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Political Science 310 W
Presidency

This course will examine the origins of the president's domestic and international powers, how those powers have grown and changed over time, and how they are both enhanced and limited by other actors in the political system. We will begin by focusing on the president's constitutional powers, and how they evolved out of the compromises among founders who had diverse views about executive authority. We will then trace how the tensions voiced in those original debates are echoed in historical and contemporary debates about presidential power. The course will discuss how presidents are both empowered and constrained by elections, public opinion, Congress, the courts, political parties, and the bureaucracy. In taking this class, you will develop a deeper understanding of how and why presidential powers change over time, and be able to think more critically about where the boundaries of presidential powers are and should be.

Because this is a "W" class, an additional objective of the class is to help improve your writing skills. You will do this primarily by writing one 5-8 page analytical essay and one 12-15 page research paper that are substantively related to the class. For each paper, you will submit outlines and drafts and go through a peer-review writing process. You will also get the opportunity to edit other students' papers, and learn how the art of editing relates to the art of writing. We will also do periodic in-class writing assignments to help you come to think of writing as an important step in the critical thinking process.

Books:

Louis Fisher, *Presidential War Power* (Lawrence, KS: University of Kansas Press, 2004)
Joe Klein, *The Natural: The Misunderstood Presidency of Bill Clinton* (New York: Doubleday, 2003)
Nelson W. Polsby and Aaron Wildavsky, *Presidential Elections*, Eleventh Edition (New York: Chatham House, 2003)
Richard J. Ellis and Michael Nelson, eds. *Debating the Presidency: Conflicting Perspectives on the American Executive*. (Washington: CQ Press, 2006)
William Strunk, Jr., E.B. White, and Roger Angell, *The Elements of Style* (New York: Longman, 2000).

Additional readings on online reserve. (ER)

Grades:

Will be based on a 5-7 page essay, a 10-12 page research paper, an oral presentation, a midterm, and a final exam. There will be no extensions given on the paper. Grade disputes can be submitted in writing to the instructor 24 hours after the work is handed back. The grade will be computed as follows:

- 25% Research paper (to be handed in with outline and drafts)
- 20% Final Exam
- 15% Midterm
- 10% Analytical essay (to be handed in with outline and drafts)
- 10% Oral presentation/debates
- 5% Class participation and prompt attendance
- 5% Pop quizzes
- 5% Peer editing
- 5% 2 short homework essays

Readings:

Sept. 8: Paradoxes: What do YOU want from your president?
Introduction to the class, grading, assignments, and presidential authority.

*As you do today's readings, think about the following:
What are your own expectations for the president? Are any of them contradictory or incompatible? Do they apply to all presidents in all circumstances?*

(ER) "Presidential Paradoxes" excerpt from Thomas E. Cronin and Michael A. Genovese, *The Paradoxes of the American Presidency* (New York: Oxford University Press 2004) pp. 1-26.

Sept. 11: The Constitutional Foundations of the Presidency

*Why did the Founders decide to define the executive authority the way they did?
To what degree do you think the modern presidency resembles the presidency
Hamilton describes?*

(ER) "The Constitution: Provisions Concerning the Presidency" excerpt from Michael Nelson, ed., *The Evolving Presidency: Addresses, Cases, Essays, Letters, Reports, Resolutions, Transcripts, and Other Landmark Documents 1787-1998* (Washington, D.C.: Congressional Quarterly Inc., 1999) pp. 1-10.

(ER) "The Federalist Papers, Nos. 69 and 70 (1788)" excerpt from Michael Nelson, ed., *The Evolving Presidency: Addresses, Cases, Essays, Letters, Reports,*

Resolutions, Transcripts, and Other Landmark Documents 1787-1998 (Washington, D.C.: Congressional Quarterly Inc., 1999) pp. 16-30.

Ellis and Nelson, "Resolved, the framers of the Constitution would approve of the Modern presidency," pp. 1-13.

Sept. 13: Tensions in the Constitutional Meaning of Executive Authority

Do you believe that the president should be able to act in the best interests of the country, even in defiance of its laws? What about in Washington's case? In Lincoln's? Roosevelt's? In the War on Terror? Would you feel the same about presidential power in the War on Terror if Al Gore had been president in 2001 or John Kerry had won in 2004?

(ER) "The Pacificus Helvidius Letters (1793)" excerpt from Michael Nelson, ed., *The Evolving Presidency: Addresses, Cases, Essays, Letters, Reports, Resolutions, Transcripts, and Other Landmark Documents 1787-1998* (Washington, D.C.: Congressional Quarterly Inc., 1999) p. 39-44.

(ER) "Abraham Lincoln's Letter to Albert G. Hodges (1864)" excerpt from Michael Nelson, ed., *The Evolving Presidency: Addresses, Cases, Essays, Letters, Reports, Resolutions, Transcripts, and Other Landmark Documents 1787-1998* (Washington, D.C.: Congressional Quarterly Inc., 1999) pp. 70-74.

(ER) "Theodore Roosevelt's and William Howard Taft's Theories of Presidential Power," excerpt from Michael Nelson, ed., *The Evolving Presidency: Addresses, Cases, Essays, Letters, Reports, Resolutions, Transcripts, and Other Landmark Documents 1787-1998* (Washington, D.C.: Congressional Quarterly Inc., 1999) pp. 93-99.

(ER) "Nixon's interview with David Frost" *The New York Times*, May 20, 1977, A-16.

