



An Energetic Executive

Time and Grade Level

Two 50 minute class periods in a Grade 6-8 US history, government or civics classroom.

Purpose of the Lesson

The purpose of this lesson is to assist student understanding of the expressed and implied powers of the president. By the conclusion of this lesson, students will understand the scope and purpose of these powers and be able to describe how they play out in real life. Students will also understand the importance of constitutional checks on presidential powers--examining the ways that a president could abuse his or her power should constitutional checks not exist. Students will also understand the informal ways the public contributes to the president's role.

Critical Engagement Questions & Lesson Objectives

1. What are the expressed and implied powers of the president as identified in the U.S. Constitution?

Objective: Students will be able to identify the Constitution as the source of presidential power and describe the constitutionally delegated powers of the president.

Objective: Students will be able to identify at least two implied powers of the president.

2. What prevents the president from abusing his or her power? What are the limits of presidential power?

Objective: Students will be able to identify at least two ways the president could abuse power and point to the provisions in the Constitution aimed at limiting this type of presidential overreach.

Objective: Students will be able to identify specific checks on presidential power.

Standards

[Common Core Standards: English Language Arts Standards-History/Social Studies-Grade 6-8](#)

CCSS.ELA-Literacy.RH.6-8.2 Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.

CCSS.ELA-Literacy.RH.6-8.10 By the end of grade 8, read and comprehend history/social studies texts in the grades 6–8 text complexity band independently and proficiently.

CCSS.ELA-Literacy.RH.6-8.7 Integrate visual information (e.g., in charts, graphs, photographs, videos, or maps) with other information in print and digital texts.

[C3 Standards: Suggested k-12 Pathway for College, Career, and Civic Readiness Dimension 2, Civic and Political Institutions](#)

D2.Civ.4.6-8. Explain the powers and limits of the three branches of government, public officials, and bureaucracies at different levels in the United States and in other countries.

D2.Civ.14.6-8. Compare historical and contemporary means of changing societies, and promoting the common good.

Overview of the Lesson

Day One
<ol style="list-style-type: none"> 1. Game Activity: Students play iCivics. 2. Teacher Lesson: <ol style="list-style-type: none"> 1. Review Article II (which students will have read for homework) and select portions of Federalist No. 70 as a class. 2. Create a list of expressed presidential powers. 3. Discuss ways the president could abuse his or her power and brainstorm a list of potential presidential limits. 3. Homework: Articles I and III (selected portions)

Day Two
<ol style="list-style-type: none"> 1. Review the prior day's brainstormed list of limits. 2. Scavenger Hunt around the room for the Constitutional checks and balances on presidential power. 3. Sticky Note Activity and Discussion About the implied powers of the president and the people's check on presidential power.

Materials

1. Access to the iCivics Game: [Executive Command](#)
2. 2 Colors of Sticky Notes
3. 2 Large sheets of paper.
4. Copies of ConSource's US Constitution for Kids, Articles I, II, and III (accessible [here](#) and in abridged versions for students in Appendix [A](#), [B](#), & [C](#)) and/or copies of Articles I, II, and III of the U.S. Constitution (Accessible [here](#))
5. Copies of Federalist No. 70¹ (Accessible [here](#) and in [Appendix D](#))

¹ This document contains highlighted portions as suggested student reading.

Student Warm-Up for the Lesson

HOMEWORK

Before this lesson, assign students reading of [ConSource's US Constitution for Kids](#), Article I.

VOCABULARY

Expressed: Stated directly

Implied: A reasonable extension of the expressed power, or a power reasonably necessary to carry out the expressed power.

Checks and Balances: in American constitutional thought, distributing and balancing the powers of government among different branches so that no one branch or individual can completely dominate the others.

Executive Branch: The branch of government that carries out the laws made by the legislative branch and undertakes other constitutionally provided functions.

Cabinet: The group of advisors to the president composed of the heads of the departments of the executive branch and certain other officials. Cabinet advice to U.S. presidents is not binding, as opposed to parliamentary systems, where the consensus of cabinets is said to bind prime ministers.

Delegate: As a noun, delegate refers to a person chosen to act for or represent others. As a verb, delegate means to entrust someone to represent your interests.

Diplomacy: The practice of carrying on formal relationships with governments of other countries through a corps or professionally trained persons known as diplomats

Veto: The right of a branch of government to reject a proposed law that has been passed by another branch in an effort to delay or prevent its enactment. Under the U.S.

Constitution, it is the power of the president to refuse to sign a bill passed by Congress, thereby preventing it from becoming a law. The president's veto may be overridden by a two-thirds vote of both the Senate and House of Representatives.

Teacher Warm-Up for the Lesson

OVERVIEW OF THE TOPIC

Summary²

A major flaw of the Articles of Confederation was that the executive powers of the national government were vested in the Congress rather than a separate office. This was a fault the delegates were well aware of by the end of the Convention in 1787. While delegates agreed that a separate office of national executive would assist, check, and complement the law-making powers of congress, they disagreed on the powers with which to vest the chief executive. The basis of these arguments rested in fears of tyranny and striking the appropriate balance between power and limits.

