excerpt

"Washington Elm", artifact, GHS

Roosevelt Offers Recovery Plan, photograph, LOC

Commission of John Berrien as Inspector of the Port of Savannah, March 6, 1792. GHS

Telegram, Jackie Robinson, 1957, National Archives

Andrew Johnson Presidential Pardon of William Jones, GHS

Transcript of US Constitution, LOC

Source:

(1775-1783). Wood. (artifact). Retrieved from

<https://7063.sydneyplus.com/archive/final/Portal/Default.aspx?component=AABC&record=355aada6-842f-4da6-9423-3991c06e502f>

Harris & Ewing, photographer. (1937) ROOSEVELT OFFERS RECOVERY PLAN. WASHINGTON, D.C. OCTOBER

12. PRESIDENT ROOSEVELT TONIGHT PROMISED TO CONTINUE TO STRIVE FOR PEACE AND ADVANCED A

VAST LEGISLATIVE PROGRAM FOR THE SPECIAL SESSION OF CONGRESS HE CALLED LATE TODAY TO CONVENE NOVEMBER 15TH. THE PRESIDENT IS SHOWN JUST BEFORE MAKING HIS NATION-WIDE BROADCAST. District of Columbia United States Washington D.C. Washington D.C, 1937. [Photograph]

Retrieved from the Library of Congress, <https://www.loc.gov/item/2016883772/>

Commission of John Berrien as Inspector of the Port of Savannah. (1792). John Berrien certificate and commission collection. Retrieved from

<https://7063.sydneyplus.com/archive/final/Portal/Default.aspx?component=AABC&record=90b49bb3-fecf-4d8d-8e3d-8cd1d34e93e3>

Robinson, Jackie. (1957). Jackie Robinson to E. Frederick Morrow (telegram). Dwight D. Eisenhower Library White House Central Files. Retrieved from <https://www.archives.gov/education/lessons/jackie-..>

[document], William Jones pardon, MS 449, Georgia Historical Society, Savannah, Georgia. Retrieved from <https://7063.sydneyplus.com/archive/final/Portal/Default.aspx?component=AABC&record=b655637b-1720-4fc9-95c2-8689795c8d72>

Supporting Question 2

Supporting Question	Can the president's power go beyond those given in the U.S. Constitution?
Formative Performance Task	Summarize at least one method Jimmy Carter used to ensure effective administration of his policies during or after his term as president.
Featured Sources	<ul style="list-style-type: none">● Source A: Jimmy Carter's Presidential Powers

This supporting question asks students to consider the practical application of presidential powers through the example of Jimmy Carter. Students should analyze the sources to consider whether or not Carter extended his powers beyond those given in the Constitution. Students must draw upon knowledge gained from answering supporting question number one.

Formative Performance Task

In order to understand how Jimmy Carter used his presidential power to execute his policies, students will read one of the three primary sources. They should identify the strategies or practices Carter used to ensure that the policies would be put into effect. Students will summarize those practices. Students may also realize that often a policy or action by a president can extend beyond their term such as appointing justices, creating new cabinet positions, or influencing the passing of legislation.

Supporting Question 2

Featured Source A

Jimmy Carter's Presidential Powers

Excerpt

[Jimmy Carter: "The Environment Message to the Congress." May 23, 1977. Online by Gerhard Peters and John T. Woolley, the American Presidency Project.](#)

["Carter Plan Puts Power in Interior", 1976, The San Diego Union, newspaper article, GHS](#)

[Interview, US Attorney General Griffin Bell \(GA\), ABC News, 1979 regarding Judicial Appointments, GHS](#)

Source:

Jimmy Carter: "The Environment Message to the Congress.," May 23, 1977. Online by Gerhard Peters and John T. Woolley, The American Presidency Project. <http://www.presidency.ucsb.edu/ws/?pid=7561>.

