

Station #1

Presidential Cabinet

As the first president, George Washington set several precedents; among these was the **presidential cabinet**. The Presidential Cabinet is the heads of the executive departments that meet and advise the president. The president selects Cabinet members, and the Senate approves. George Washington had a four-member cabinet made up of a Secretary of State – Thomas Jefferson, a Secretary of the Treasury – Alexander Hamilton, a Secretary of War – Henry Knox and an Attorney General – Edmund Randolph. Over our country's history, the cabinet has expanded to include the Vice-President and 15 cabinet departments.



Investigate

Excerpt from Article II of the U.S. Constitution, which Washington used to justify his creation of a cabinet



Record Your Findings

On the 1st flap of your foldable complete the following:

1. On the top outside flap, write cabinet and draw a picture to represent the cabinet.
2. On the top inside flap, describe the job of the presidential cabinet
3. On the bottom inside flap, answer the following question:
 - a. Why do you think that Washington created a cabinet?

Article II of the United States Constitution
The Executive Branch

Section 2

Civilian Power over Military, Cabinet, Pardon Power, Appointments

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 Offenses against the United States, except in Cases of impeachment.

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 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.

Station #2

Executive Privilege

The concept of **executive privilege** is the idea that the president can withhold certain information from anyone including Congress, and the courts. President Dwight D. Eisenhower first used the term executive privilege in the 20th century, but George Washington did use executive privilege on a couple of occasions with Congress. The Constitution does not mention executive privilege, and its use by presidents has not always been successful. Richard Nixon, during the Watergate scandal in 1973, tried to use executive privilege in order to keep some recorded conversations from Congress. He was unsuccessful and this led to his resignation of the presidency.

Investigate



Message Washington sent to the House of Representatives declining to submit diplomatic instructions and correspondence.



Record Your Findings

On the 2nd flap of your foldable complete the following:

1. On the top write: Executive Privilege and draw a picture to represent executive privilege
2. On the top inside flap describe what executive privilege is
3. On the bottom inside flap answer the following:
 - a.) What did Congress want from President Washington?
 - b.) What were at least two reasons Washington gave for not agreeing to this request?
 - c.) Do you believe that the president has the right of executive privilege? Why or why not?

Message to the House of Representatives, Declining to Submit
Diplomatic Instructions and Correspondence
(March 30, 1796)

Gentlemen of the House of Representatives:

With the utmost attention I have considered your resolution of the 24th. instant, requesting me to lay before your House, a copy of the instructions to the Minister of the United States who negotiated the Treaty with the King of Great Britain, together with the correspondence and other documents relative to that Treaty, excepting such of the said papers as any existing negotiation may render improper to be disclosed.

I trust that no part of my conduct has ever indicated a disposition to withhold any information which the Constitution has enjoined upon the President as a duty to give, or which could be required of him by either House of Congress as a right; And with truth I affirm, that it has been, as it will continue to be, while I have the honor to preside in the Government, my constant endeavour [sic] to harmonize with the other branches thereof; so far as the trust delegated to me by the People of the United States, and my sense of the obligation it imposes to "preserve, protect and defend the Constitution" will permit.

The nature of foreign negotiations requires caution; and their success must often depend on secrecy: and even when brought to a conclusion, a full disclosure of all the measures, demands, or eventual concessions, which may have been proposed or contemplated, would be extremely impolitic: for this might have a pernicious influence on future negotiations; or produce immediate inconveniences, perhaps danger and mischief, in relation to other powers.

The necessity of such caution and secrecy was one cogent reason for vesting the power of To admit then a right in the House of Representatives to demand, and to have as a matter of course, all the Papers respecting a negotiation with a foreign power, would be to establish a dangerous precedent.

Having been a member of the General Convention, and knowing the principles on which the Constitution was formed, I have ever entertained but one opinion on this subject; and from the first establishment of the Government to this moment, my conduct has exemplified that opinion, that the power of making treaties is exclusively vested in the President, by and with the advice and consent of the Senate, provided two thirds of the Senators present concur, and that every treaty

so made, and promulgated, thenceforward became the Law of the land. It is thus that the treaty making power has been understood by foreign Nations: and in all the treaties made with them, we have declared, and they have believed, that when ratified by the President with the advice and consent of the Senate, they became obligatory. In this construction of the Constitution every House of Representatives has heretofore acquiesced; and until the present time, not a doubt or suspicion has appeared to my knowledge that this construction was not the true one. Nay, they have more than acquiesced: for till now, without controverting [sic] the obligation of such treaties, they have made all the requisite provisions for carrying them into effect.