² Work Cited: NEH's We the People [program](#)

In May of 1787, Edmund Randolph introduced the Virginia Plan to the Convention, suggested a "national executive" who would be chosen by Congress and serve only one term. Randolph's solution for presidential powers was to suggest that the president hold the same powers of Congress, with one notable difference; Randolph suggested that the president also have the power to veto a bill, even though Congress could retain the ability to supersede that veto.

Soon after Randolph introduced his plan, delegate William Paterson offered the New Jersey Plan. This plan, like the Virginia plan, also supported a congressionally-chosen, single-term executive. The difference lie in presidential powers, of which the New Jersey plan offered very few. Under the New Jersey plan, the President would not have a veto power and could be impeached by Congress.

Three days after the New Jersey Plan was recommended, Alexander Hamilton suggested the creation of a single "supreme executive," who would hold office indefinitely, contingent upon good behavior. Departing from both the Virginia and New Jersey plans, Hamilton also recommended that the executive be chosen by "electors" appointed in districts.

The initial debates in the Convention focused on whether the executive should consist of one or more persons. Some delegates, like James Wilson, "preferred a single magistrate, as giving most energy dispatch and responsibility to the office," as they believed a single executive could act decisively. Others, however, feared tyranny would result from placing too much power in the hands of one person. Even Charles Pinckney, who supported a strong national executive, was worried that additional powers to the executive would "render the Executive a monarchy, of the worst kind." However, by June of 1787 the delegates had all but dismissed the idea of multiple executives, understanding that this arrangement would likely lead to disagreement and the opportunity for power struggles.

As the delegates debated the powers to be vested in the president, they struggled over whether or not the president's veto power should be "absolute" or "qualified," meaning that the president's veto could be overridden by Congress or not. James Wilson was in favor of the absolute veto, as, "without such a self-defense the Legislature can at any moment sink [the Executive] into non-existence." George Mason, on the other hand, feared that an absolute veto would "pave the way to hereditary Monarchy," and allow the executive to "refuse its assent to necessary measures." Eventually, delegates settled on a "qualified" veto power.

The Convention also compromised on the balance between appointment and treaty-making powers of the president and Congress. Some delegates argued that giving the treaty-making and appointment powers to the Senate alone would place the president too much at their mercy. Other delegates, fearing the emergence of a monarchy, did not trust these powers in the hands of the president alone. The Convention finally compromised by allowing the president to make treaties and nominate federal judges and officers with the approval of a two-thirds vote in the Senate.

In the end, the final draft of the Constitution established an executive office that combined many aspects of the Virginia, New Jersey and Hamilton Plans. Executive power would be vested in one president, who would serve for a term of four years, be eligible for re-election, and could be removed from office if impeached (by a majority vote in the House of Representatives) and convicted (by a two-thirds vote in the Senate) of "Treason, Bribery, or other high Crimes and Misdemeanors." The president would be chosen by electors, appointed by the state legislatures and selected by the people. The powers and responsibilities of the president

include a qualified veto, and the power to nominate federal judges, officers, and make treaties "by and with the Advice and Consent of the Senate."

RESOURCES FOR BACKGROUND ON THE TOPIC

Primary Source Documents (ConSource)

ConSource 's Collection of primary source documents related to Article II, may be found [here](#). The Federalist Papers discussing the executive branch include Federalist Papers 67, & 69-77. The following papers focus on the powers of the executive:

[No. 70](#) (The executive department, general)

[No. 73](#) (The veto power)

[No. 74](#) (The role as commander in chief and the power to pardon)

[No. 75](#) (The treaty-making power)

[No. 76](#) (The power to appoint)

[No. 77](#) (The appointment power continued and other powers of the executive branch)

Videos³ (Mount Vernon & ConSource)

[The Challenges of Nationhood: Presidential Perspectives](#) This 60 minute video, "explores the struggles to establish a nation as seen through the eyes of our nation's first four presidents—George Washington, John Adams, Thomas Jefferson, and James Madison."

[The Constitution and Executive Power](#) This 60 minutes video considers, "What did the founding fathers intend the powers of the chief executive to be? How has judicial review added or subtracted from these powers? How has the President's relationship with Congress evolved? At Mount Vernon, students and educators joined host Julie Silverbrook, executive director of The Constitutional Sources Project, and historians Joseph Ellis and Carol Berkin for an exploration of executive powers."

Website (The White House)

[This webpage](#) explains the various purposes of the Executive branch and the role of the president as chief executive.

Blog (Constitution Daily)

[This blog](#) contains short postings related to current issues and examples of executive power.

³ These videos are freely available for viewing but may need to be requested/ordered ahead of time which may take several hours. Be sure to request these videos early so you have time to view them before the lesson.