Cowan, E. (1976, December 21). "Carter Plan Puts Power in Interior" . The San Diego Union . Retrieved from Georgia Historical Society, Savannah, Georgia <https://files.acrobat.com/a/preview/56c0209c-b0c5-..>

Bell, G. (1979, February 11). Interview on ABC News' Issues and Answers. Retrieved from Georgia Historical Society, Savannah, Georgia <https://files.acrobat.com/a/preview/a5c9b7c9-56a3-..>

Supporting Question 3

Supporting Question	How do the legislative and judicial branches check and balance the power of the executive branch?
Formative Performance Task	Draw a diagram or visual representation of how the judicial or legislative branches may check and balance the power of the President of the United States.
Featured Sources	<ul style="list-style-type: none">● Source A: Balancing the Power of the Executive Branch

The power of the executive branch is meant to be checked and balanced by the power of the other branches of government. This question asks students to recognize the ways in which Congress and the Supreme Court may limit or check the power of the President of the United States.

Formative Performance Task

Students should analyze one or more of the sources to find ways in which the president's power is checked by the other branches of government. Students should pay attention to details illustrating how the executive branch may rely upon approval for actions from other branches or how a different branch may limit the actions of the executive.

Supporting Question 3

Featured Source A

Balancing the Power of the Executive Branch

Excerpt

[Statement by Frank E. Gannett, of Gannett Newspapers Regarding President Franklin D. Roosevelt's Attempt to Pack the Supreme Court, 1937, National Archives](#)

[For the Freedom of the World, 1917, photograph, LOC](#)

["William Rehnquist at His Senate Confirmation Hearing", Drawing Justice, LOC](#)

[XXII Amendment, 1952, LOC](#)

Source:

Statement by Frank E. Gannett, of Gannett Newspapers Regarding President Franklin D. Roosevelt's Attempt to Pack the Supreme Court; 2/23/1937; 235868 Sub 1 Jan. 10, 1936 THRU February 26, 1937; Straight Numerical Files, 1904 - 1974; General Records of the Department of Justice, Record Group 60; National Archives at College Park, College Park, MD. [Online Version, <https://www.docsteach.org/documents/document/state..>]

(ca. 1918) For the Freedom of the World. Washington D.C, ca. 1918. [1917, December 21] [Photograph] Retrieved from the Library of Congress, <https://www.loc.gov/item/2002716887/>.

Howard Brodie. "William Rehnquist Questioned by Senators of Judiciary Committee, 1971". Color crayon on white paper. Prints and Photographs Division, Library of Congress. Retrieved from <https://www.loc.gov/exhibitions/drawing-justice-co..>

U.S. Congress. (1952) United States Code: Constitution of the United States of America -Suppl. 1 1952. [Periodical] Retrieved from the Library of Congress, <https://www.loc.gov/item/uscode1952-007000008/>.

Summative Performance Task

Compelling Question	How far does the President's power reach?
Argument	Construct an argument (e.g., detailed outline, poster, essay) in response to the compelling question using specific claims and relevant evidence from historical sources, while acknowledging competing views.
Extension	Analyze the constitutionality of the use of Executive Orders. Background information on Executive Orders.

Argument

Students should be able to identify powers that the president may use to execute the duties of their office. Students should give an example of presidential power and provide evidence to support their example.

Extension

Students should read the linked blog post from the Library of Congress titled "Executive Orders: A Beginners Guide". Lead students in a discussion or debate on the constitutionality of a president issuing executive orders. Consider the pros and cons of executive orders. You may want to provide examples of the use of executive orders from more than one president to provide perspective for students.

Taking Informed Action

Understand	Read about differing proposals regarding the make-up of the executive office. (NPR)
Assess	Weigh the alternative proposals against the current make-up of the executive office. Determine what you think is the best choice.
Action	Write a persuasive speech detailing your opinion on the make-up of the executive office.

Have students consider whether the responsibilities of the executive office are more than one person can handle. Should the powers of the executive branch be distributed between two people, a group of people, or even open-sourced by all citizens?