

# Answer Key

## Unit 3—Faithfully Execute: The President as Enforcer of the Law

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### CONSTITUTIONAL CONNECTION: THE PRESIDENT AS ENFORCER OF THE LAW

1. The President signs bills into law, or can send them back (veto them).
2. The power to carry out the powers of the United States is given to the President.
3. The President must promise to uphold and defend the Constitution.
4. The President is in charge of the armed forces of the United States, and the state militias/National Guard forces.
5. The US has a responsibility to protect states from foreign attacks, and, if they ask for help, from domestic violence.
6. The Constitution and constitutional federal laws are supreme and judges must follow them, no matter what state laws may say.

### GEORGE WASHINGTON

#### Handout A: George Washington and the Whiskey Rebellion

1. A 25% excise tax on liquor.
2. The civil authorities were unable to keep order and stop violent resistance and lawlessness.
3. Washington cited the Militia Act of 1792, passed by the legislative branch, as part of his authority to suppress insurrections. He involved the judicial branch of the national government when he consulted Associate Justice James Wilson. He met with Pennsylvania officials, bringing that state government into the decision-making process.
4. He blamed them for organizing resistance to

the tax. Accept reasoned answers.

5. Washington understood his duty was to enforce the law firmly, while using military action only as a last resort. It was important to him that the people of the United States saw he had made his decision to act deliberately, in consultation with other branches and levels of government, as well as the firm nature of his response.

#### Handout B: Setting the Scene

1. Constitution
2. 25%; liquor
3. Militia Act; to “execute the laws of the union,(and) suppress insurrections.”
4. proclamation, an end to obstruction of the law
5. unpaid taxes; harassed tax collectors; mobs threatening to march on Pittsburg
6. his cabinet and PA officials; Associate Justice James Wilson
7. all “insurgents” must “disperse and retire peaceably to their respective abodes” by September 1.
8. a militia force was headed to Pennsylvania to deal with the situation.

### ANDREW JACKSON

#### Handout A: Andrew Jackson and Indian Removal

1. a law allowing the President power to negotiate treaties with Indian tribes and buy their land

2. Everyone, regardless of their race/ethnicity, is born with natural rights including life, liberty and property.
3. The result in both decisions was to disempower the Cherokee in Georgia. Jackson did not take action against Georgia when that state ignored the ruling in *Worcester v. Georgia* (1831). In *Cherokee Nation v. Georgia* (1831), the Supreme Court held that the Cherokee could not sue in federal court to prevent being removed from their lands.
4. The Cherokee said the Treaty was a fraud and had been ratified without the consent of the majority of the tribe. Accept reasoned answers.
5. Jackson enforced the Indian Removal Act vigorously, and did not take actions to enforce a Supreme Court decision that may have impeded removal. Jackson believed that every branch of government had the power to interpret the Constitution. Although the decision in *Worcester v. Georgia* (1831) sided with the national government over a state government, he did not take action to enforce that ruling against Georgia. Students may say that he did not enforce that ruling because the state regulation involved was probably intended to hasten removal; they may also say that he did not enforce the decision because he personally supported what the state was doing. Accept reasoned answers.

## DWIGHT D. EISENHOWER

### Handout A: Eisenhower and the Little Rock Crisis

1. The Plessy case upheld mandated segregation in public rail cars. The Brown decision overturned that ruling, holding that separate facilities were inherently unequal.
2. The Little Rock Crisis took place when the Governor of Arkansas refused to intervene

when a mob prevented nine African American students from attending their school. A federal court had approved their desegregation plan as consistent with the Brown ruling and ordered integration to begin.

3. Eisenhower ordered the mob to disperse and when it did not, sent the 101st Airborne Division to keep the peace. He also federalized the Arkansas National Guard, removing those men from the Arkansas governor's command.
4. Eisenhower described his constitutional duty to take care that the laws were faithfully executed as "inescapable."
5. Students may say that the Constitution says the states and the people keep all the powers not given to the federal government and that therefore states are rightfully in charge of matters such as public education. They may also say that Article II says the President is Commander in Chief of the militia of the several states when called into actual service of the states, but that it does not say who can call them into service. Since Congress can declare war and provide for calling forth the militia, perhaps it is also Congress's power to call the militia into service.

## Handout B: Document-Based Question

### DOCUMENT A:

1. The President has the power to carry out the laws. He is in charge of the armed forces, and he is responsible for making sure the laws are enforced.
2. The militia could refer to the National Guard.