As therefore it is perfectly clear to my understanding, that the assent of the House of Representatives is not necessary to the validity of a treaty: as the treaty with Great Britain exhibits in itself all the objects requiring legislative provision; And on these the papers called for can throw no light: And as it is essential to the due administration of the government, that the boundaries fixed by the constitution between the different departments should be preserved: A just regard to the Constitution and to the duty of my Office, under all the circumstances of this case, forbids a compliance [sic] with your request.

Station #3

Uphold the laws of the United States

Under the Articles of Confederation, the national government had little ability to tax and with the outbreak of Shay's Rebellion, there was concern of the government's ability to uphold the law. With the ratification of the Constitution, the executive branch had the power to uphold the law. During his second term, Washington faced a challenge to the Constitution when farmers in western Pennsylvania protested against the collection of excise duties (taxes) on whiskey. In answering this challenge, Washington used his power as commander in chief to uphold the Constitution of the United States. Washington issued a proclamation against the rebellion and himself led the army to western Pennsylvania. The rebellion ended with about a dozen men being arrested and were eventually pardoned by Washington. This event showed that the new government would use the militia (army) if necessary to keep order in the states and enforce the law.

Investigate



Excerpt from George Washington's Proclamation expressing opposition to the Whiskey Rebellion



Record Your Findings

On the 3rd flap of your foldable complete the following:

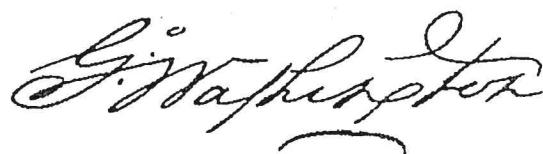
1. Label the flap on your foldable: "Uphold the laws of the United States" and draw a picture to illustrate this concept
2. On the inside of the flap, describe how Washington enforced this precedent.
3. On the bottom flap answer the following using the excerpt from Washington's Proclamation
 - a. Why do you think that Washington felt that he had the right to call out the militia?
 - b. After the Articles of Confederation, why do you think it was important for Washington to show that the national government would make enforce the laws of the United States?

Proclamation against Opposition to Execution of Laws and Excise Duties in
Western Pennsylvania (August 7, 1794)

Whereas combinations to defeat the execution of the laws laying duties upon spirits distilled (whiskey) within the United States and upon stills have from the time of the commencement of those laws existed in some of the western parts of Pennsylvania; and ...

Whereas by a law of the United States entitled "An act to provide calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions," it is enacted "that whenever the laws of the United States shall be opposed or the execution thereof obstructed in any State by combinations too powerful to be suppressed by the ordinary course of judicial proceedings or by the powers vested in the marshals by that act, the same being notified by an associate justice or the district judge, it shall be lawful for the President of the United States to call forth the militia of such State to suppress such combinations and to cause the laws to be duly executed. And if the militia of a State where such combinations may happen shall refuse or be insufficient to suppress the same, it shall be lawful for the President, if the Legislature of the United States shall not be in session, to call forth and employ such numbers of the militia of any other State or States most convenient thereto as may be necessary; and the use of the militia so to be called forth may be continued, if necessary, until the expiration of thirty days after the commencement of the ensuing session: Provided always, That whenever it may be necessary in the judgment of the President to use the military force hereby directed to be called forth, the President shall forthwith, and previous thereto, by proclamation, command such insurgents to disperse and retire peaceably to their respective abodes within a limited time ;"

.....Wherefore, and in pursuance of the proviso above recited, I, George Washington, President of the United States, do hereby command all persons being insurgents as aforesaid, and all others whom it may concern, on or before the 1st day of September next to disperse and retire peaceably to their respective abodes. And I do moreover warn all persons whomsoever against aiding, abetting, or comforting the perpetrators of the aforesaid treasonable acts, and do require all officers and other citizens, according to their respective duties and the laws of the land, to exert their utmost endeavors to prevent and suppress such dangerous proceedings.



Station #4

Two Term Limit

In 1796, Washington declined a third term of office, setting a two term precedent for future presidents that was not broken until 1940, when Franklin D. Roosevelt successfully ran for a third and later a fourth term in 1944. In 1951, the 22nd amendment was ratified that set a two term limit for president

Investigate



Excerpt from Amendment 22 to the US Constitution, and
Excerpt from Washington's Farewell Address



Record Your Findings

On the 4th flap of your foldable complete the following:

1. Label the flap *2 Term limit* and draw a picture to represent this precedent
2. On the inside flap, summarize the 22nd Amendment
3. Read the excerpt from Washington's Farewell Address and the 22nd Amendment, and answer the following
 - a. Why do you believe that the Washington's two-term precedent was not broken for over 140 years?
 - b. Explain why or why not the 22nd Amendment is an important "check" on presidential power.