Activity

DAY ONE

Activity	Description	Suggested Questions
Gaming Activity	In a computer lab or using laptops, have students play the iCivics game, “Executive Command” for 20 minutes.	Prior to beginning the game, introduce the game to students as a way to “observe the presidency for ourselves and prepare to talk about the powers we see the president using throughout the game.
Teacher Lesson: Review	Review the reading of Article II the class did for homework. Use this time to make sure that everyone knows what the role of the president is and is clear on the terms used in the reading. With the class, also read or review the highlighted portions of Federalist No. 70. Use this document to discuss the fears behind creating a single empowered chief executive.	<ol style="list-style-type: none"> 1. What is a chief executive? What does being a head of government entail? 2. What is a veto? 3. Why were the Founder’s afraid of giving executive power to a single executive? 4. How might having one person as president help create unity in the United States? How wouldn’t it?
Teacher Lesson: Creating a list of presidential powers	On the board, create a list of what the president does, and which powers allow him or her to do it. This activity synthesizes observations students may have made during the game and while reading of Article II.	<ol style="list-style-type: none"> 1. In the game, what types of challenges/crises did you as the president face? 2. How did you conquer those challenges as president? How would you identify that action as a power of the president? 3. According to the Constitution, what is the president allowed to do? Is there anything he isn’t allowed to do? 4. What is an expressed power?
Teacher Lesson: Brainstorming a list of limits	Use the fourth question of the previous activity (what isn’t the president allowed to do) to ask the class what would happen if the president was given too much power-if they are allowed to abuse their power. In a separate list, help students to brainstorm a list of limits we can set to prevent the president from having too much power.	<ol style="list-style-type: none"> 1. What do we call a leader who abuses his or her power [tyrant]? 2. What is so concerning about tyranny? Think about what Alexander Hamilton talked about in Federalist No. 70. 3. How can we prevent the president from becoming a tyrant?

Activity	Description	Suggested Questions
Assign Homework	Introduce the abridged readings of Article I & III as presenting the ways the Constitution prevents the president from having too much power. Instruct students to read and highlight sections they think help keep president's power in check.	<ol style="list-style-type: none"> 1. What are checks and balances? 2. What is the legislature? 3. What is the judiciary?

DAY TWO

Activity	Description	Suggested Questions
Prepare before class	<p>Decorate the two large sheets of paper as "wanted" posters. One poster should have the title Wanted, An Energetic Executive and the other Wanted, A Limited Leader.</p> <p>On small sheets of paper, write down the powers and limits of president you would like the class to identify and hide them around the classroom. Try to write these such that it isn't clear if the statement is a power or a limit.</p>	
Review	Go over the lists of expressed powers of the president and the brainstormed list of limits as a class.	
Scavenger Hunt	<p>Have students search for the powers and limits of the president and ask students to paste these up on the wanted posters, deciding if they are a limit or power of the president.</p> <p>After students have found all the powers and limits, discuss these powers and limits as a class and reorganize the placement of powers and limits if necessary.</p>	<ol style="list-style-type: none"> 1. If the president has the power to do something, should he? Are there any situations where the president should not exercise his or her constitutional power? 2. Does a limit have to take away something? Could a limit be something given to someone else? 3. Why would Congress be given the power to declare war if the president is commander in chief? 4. Why do you think the president isn't allowed to create laws? What makes Congress a better choice?

Activity	Description	Suggested Questions
<p>Sticky Note Activity: The President Can... (Implied Powers)</p>	<p>As students what's missing from this list as a bridge into discussing the powers of the president that aren't clearly written in the Constitution.</p> <p>Pass out sticky notes to students and ask them to write down a power or two that they believe the president has that is not expressly included in the text of the Constitution.</p> <p>As students paste these sticky notes to the Wanted, An Energetic Executive poster, ask them to explain their reasoning to you or the class.</p>	<ol style="list-style-type: none"> 1. What is missing from this [the expressed powers] list? I can think of many things the president does that are not listed here. 2. What types of actions did the president take in the game yesterday that are not a power listed here? 3. Is a president allowed to do things that are not listed in the Constitution? 4. What is an implied power?
<p>Sticky Note Activity: We Can... (The people's check on executive power)</p>	<p>Pass out more sticky notes and ask students to write down a way that the American public can provide a check on the president's power, placing these notes on the wanted poster for a limited leader.</p>	<ol style="list-style-type: none"> 1. Are the legislature and judiciary the only groups of people able to check the power of the president? 2. How might we, as citizens, provide a check on the president's power?

Homework

Day One: Have students read the U.S Constitution for Kids, Articles I and III for homework (found in Appendixes [B](#) & [C](#)).

Extension Activities

A. Yes you can, Mr. President (and no, you can't!): Executive Powers & Limits Collage: Have students create a piece of artwork, compose a poem, find a primary source, write a letter or story, or take a picture that illustrates the powers or limits of the presidents and use these items to create a collage on a bulletin board.

Appendix A. US Constitution for Kids: Article I

The United States Constitution for Kids: The Legislature

Introduction

The First Article of the Constitution provides the guidelines for the Legislative, or law-making branch of government. The Drafters spent a long time crafting the legislative branch because they struggled with a way to give the Legislative branch the power it needed without allowing it to become too powerful (something they had seen happen in state legislatures). To solve this problem, the Drafters decided to organize the new government among three branches. Each of the three branches--Legislative, Executive, and Judiciary--would have separate authority and powers that would allow it check upon the actions of the other branches. This idea is known as "Separation of Powers" and is viewed as an important step in ensuring that our government does not turn into a tyranny.

