

The parameters of presidential power have been debated since soon after George Washington took office. But the Constitution makes at least one thing crystal clear: the President must “take care that the laws be faithfully executed.” This is a task to which the current incumbent, it can be safely said, has not applied himself.

The “take care” clause is reinforced by the very terminology used to describe the President’s authority, the clause vesting the “executive power” in the President. That’s a clause much beloved of believers in the unitary executive. Much ink has been spilled over the scope of the executive power, but the core meaning is clear from the term itself: An executive is someone who executes a task (as in executing a warrant), rather than someone who initiates it. The word “executive” traces back to *exsequii*, meaning to carry out or follow (*ex* meaning “out”, *sequii* meaning “follow”). According to my etymological dictionary, the sense of “the branch of government charged with carrying out the laws” goes back to 1649.

President these days do much more than carry out congressional directives. How much of this additional work the President *should be* doing is up for debate. But what’s clear is that the President is meant to do *at least* this much: Put into effect the laws passed by Congress. It is that core responsibility that is in question.

How has President Trump failed in this task? Let me count the ways.

*First*, he has openly violated laws appropriating funding for agency staff, such as layoffs at environmental agencies.

*Second*, he has violated laws establishing or recognizing specific offices within the government, like AID, the Department of Education, and the Consumer Financial Protection Bureau.

*Third*, he has refused to enforce laws with which he disagrees, including environmental laws, sometimes quite explicitly, such as his authorizing the ongoing violation of the federal law banning TikTok.

*Fourth*, he has violated laws appropriating funding for specific programs like climate change research or research on the connections between health, race and gender, solely because he disagrees with those congressional decisions.

*Fifth*, he has fired officials who made the mistake of scrupulously following the law, such as those who have refused to bring spurious indictments or who have

protested decisions to terminate valid cases.

*Sixth*, he has arbitrarily denied funding to programs or jurisdictions for partisan reasons unconnected with the purposes of the funding, such as refusing to declare emergencies in severely damaged states due to quarrels with their governors or the simple fact that the state voted for his opponent.

Whatever it is that Trump is faithfully executing, it's not the laws of the United States. Unless, a bit darkly, you were to take "execute" in the modern sense of killing off, not in the constitutional sense of carrying out.