

Study Guide for Government Power: The Constitution and the Executive Branch Exam

60 multiple choice and four short answer questions

FORMS OF GOVERNMENT

1. What were the Founding Fathers' understandings of the terms republic and democracy? What is the modern understanding of democracy?
2. Describe the three different ways that government power can be divided up *geographically*:
 - a) unitary system
 - b) federal system (federalism)
 - c) confederate system
3. What is the relationship between executive & legislative branches of a government under a parliamentary system? A presidential system?
4. What is a unicameral legislature as opposed to a bicameral legislature?
5. Every action of government requires a trade-off between what two goals?

THE GOVERNMENT SET UP BY THE CONSTITUTION

6. So what exactly is the Constitution (the original part, not including the amendments)?
7. What are the names of the 3 branches of the national government set up by the Constitution and what is the specific function of each?
8. Why were three separate branches created?
9. What specific people and/or entities carry out the powers given to each branch?
10. What specifically is meant by "checks and balances?"
11. According to James Madison in Federalist #10, how does the Constitution address the danger of factions?
12. Summarize the main arguments made by Madison in Federalist #51.
13. Summarize the main arguments made by Alexander Hamilton in Federalist #78.
14. Which branch of the federal government has the power to do each of the following:
 - a) To make treaties with other nations?
 - b) To approve the president's choices of judges and ambassadors?
 - c) To declare war
 - d) To decide the constitutionality of laws?
 - e) To veto proposed laws?
 - f) To regulate commerce (business)?
15. What is an example of how the legislative branch can check/limit the power of the executive branch and vice versa?
16. What is an example of how the legislative branch can check/limit the power of the judicial branch and vice versa?
17. What is an example of how the executive branch can check/limit the power of the judicial branch and vice versa?
18. Draw the federalism Venn diagram, demonstrating which level of government—state or national—has the primary power over education, the military, marriage laws, gambling, printing money, and conducting foreign affairs.
19. What is a concurrent power? On the federalism Venn diagram, write in two examples of concurrent powers.

LEGISLATIVE BRANCH

20. Which Article of the Constitution details the set-up of the Legislative Branch?
21. What are the two parts of Congress and why did the Founding Fathers set it up this way?
22. How long is one term of a member of the House of Representatives? A member of the the U.S. Senate?
23. What does "expressed power" of Congress mean? List three expressed powers of Congress. Where exactly can one locate the expressed powers in the Constitution?
24. What is the Elastic Clause of the Constitution, and to what does "implied power" of Congress refer? List three laws that Congress has justified passing through the elastic clause.
25. In this same Article, what does the Constitution say about the writ of habeus corpus?

EXECUTIVE BRANCH

26. Which Article of the Constitution details the set-up of the Executive Branch?
27. How long is one term of the president?
28. Summarize each of the following roles of the president and the powers the president has as part of each role:
 - a) Chief Legislator,
 - b) Chief of Party,
 - c) Chief of State,
 - c) Chief Diplomat,
 - e) Chief Citizen,
 - f) Chief Executive,
 - g) Commander-in-Chief
29. What is the Cabinet? How does one become a member of the Cabinet?
30. List the 15 Cabinet Departments and identify which ones are known as the "Big 4."
31. Who are the current heads of the "Big 4" Cabinet Departments?
32. Which Cabinet Department is responsible for the following:
 - a) managing government-owned land?
 - b) encouraging U.S. trade?
 - c) conducting the war in Iraq?
 - d) carrying on diplomatic relations with foreign governments?
33. The leader of 14 of the 15 Cabinet Departments holds the title of "Secretary" of that Department. Which one has a different title and of which department is that person in charge?

34. What is the Executive Office of the President? What is the role of the Chief of Staff? Identify two other important staff positions within it.
35. What are two examples of “independent agencies?” Two examples of “independent regulatory commissions?” Two examples of “government corporations?”
36. How did Teddy Roosevelt and William Howard Taft differ in their views of presidential power?
37. What are four reasons why presidential power has expanded over time?
38. What exactly is an executive order?
39. On what grounds can presidents issue executive orders (i.e. what is the “ordinance power”) and what limitations are there on this power?
40. Regarding the presidential actions of the presidents we studied in class, in what ways could those actions be considered appropriate uses of presidential power or abuses of power (be able to identify the part(s) of the Constitution in question):
 - a) Truman taking over the steel mills
 - b) Abraham Lincoln’s Emancipation Proclamation
 - c) Lincoln’s suspension of habeas corpus
 - d) Woodrow Wilson’s Sedition Act
 - e) Wilson’s use of propaganda during World War I
 - f) Obama’s intervention in Libya
 - g) FDR’s internment of those of Japanese ancestry
 - h) Richard Nixon’s invasion of Cambodia
 - i) George W. Bush’s NSA warrantless wiretapping
 - j) Bush’s treatment of prisoners at Guantanamo Bay

JUDICIAL BRANCH

41. Which Article of the Constitution details the set-up of The Judicial Branch?
42. What is the length of term of office for a Justice of the Supreme Court?
43. What is the Court’s most substantial power?

BILL OF RIGHTS

44. What key individual rights are protected in Amendments 1-4 of the Bill of Rights?
45. What key rights of the accused are protected in Amendments 5-8 of the Bill of Rights?
46. What is Amendment 10 and how is it in tension with Article 6 of the Constitution?
47. What do the following amendments do?: 13, 14, 15, 19, 22, 26

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| Short Answer Questions |
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1. Be able to discuss reasons for the expansion of presidential power and ways that presidential power can be expanded without a vote by Congress.
2. Be able to discuss the relationship between the 10th Amendment and Article VI (6) of the Constitution and to demonstrate the conflict involved using any two of the following issues: gay marriage, gun control, abortion, the Endangered Species Act, current drug laws, immigration, education.
3. Be able to make a defensible argument about whether or not a certain action taken by the president is an appropriate use or an abuse of power, with reference to the part of the Constitution in question.