The Legislature designed by the Drafters was more powerful than the one that had existed under the Articles of Confederation. Power was now divided between two houses: a House of Representatives, elected directly by the people; and a Senate, which was thought to be 'wiser' as Senators were selected by state legislatures. The reason why the Drafters chose to organize the legislature this way will be discussed in Article One Section Two.

This new Congress now had the power to tax, raise an army, regulate trade domestically and internationally, maintain diplomacy with other countries, create a system of federal courts, and coin money among other powers. These new powers expanded the authority of the Federal Government.

Article I Section 3

Background: This section describes the original plan for the election of Senators, a process which was altered by the Seventeenth Amendment in 1913. Following the adoption of that Amendment, the people directly elected their Senators. Before this and according to the original Constitution, Senators were elected by their state legislature.

Why did the Drafters design the Senate like this? At the time, states were very worried about losing their independence to the new Federal Government. The selection of Senators by state legislatures was thought to be a way to lessen these fears because this would allow the Senate to be more responsive to state governments. Additionally, since Senators serve longer terms and represent their entire state (as opposed to Representatives who serve shorter terms and represent only portions of their state), this was a way to make sure that state interests were not lost in the Federal Government.

Section 3 also expands upon the impeachment powers of Congress. While the House is given the power to impeach a government official (to accuse an official's illegal actions), the Senate has the power to try the impeached official (to investigate and decide upon the claims against them). There have only been two impeachment trials in American history: Andrew

Johnson in 1868 and Bill Clinton in 1998. In both cases, the House filed articles of impeachment but the Senate declined to try the President.

Text/Adapted Text:

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six Years; and each Senator shall have one Vote.

Regardless of how large the states are, each state gets two Senators with one vote each. The Senators will be selected by the legislature in each state. Senators serve 6-year terms.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

1/3 of all Senators are up for election every two years. Also, if the Senator resigns or passes away in office, the governor of that state can pick his/her replacement until the next election is scheduled.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

Senators must be at least 30 years old, a citizen of the United States for at least nine years, and live in the state from which they were elected.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Vice President is the official President of the Senate (leader) but he will not participate in Senate votes unless there is a tie in voting.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senators choose their own officers, including the President Pro Tempore, who acts as leader when the Vice President is absent or has assumed the role of the President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

The Senate has the special power to try impeachment cases (instances when a government official has violated the Constitution or committed another crime that is serious enough to warrant removal from office). If the President is tried for impeachment, the Chief Justice of the Supreme Court is in charge of the trial. When the Senate tries a case, $\frac{2}{3}$ of the Senate must agree for there to be a conviction under the impeachment clause.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

The punishment for impeachment is limited to removing the person from their job and disqualifying them from holding government office again in the future. However, if they have committed crimes beyond those causing their impeachment, they can still be tried for those crimes under the law.

Article I Section 5

Background: Section 5 of Article I describes the way that each House of Congress should conduct their business, with each clause addressing a different part of Congress' day-to-day work.

While this section includes many rules for Congress, it also identifies one of Congress' powers: The power to Censure an elected official. Censure, which is an official citation for misconduct, is one of Congress' least used and often ineffective powers. Congress censured

President Andrew Jackson in 1834 for not revealing a document the President had read to his advisors. However, Jackson's Censure was removed in 1837 and has only rarely been used since.

Attendance is an important topic covered in Section 5. Both houses of Congress must have a quorum, or half of their members plus one more, in order to do business. Today, a quorum is 218 in the House of Representatives and 51 in the Senate. However, the Constitution allows members of Congress to leave the floor in order to meet more privately with other members while still maintaining a quorum

Text/Adapted Text:

Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

The House and Senate decide whether their members are qualified to hold office, if they have been properly elected, and determine any disputed elections. To do business, each House must have a quorum (majority), but if there isn't a majority present, the members who are present can force the absent members to attend.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

The Senate and House each set their own rules for doing business and discipline their own members. For serious offenses both houses can expel a member if 2/3 of the house in which that Senator or Representative is a member agree.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

The Senate and House must keep a journal recording their work and publish it, except for those parts that in their judgment require secrecy.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Neither of the houses of Congress can adjourn (close for business) for more than three days without the permission of the other. Also, they cannot adjourn to any location other than the Capitol, which is where both houses meet.

Article I Section 7

Background: Section 7 of Article I details the taxation power of Congress and explains the process from turning a proposed law, or bill, into an official law.

Fulfilling their promise to create a government for the people and by the people, the Drafters sought to make taxation--a necessary addition to the new government--as democratic as possible. They did this by stating that all laws about taxes must originate in the House of Representatives. Since each Representative is directly elected by citizens and are responsible for a smaller population than a Senator, Representatives can hear and represent the interests of more citizens. For this reason, the House of Representatives is often called the "Peoples' House."

In explaining the process of turning a bill into a law, Section 7 mentions two ways in which the President can reject, or veto, a law proposed by Congress. In addition to a direct veto, in which the President refuses to sign the bill into law, he may also use a "Pocket Veto." This means that if Congress passes a bill and then goes on break, the President can refuse to sign the bill--putting it in his/ or her "pocket." If the President does this and the bill isn't signed within 10 days, the bill dies. Congress would then either have to redraft the bill and submit it to the President for his or her signature again, or they could override the effective veto with a 2/3 vote in each house of Congress. James Madison was the first president to use the pocket veto in 1812.