George Washington's Farewell Address
(September 19, 1796)

"The period for a new election of a citizen to administer the Executive Government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that in withdrawing the tender of service, which silence in my Situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both..."

Amendment 22
of the
United States Constitution

Presidential Term Limits

Ratified: 2/27/1951

No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once.

This Article shall not apply to any person holding the office of President, when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

Station #5

Neutrality in foreign affairs

Another precedent that George Washington set was that of **neutrality in foreign affairs**. During the American Revolution, the French and Americans had entered into a permanent alliance with each other. This meant that the French would help the Americans in their war against Great Britain and the Americans would help the French in any of their future wars. In 1793, the countries of Europe were once again at war and because of the French Revolution, France found herself at war with much of Europe. Realizing that the new country was in no position to fight another major war, Washington set a policy of neutrality that would largely remain in effect until the start of the 20th century. Washington would also stress this point again in his Farewell address to the nation in 1796.

Investigate



Excerpt from Washington's Proclamation on Neutrality, and
Excerpt from Washington's Farewell Address



Record Your Findings

On the 5th flap of your foldable complete the following:

1. On the flap, write: Neutrality in foreign affairs and draw a picture to illustrate the precedent
2. Read the Neutrality Proclamation answer the following on the lower flap,
 - a. What was George Washington asking Americans to do regarding the war in Europe?
3. Read the Excerpt from the Farewell address and answer the following on the lower flap:
 - a. Why did Washington feel that the United States should stay clear of Europe's affairs?
 - b. How do you think that Washington would feel concerning America's role in world affairs today?

George Washington Farewell Address
(September 19, 1796)

Excerpt

....The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations to have with them as little political connection as possible. So far as we have already formed engagements let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. ...

It is our true policy to steer clear of permanent alliances with any portion of the foreign world, so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs that honesty is always the best policy. I repeat, therefore, let those engagements be unwise to extend them.

Taking care always to keep ourselves by suitable establishments on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Proclamation of Neutrality (April 22, 1793)

Whereas it appears that a state of war exists between Austria, Prussia, Sardinia, Great Britain, and the United Netherlands, on the one part, and France on the other; and the duty and interest of the United States require, that they should with sincerity and good faith adopt and pursue a conduct friendly and impartial towards the belligerent powers: ...

And I do hereby also make known, that whosoever of the citizens of the United States shall render himself liable to punishment or forfeiture under the law of nations, by committing, aiding or abetting hostilities against any of the said powers, or by carrying to any of them, those articles which are deemed contraband by the modern usage of nations, will not receive the protection of the United States against such punishment or forfeiture; ...

Station #6

The Rise of Political Parties

Washington's cabinet was clearly divided on key issues. Alexander Hamilton and Thomas Jefferson had very different views. They disagreed on economic policy and foreign relations. They did not share the same opinion on the power of the federal government or on the meaning of the Constitution. Even Washington was partisan - clearly favoring one faction. The president believed he stood above politics, but he usually supported Hamilton's views.

The differences found in Washington's cabinet also existed in Congress and among the public. They formed the basis for two distinct political parties that emerged at this time.

One party was the Federalists. Led by Hamilton, this group favored a strong federal government. They believed the Constitution gave government "implied" powers. These implied powers are not enumerated, or listed clearly in the Constitution. Instead, Federalists believed the enumerated powers imply the power to do other things. Federalists believed Congress could make all laws "necessary and proper" to carry out its enumerated powers.

The Democratic-Republicans, or Republicans, stood against the Federalists. Jefferson and Madison led this faction. They believed in a strict reading of the Constitution. They rejected the Federalist idea of implied powers. They believed congressional powers were limited to what is absolutely necessary to carry out the enumerated powers.

Source: McGraw Hill



Investigate

Excerpt from Washington's Farewell Address

Record Your Findings

On the 6th flap of your foldable complete the following:

1. On the top outside flap, write "Rise of Political Parties" and draw a picture to represent political parties.
2. On the top inside flap describe the differences between the first political parties based on the information above.
3. Read the excerpt from Washington's Farewell Address and answer the following questions on the bottom inside flap:
 - a. What is a *faction*?
 - b. Why did Washington view factions as dangerous?
 - c. How do you think that Washington would feel about the role of political parties in American politics today?

George Washington's Farewell Address

(September 19, 1796)

*"All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize **faction**, to give it an artificial and extraordinary force; to put, in the place of the delegated will of the nation the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of **faction**, rather than the organ of consistent and wholesome plans digested by common counsels and modified by mutual interests.*

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion."