

Lesson 32: *The War Powers*

(Less. Time 33:50)

[for Sunday, September 20, 2015]

Reading: *The Making of America*, pages 439-448

(Chapter 18) *The War Powers of Congress*

Pre-lesson questions for homework study and review: [*Supplemental* notes are bracketed]

[287 Constitution Provisions “principles” in text.]

1. WHO HAS THE SOLE POWER TO DECLARE WAR?

The War Powers

- o Defense - main reason to unite
- o Power to declare war in Congress, not in President

Provision 95

Only Congress can declare war

HOW MANY TIMES HAS THIS POWER BEEN INVOKED? (PAGE 440)

- o Used only 5 times
 - War of 1812
 - Mexican War - 1846
 - War on Spain - 1898
 - W.W. I - 1917
 - W. W. II - 1941

2. DOES THE PRESIDENT HAVE THE POWER TO REPEL SUDDEN ATTACKS ON THE UNITED STATES?
(440-41)

- o President must repel attacks

3. DESCRIBE THE FOUNDERS' POLICY ON WAGING WAR.

Unconstitutional “Wars”

- o SEATO - Southeast Asia Treaty Org (UN)
 - Korea [it was mismanaged by ‘politicians’]
 - Vietnam [we lost]

- o Persian Gulf (UN)

- o Numerous “police actions” (IN) [- Kosovo; Somalia; East Timour; etc.]

WOULD YOU SAY AMERICA IS FOLLOWING THIS POLICY TODAY? (441-42)

[No way!]

Report from Iron Mountain

on the Possibility and Desirability of Peace

- o Iron Mountain - underground hideout for large corporations in New York
- o attended by wealthy capitalists
- o over 2.5 years
- o Conclusion: peace is unattainable, war is unavoidable

o Functions of War

- *economic*: stimulates the demand for goods
- *political*: maintains “right the rule over the masses”
- *sociological*: keeps anti-social groups under control
- *ecological*: helps the human species survive destroying the strong and the numbers [Malthusian idea of Population control]

4. WHAT IS A LETTER OF MARQUE AND REPRISAL?

Provision 96

Grant Letters of Marque and Reprisal

- o marque - seize
 - o reprisal - destroy
 - o letter authorizing private person to act as agent for govt.
- WHY WAS IT A NECESSARY POWER? (443)
- o otherwise (you are) treated as pirates

5. WHO MAKES RULES OF CAPTURE IN WARTIME? (443)

Provision 97

Congress makes rules for captured

- o people - how to treat them
- o Land - what to do with

6. WHY DID THE FOUNDERS GIVE CONGRESS THE EXCLUSIVE RESPONSIBILITY FOR FINANCING THE MILITARY?

Provision 98

Congress to raise money to support military for 2 years

WHAT RESTRICTION DOES THE CONSTITUTION IMPOSE ON SUCH APPROPRIATIONS? (444-46)

- o President has no power to raise army
- o President has no permanent funds for army

7. HOW DID THE FOUNDERS FEEL ABOUT A STANDING ARMY IN PEACETIME? (446-48)

- o Advantage of no large standing army (quote)
 - o Appropriations match term of Representatives
- [Document of peaceful self-repair!-US Constitution!]

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QUIZ - LESSON 32

1. THE FOUNDERS MADE SURE THAT THE CONSTITUTION VESTED CONTROL OVER THE MILITARY IN THE

_____ AND NOT THE _____.

2. WHO HAS THE POWER TO DECLARE THAT A STATE OF WAR EXISTS BETWEEN THE U. S. AND ANOTHER COUNTRY?

3. GIVE THE FIRST AND SECOND TIMES (AND COUNTRIES) AGAINST WHICH THE U. S. DECLARED WAR.

A _____

B _____

4. GIVE THE THIRD, FOURTH AND FIFTH TIMES (AND COUNTRIES) AGAINST WHICH THE U. S. DECLARED WAR.

C _____

D _____

E _____

5. WHAT MILITARY ACTION CAN THE PRESIDENT TAKE EVEN THOUGH NO WAR IS DECLARED?

6. NAME THREE TIMES AMERICA WENT TO WAR UNCONSTITUTIONALLY.

A _____

B _____

C _____

7. WHAT UNCONSTITUTIONAL ALLIANCES LED THE UNITED STATES TO COMMIT TROOPS INTO THESE AREAS?

8. THE ***REPORT FROM IRON MOUNTAIN*** SHOWS SOME PEOPLE BELIEVE WAR HAS SEVERAL DESIRABLE FUNCTIONS. NAME THREE OF THESE FUNCTIONS.

A _____

B _____

C _____

9. CONGRESS MAY GRANT LETTERS OF MARQUE AND REPRISAL. WHAT DOES THIS MEAN?

10. WHO MAKES RULES FOR THE CAPTURE OF PRISONERS OR TAKING OF LAND DURING WAR?

11. GIVE TWO REASONS THE FOUNDERS LIMITED CONGRESSIONAL APPROPRIATIONS FOR THE MILITARY TO TWO YEARS.

A _____

B _____