Text/Adapted Text:

All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Any bill about raising taxes must be first passed by the House of Representatives. However, the Senate can propose changes. Both houses must agree on the final version of the bill.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States: If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every law proposed to Congress must be approved by the House of Representatives and the Senate before it is presented to the President of the United States to be signed into law. If the President approves the bill, he or she can sign it into law. If he or she does not, the bill is vetoed. Congress can override the President's veto with a 2/3 vote in each house. If, while Congress is in session, the President fails to return a signed bill to Congress within 10 days (not including Sundays), the bill will become law, just as if the President had signed it. However, if the President is sent the bill and refuses to sign it while Congress is on break, the bill will not become law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Any order, resolution, or vote that has the force of a law must be passed as a bill: passed by both houses and sent to the President.

Article I Section 8

Background: Article I, Section 8 sets out the powers, or specific duties, of Congress. While the Drafters knew that Congress could protect the new government against tyranny, they also didn't want to leave any chance that Congress would itself become oppressive. They did this by clearly enumerating, or outlining, the powers of Congress. Congress has the power to:

Tax: This power was essential in order for the new government to fulfill its promises to provide for the common defense and general welfare described in the Preamble. This would include being able to do things like support a military for the country's protection and build roads or post offices to help make citizens' lives easier. The inability to tax had been a big reason for the failure of the Articles of Confederation. The income tax is an example of the type of tax permitted by this power.

Borrow money: The Drafters did not want to risk the Federal Government becoming financially dependent on the states (because they believed this would give states too much power over the actions of the Federal Government) so they gave Congress the ability to borrow money from other nations if they need to.

Regulate Commerce: This power means that Congress may establish standard rules for conducting business amongst the states (but not inside the state), with foreign countries, and with Native Americans.

Establish Naturalization Rules: Congress can set rules about how immigrants can become citizens of the United States.

Coin Money: In the Articles of Confederation, there was no national currency, which led to uncertain economic conditions. With a federally coined currency, economic transactions could be standardized.

Punish Counterfeiting: Allows Congress to enforce a standard national currency.

Establish Post Offices: This power allowed the new government to establish a standardized, national mail system.

Protect Inventors and Authors: This power is about copyright, which allows the government to protect the ideas of its citizens from theft or infringement.

Establish Courts: Gives Congress the ability to create federal courts.

Punish Treason and Crimes Committed On the Seas: The power to punish piracy was especially important around the time of the Constitution because at that time, American shipping was the target of pirates in the Mediterranean Sea.

Declare War: By giving Congress this power, the Drafters hoped to ensure that entering into war would not be done lightly and that the decision could be made by the people, since they would ultimately be the ones fighting the war.

Raise and Support an Army & Navy: Prior to the Constitution, the government had no way to protect itself against enemies with a national military.

Provide For the Calling Out Of the State Militias For Use By the Federal Government: This power gives Congress the authority to support and authorize the President to call out a militia when necessary. At the time the Constitution was written, militias--a less formal military--served the important role of protecting the young nation from unforeseen attacks and insurrections. Presidents have employed this power to enforce federal law during desegregation disputes during the 1950s, and later during the civil disturbances in various cities during the 1960s.

Govern the District of Columbia and Other Government Areas: With this power, Congress is able to control areas of the nation that would be government-owned, such as military bases and forts. Congress is also given the authority to delegate power in governing the capitol of the nation.

Create laws That are Necessary to Fulfill the Above Listed Powers: This power, also referred to as the "necessary and proper", or "elastic clause," enables Congress to make all laws needed to execute any of the enumerated powers mentioned above.

Text/Adapted Text:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Congress has the power to collect taxes in order to pay the nation's debts (money owed), and to provide for the common defense and general welfare. The Federal taxes should be the same regardless of the state.

To borrow Money on the credit of the United States;

Congress can borrow money on credit.

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Congress can pass laws related to commerce (the economic activity of buying and selling goods) with foreign nations, between states, and with Indian tribes.

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

Congress can establish the rules for foreign-born individuals to become American citizens. Congress also determines bankruptcy laws, which are used when citizens or companies are not able to pay their debts.

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures; To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

The Federal Government has the power to make a uniform currency and punish those who try to make fake money.

To establish Post Offices and post Roads;

Congress has the authority to establish a system for transporting and delivering mail.

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

Congress promotes the development of science, manufacturing and art by the copyright system, which protects authors and inventors by giving them exclusive rights to their work and prohibiting others from copying their work without permission.

To constitute Tribunals inferior to the supreme Court;

Congress has the power to create all of the lower courts under the Supreme Court (the highest Federal court, created by Article III of the Constitution) and determine their responsibilities.

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

The United States criminalizes piracy, the practice of attacking and robbing ships, and will punish pirates according to the law that has developed between civilized nations in accordance with the developed “law of the sea,” guidelines for use for the world’s oceans.

