

Making Connections: Analyzing Presidential Decisions

Directions: In this activity, your team will discuss the hypothetical scenarios below, and evaluate the president's decision in each of the cases below. You should draw upon your knowledge of the formal powers of the president outlined in Article II of the Constitution as well as the informal powers and roles enjoyed by modern presidents. Record your answers in the chart. You will then share your findings with the rest of the class.

Scenario #1

The president issues an order that women in the armed forces may now serve in a direct combat capacity during wartime.

- a) Identify and explain which formal Constitutional powers apply to this scenario.
- b) What informal powers and/or roles of the president apply? Explain.
- c) Are the president's actions constitutional? Identify which section of the Constitution supports your answer.
- d) Do you agree with the president's decision? Why or why not?

Scenario #2

The president and the Secretary of State negotiate an agreement with North Korea to end its designs on building a nuclear weapon. In exchange, the U.S. will commit \$15 billion in humanitarian aid to the North Korean people suffering from mass starvation, and forgive up to \$25 billion in loans by the North Korean government to U.S. banks. The president consulted Congress, but did not request a treaty.

- a) Identify and explain which formal Constitutional powers apply to this scenario.
- b) What informal powers and/or roles of the president apply? Explain.
- c) Are the president's actions constitutional? Identify which section of the Constitution supports your answer.
- d) Do you agree with the president's decision? Why or why not?

Scenario #3

A major earthquake hits 80 miles south of San Francisco incurring enormous damage with hundreds feared dead or missing, and billions of dollars in property damage. The president mobilizes the National Guard as well as regular army units to assist in the rescue effort and to help maintain order. He instructs agencies of the federal government (ex: FEMA, Health and Human Services, Homeland Security) to send aid. After visiting the "Quake Zone," the president addresses a joint session of Congress and requests short and long term financial assistance for the affected areas.

- a) Identify and explain which formal Constitutional powers apply to this scenario.

- b) What informal powers and/or roles of the president apply? Explain.
- c) Are the president's actions constitutional? Identify which section of the Constitution supports your answer.
- d) Do you agree with the president's decision? Why or why not?

Scenario #4

In his State of the Union Address, the president outlines a comprehensive plan to overhaul the Social Security system including an option to privatize Social Security accounts. He expects Congress to pass his plan in its entirety.

- a) Identify and explain which formal Constitutional powers apply to this scenario.
- b) What informal powers and/or roles of the president apply? Explain.
- c) Are the president's actions constitutional? Identify which section of the Constitution supports your answer.
- d) Do you agree with the president's decision? Why or why not?

Scenario #5

In a 7-2 decision, U.S. Supreme Court strikes down an Oklahoma state law requiring the teaching of intelligent design in public schools. As an act of defiance of the decision, the governor of Oklahoma orders the closing of several public schools which had heretofore refused to teach the intelligent design curriculum. The president of the United States commits National Guard troops to forcibly open the public schools and restore order.

- a) Identify and explain which formal Constitutional powers apply to this scenario.
- b) What informal powers and/or roles of the president apply? Explain.
- c) Are the president's actions constitutional? Identify which section of the Constitution supports your answer.
- d) Do you agree with the president's decision? Why or why not?

Scenario #6

For several months there have been credible reports that there is mass genocide being carried out on the part of the government against ethnic minorities in a small African nation. Amnesty International estimates that more than 500,000 have been murdered thus far. In a speech to a joint session of Congress, the president of the United States declares that he will commit 25,000 American troops to assist the United Nations in an effort to stop the violence against civilians and restore peace to the country. In his speech, the president contends "as the last remaining Superpower, the United States has a moral obligation and the means to stop the murders of countless innocent men, women and children."

- a) Identify and explain which formal Constitutional powers apply to this scenario.
- b) What informal powers and/or roles of the president apply? Explain.
- c) Are the president's actions constitutional? Identify which section of the Constitution supports your answer.
- d) Do you agree with the president's decision? Why or why not?