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water; To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years; To provide and maintain a Navy; To make Rules for the Government and Regulation of the land and naval Forces;

Congress has the power to declare war and authorize people outside of the military to act on the behalf of the United States during wartime. Also, Congress has the authority to raise and maintain an Army and a Navy. Finally, it is Congress that determines the rules of the military.

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions; To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

Congress can employ the state militias to execute the laws of the Federal Government, to suppress internal rebellion, and to prevent foreign invasion.

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;

Congress governs the district which will serve as the national Capital. Today, that District is known as Washington, DC. The District will be made by land given from particular states, in this case Maryland and Virginia.

--And To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Congress is empowered to make all laws that are necessary to ensure that they can fulfill the duties that are given to them under the Constitution; they also have the responsibility to make laws governing the powers of the rest of the government.

Appendix B. US Constitution for Kids: Article II

The United States Constitution for Kids: The Executive

Introduction

Article II of the Constitution outlines the Executive Branch, which includes the office of the President. While the Drafters of the Constitution were worried that the President would become a tyrannical ruler like the King of England if he or she was given too much power, they realized the necessity of a chief executive after suffering under the weak leader of the Articles of Confederation. As a solution, the new Constitution provided for a stronger President who was limited with clearly defined powers.

Article II Section 1

Background: Section I describes the President's job and how he or she is elected. The president created by the Constitution serves as our nation's head of state. This means that when the United States interacts with other nations, the President presides over that conversation. In many ways, the President acts as the principal of a school. While he or she may not always decide what happens in a classroom, the principal is able to watch over the school and ensure that it runs effectively. While the President does not have law-making powers, he or she can influence the legislative process by deciding whether or not to officially sign a bill into law. However, there are some powers that are special to the president. These powers usually relate to the President's role as the leader of our country. These special presidential powers will be discussed in the background of Sections 2 and 3.

Section 1 however, begins by stating the term of a President. When he became president, George Washington set the standard that presidents serve two terms. All presidents followed Washington's lead, serving at most two terms, until President Franklin D. Roosevelt was elected for a third consecutive term in 1940. However, with the passage of the Twenty-Second Amendment, presidents are now limited to serving two consecutive terms to avoid the possibility of presidents becoming too much like a king.

Section 1 also discusses the Electoral College. The Electoral College is the body used to elect the President; it came about as a compromise between those who wanted Congress to elect the President and those who wanted the people to be in charge. The electors, now chosen by the people, select the President. For example, Texas has 38 electoral votes, meaning that there are 38 people (2 Senators and 36 House members) that vote for the President. Depending on the rules of the state, the electors vote in a certain way. The Constitution forbade Congressmen from serving as electors.

Section 1 also describes what happens if the President cannot perform their duties, and process that was changed by the Twenty-Fifth Amendment.

Text/Adapted Text:

The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows:

The President is the chief executive of the United States. After the President is elected, he/she holds office for four years, together with the Vice President, and both are elected officials.

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

Each state's legislature will direct the process of choosing electors for the Electoral College. The numbers of electors from a given state may not exceed the total numbers of Senators and Representatives that state has in Congress. A person currently holding another government office is prohibited from serving as a presidential elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President. The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

At election time, each state's chosen electors will meet in their respective states to choose two candidates, and at least one of those candidates must be from a different state than their own.

In each state, electors should keep a careful list of these votes, which should be signed and sealed and taken to the capitol of the United States. The President of the United States will then open and count the votes. The candidate receiving the greatest number or majority of the votes will become President. If there is no majority for a candidate, then the House will choose the President. When this happens, each state will have one vote and 2/3 of the states must be represented in the House to hold the vote. In both cases, the Vice President will be identified as the candidate having the second most votes. If, when the House votes on the President, there is still a tie, then the Senate shall choose the Vice President.

Congress controls the time, place and manner of presidential elections. The day chosen by Congress for this election should be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

Only those born in the United States, or are a citizen of the United States (born to at least one American parent) are eligible to run for president. Additionally, to run for president, candidates must be at least 35 years old and a resident of the country for 14 years.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

In case of the death, resignation, or inability of the President to do his job, the Vice President will take over. In addition, if the Vice President is also unable to do his job, Congress is allowed to declare which executive officer will act as president until another Vice President or President is elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Congress sets the President's pay, but they cannot change it while he or she is in office. The President may not accept any other form of payment from the government or states.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:--"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

Before beginning their term, the President must take an oath of allegiance to the United States and to his/her duty as president: "I do promise that I will faithfully fulfill my role as President to the United States, and will preserve, protect and defend the Constitution of the United States to the best of my abilities."

Article II Section 2

Background: Section 2 of Article II outlines many of the president's powers, including the power to: command the United States military; to grant pardons for criminal offenses; to make treaties; and, to appoint ambassadors, Supreme Court justices, and other officers of the United States. Section 2 also establishes the role of Congress (particularly the Senate) in checking the president's powers. "Advise and Consent," is such a clause that provides a check on presidential power. This clause requires that the President consult the Senate and have a two-thirds or majority vote of their approval when making treaties with foreign governments and appointing certain government officials.

Text/Adapted Text:

The President shall be 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; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

The President is the chief military officer and may seek advice from anyone in high-level government positions. Also, the President has the power to forgive someone for committing any crime unless that someone has been officially impeached.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

the President has the power, with the advice and consent of the Senate, to make treaties with foreign nations, as long as the treaty is approved by a two-thirds vote of the Senate. The President is also empowered to nominate and appoint ambassadors, Supreme Court justices, and other governmental officials; but must also have these nominations approved by a majority vote of the Senate. However, Congress is given the authority to allow the President to make certain appointments that will not require Senate approval.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

If the Senate is in recess (not in session) and the President needs to fill a position, he/she may do so. However these recess appointments expire at the end of the next session of Congress.

Article II Section 3

Background: Section 3 discusses the President's annual address, commonly referred to as the State of the Union. Surprisingly, this address was not always delivered as a public speech. Presidents usually submitted a written address until Woodrow Wilson (1913-1921) first read his State of the Union address before Congress.

Section 3 also talks about the presidential power to convene or adjourn the houses of Congress. The power to adjourn Congress has yet to be used.

Text/Adapted Text:

He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

From time to time, the President gives an address to Congress telling them how things are going and what he/she would like to see done. The address details the President's accomplishments and what he or she would like to see done in the next year. The President also has the power to bring Congress into session when they are on a break and can stop them from meeting. Finally, the President receives all foreign officials and makes sure that all laws from Congress are enforced.

Article II Section 4

Background: Section 4 discusses the reasons for which the President, Vice President, or a governmental official may be impeached. These crimes include: treason, bribery, or actions an official has taken that violate the conduct expected of their office (such as stealing money from their department, lying while under oath, violating the law). The House of Representatives has only ever impeached two Presidents, Andrew Johnson and Bill Clinton, although neither were convicted by the Senate.

Text/Adapted Text:

The President, Vice President and all Civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

Government officials can be impeached (charged with wrong-doing), for the following crimes: Treason (helping to overthrow the government/aiding the enemy), Bribery (receiving or giving money or something of value to get them to do what you want), High Crimes and Misdemeanors (lying under oath, abusing power, disobeying the law, intimidation, etc.).

Appendix C. US Constitution for Kids: Article III

The United States Constitution for Kids: The Judiciary

Introduction

As defined in Article III of the Constitution, the Judicial Branch is the highest authority in our country's legal system. Although it wasn't always so clear, the job of the Judicial branch today is widely understood to be similar to that of a referee in sports, to interpret the rules. In this case, those rules are the Constitution. Composed of the Supreme Court as well as a lower system of Federal courts, the Judicial Branch interprets the constitutionality, or legal merit, of our laws as well as actions taken by individuals.

The Supreme Court officially serves as an appeals court, which means that it generally does not hear and decide a case for the first time. Instead, it reviews the process through which a lower court came to its decision. In most cases, the Supreme Court chooses their cases by looking for significant constitutional questions being asked.

However, the Constitution does point to specific instances in which the Supreme Court must exercise original jurisdiction--hearing the case for the first time.

Article III Section 1

Background: The Judicial Branch outlined in Article III Section I was very different from other models of court systems that were popular in the state constitutions of the time. Section 1 of Article III sets up a system of courts in which the Supreme Court sits at the top of the Judicial branch (indicated not only by the use of the word supreme, but also the word inferior to describe other courts). Additionally, the Drafters separated the new Constitution's judicial branch from its ancestors in the state constitutions by providing Justices immunity from arbitrary expulsion and cementing their salaries. This helped protect the Court's independence so that it could make decisions independently of changes in the other branches.

Text/Adapted Text:

Article III Section 2

Background: Section 2 outlines the types of cases in which the Supreme Court has jurisdiction, or authority, to make decisions.

Because the Supreme Court is the highest court in the United States, it is also given Original Jurisdiction, or the power to hear a case for the first time. The court can do this for cases involving public officials or ambassadors as well as those that involve a state as a party.

As outlined in Section Two, the Supreme Court can act as an appellate court, which means that it can hear cases decided in lower courts where one or more of the parties involved wants to question the verdict. The Supreme Court decides on which of these cases to hear by looking for important Constitutional issues brought up in a case.

Finally, this section importantly states that all criminal trials (except for impeachment cases) must have juries, a panel of citizens randomly selected to pass judgement. This protects citizens from unfair treatment by the law.

The judicial Power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services a Compensation, which shall not be diminished during their Continuance in Office.

The supreme judicial power of the United States is given to the Supreme Court. Congress has the power to create any and all inferior (lower) courts. Judges of both the supreme and lower federal courts have lifetime appointments and can only be removed if they do not maintain their "good behavior." Congress sets the level of pay for Federal judges, which cannot be reduced while the judge is in office.

Text/Adapted Text:

Article III Section 3

Background: Article III, Section 3 of the Constitution defines treason, the crime of betraying your country. As defined by the Constitution, “treason” consists of either making war against the United States or aiding its enemies through supporting their attempts to do the same. However, no one accused of treason can be convicted of the crime unless they confess in open court or there are at least two witnesses to the act of treason in question.

The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;--to all Cases affecting Ambassadors, other public Ministers and Consuls;--to all Cases of admiralty and maritime Jurisdiction;--to Controversies to which the United States shall be a Party;--to Controversies between two or more States;-- between a State and Citizens of another State,--between Citizens of different States,-- between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

The Federal Judiciary’s power covers any and all cases that arise because of questions about the Constitution, the laws of the United States, and treaties made by the government. The Federal Court also has the power to try cases involving foreign ambassadors (representatives of foreign governments); disputes in which the United States government is a party; disputes between states, and those between the citizens of a state and foreign states or citizens of said foreign states. Also between citizens of the same state who both claim lands under the grant of a different state.

Text/Adapted Text:

Appendix D. Federalist No. 70 by Alexander Hamilton

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

In cases trying representatives of foreign governments or disputes between states, the Supreme Court can hear the case directly, without the need to appeal from a lower court. In all other cases, a lower court must first hear the case, and then the Supreme Court can hear the dispute once it is appealed to them.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

With the exception of impeachment trials for public officials, all criminal trials will have juries. These trials will be held in the state in which the crime was committed, but when the crime is committed in no particular state, Congress determines the location of the trial.

Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

Treason consists of making war against the United States and aiding its enemies. No one accused of treason can be convicted of the crime unless they confess in open court, or there are two witnesses to the act of treason in question.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

Congress reserves the power to punish those convicted of treason. The punishment for treason extends only to the individual convicted of treason. The descendants of someone convicted for treason cannot be considered "tainted" by the treason of their ancestor. Furthermore, Congress may confiscate the property of traitors, but that property must be inheritable at the death of the person convicted.

The Federalist No. 70 (March 15, 1788)

To the People of the State of New-York.

...Energy in the executive is a leading character in the definition of good government. It is essential to the protection of the community against foreign attacks: It is not less essential to the steady administration of the laws, to the protection of property against those irregular and high handed combinations, which sometimes interrupt the ordinary course of justice to the security of liberty against the enterprises and assaults of ambition, of faction and of anarchy. Everyman the least conversant in Roman [hi]story knows how often that republic was obliged to take refuge in the absolute power of a single man, under the formidable title of dictator, as well against the intrigues of ambitious individuals, who aspired to the tyranny, and the seditions of whole classes of the community, whose conduct threatened the existence of all government, as against the invasions of external enemies, who menaced the conquest and destruction of Rome.

There can be no need however to multiply arguments or examples on this head. A feeble executive implies a feeble execution of the government. A feeble executive is but another phrase for a bad execution: And a government ill executed, whatever it may be in theory, must be in practice a bad government...

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The ingredients, which constitute energy in the executive, are first unity, secondly duration, thirdly an adequate provision for its support, fourthly competent powers.

The circumstances which constitute safety in the republican sense are, 1st. a due dependence on the people, secondly due responsibility. Those politicians and statesmen, who have been the most celebrated for the soundness of their principles, and for the justness of their views, have declared in favor of a single executive and a numerous legislative. They have with great propriety considered energy as the most necessary qualification of the former, and have regarded this as most applicable to power in a single hand; while they have with equal propriety considered the latter as best adapted to deliberation and wisdom, and best calculated to conciliate the confidence of the people and to secure their privileges and interests.

That unity is conducive to energy will not be disputed. Decision, activity, secrecy, dispatch will generally characterise the proceeding of one man, in a much more eminent degree, than the proceedings of any greater number; and in proportion as the number is increased, these qualities will be diminished.

This unity may be destroyed in two ways; either by vesting the power in two or more magistrates of equal dignity and authority; or by vesting it ostensibly in one man, subject in whole or in part to the controul and cooperation of others, in the capacity of counsellors to him.

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Wherever two or more persons are engaged in any common enterprize or pursuit, there is always danger of difference of opinion. If it be a public trust or office in which they are clothed with equal dignity and authority, there is peculiar danger of personal emulation and even animosity. From either and especially from all these causes, the most bitter dissensions are apt to spring. Whenever these happen, they lessen the respectability, weaken the authority, and distract the plans and operations of those whom they divide.

Upon the principles of a free government, inconveniencies from the source just mentioned must necessarily be submitted to in the formation of the legislature; but it is unnecessary and therefore unwise to introduce them into the constitution of the executive...

But one of the weightiest objections to a plurality in the executive, and which lies as much against the last as the first plan, is that it tends to conceal faults, and destroy responsibility. Responsibility is of two kinds, to censure and to punishment. The first is the most important of the two; especially in an elective office. Man, in public trust, will much oftener act in such a manner as to render him unworthy of being any longer trusted, than in such a manner as to make him obnoxious to legal punishment. But the multiplication of the executive, adds to the difficulty of detection in either case. It often becomes impossible, amidst mutual accusations, to determine on whom the blame or the punishment of a pernicious measure, or series of pernicious measures ought really to fall. It is shifted from one to another with so much dexterity, and under such plausible appearances, that the public opinion is left in suspense about the real author.

...I clearly concur in opinion in this particular with a writer whom the celebrated Junius pronounces to be "deep, solid and ingenious," that, "the executive power is more easily confined when it is one:"(b) That it is far more safe there should be a single object for the jealousy and watchfulness of the people; and in a word that multiplication of the executive is rather dangerous than friendly to liberty.

PUBLIUS.