PARTIES: A RESOURCE FOR AND A CONSTRAINT ON PRESIDENTS

Sept. 15: Origins of Political Parties: A new resource

*As you do today's readings, think about the following:
What differences do you see between the campaign of 2004 and the campaigns of the 1840s? What are the different roles played by the parties? By the candidates? Could candidates "stand" for office now? Would you prefer it if they did?*

(ER) “To Stand or to Stump” excerpt from Gil Troy, *See How They Ran: The Changing Role of the Presidential Candidate* (New York: Macmillan, Inc., 1991) pp. 20-32 and 39-54.

Sept. 18: Evolution of the nomination Process: A changing role for parties

*As you do today’s readings, think about the following:
Polsby is describing the transition from the “mixed system,” where both primaries and party elites are important, to the “primary system,” in which candidate performance in primaries totally determines the party nomination. Exactly how does this mixed system differ from the party-dominated system of the 19th century? What events encouraged the Democratic party to move to primaries?*

(ER) Nelson W. Polsby, *Consequences of Party Reform* (New York: Oxford University Press, 1983) Chapter 1, pp. 9-39

Sept. 20: The Primary System

*As you do today’s readings, think about the following:
Were the changes in the McGovern-Fraser report an appropriate response to the Democratic Convention of 1968? Do you think that primaries are a better way of selecting a nominee than the mixed system was? What are some of the advantages and disadvantages to nominating candidates the way the parties do so today? What advantages and disadvantages come from the importance of early primaries like New Hampshire (or caucuses like Iowa)?*

Polsby, *Presidential Elections*, 101-129

(ER) “Iowa Caucus Math” *New York Times* January 20, 2004.

(ER) Elisabeth Rosenthal, “Who’s that at the Next Table? Ho-Hum, It’s a Candidate” *The New York Times* January 19, 2004.

Sept. 22: Nominations Today

*As you read, think about the following:
To what extent are the outcomes of the Iowa and New Hampshire primaries predetermined by the money primary and the press’ statements about which candidate(s) have frontrunner status? In what ways is this system better and worse than the mixed primary/convention system?*

Polsby, *Presidential Elections* 89-93, 53-59, 212-217

(ER) James W. Ceaser and Andrew E. Busch, "The Invisible Primary," in *The Perfect Tie, The True Story of the 2000 Presidential Election* (Lanham, MD: Rowman and Littlefield, 2001) pp. 49-77.

(ER) Zachary A. Goldfarb and Chris Cilizza, "Plumbing Iowa for Democratic Caucus Votes? Bring money." *Washington Post* Jul 9 2006, A04.

(ER) Adam Nagourney, "It's Never Too Early to Gear Up for '08 Race" *The New York Times* 25 Aug 2006.

Sept. 25: Submit research paper topic and do the following writing assignment:

Read and outline the argument against a single national primary election on pp. 23-29 of Ellis and Nelson. Use a traditional outline format (I., II., A., 1., i. etc). Based on your outline, think about your answers to the following questions: What is the thesis statement? What are the major arguments in favor of that thesis? What evidence does the author use to make that point? How and where does he respond to critics or potential opposing arguments? How does he treat those arguments? How does the author (or do the editors) use the subheadings? Are they necessary to understand the argument?

Sept. 27: An Independent President?

As you do today's readings, think about the candidacy of Ralph Nader in 2000 and 2004. Were his goals reasonable? What did he achieve?

(ER) Rosenstone, Steven J., Roy L. Behr, and Edward H. Lazarus, "Third Parties In America: Chapter 2: Constraints on Third Parties" in *Third Parties in America* (Princeton, NJ: Princeton University Press, 1996) pp. 15-47

Polsby, *Presidential Elections* pp. 47-49.

THE PRESS AND THE PUBLIC AS RESOURCES FOR AND CONSTRAINTS ON PRESIDENTS

Sept. 29: Elections I: Once Nominated, How are Presidents Elected?

Which resources do you think are most important to winning a presidential election? Which campaign strategies do you think are most effective? Why are they most effective? What would presidential elections be like without the Electoral College?

Polsby, 59-67, 137-147, 163-172, 217-223.

Ellis and Nelson, "Resolved, the President Should be Directly Elected by the People," pp. 30-44.

Oct. 2: What do Voters Know? Do Presidents Win Mandates?

*As you do today's readings, think about the following:
How do you think voters should make up their minds about who to vote for? How do you think they actually do make up their minds? How does the inattentiveness of voters affect the conduct of presidential elections?*

Polsby, Chapter 1

Oct. 4: Draft of election essay due; In class peer-editing of election essays. Bring your Strunk and White book and a red pen.

Oct. 6: The Press and Campaigns

*As you do today's readings, think about the following:
To what degree does the press shape the campaigning process? To what degree do presidential campaigns shape the news?*

Polsby, 153-162.

Oct 9: The Press and Campaigns (continued)

*As you do today's readings, think about the following:
Are members of the press too hard on presidents? What are reporters' incentives to tell the president's side of the story? To write stories that are critical of him?*

Ellis and Nelson, "Resolved, the media are too hard on the presidents", pp. 60-75.

Oct. 11: The Press as a Resource and a Constraint on Governing

*As you do today's readings, think about the following:
How does the media environment affect the president's job performance? How does the business of generating the news affect news coverage of the presidency? How can the president affect news coverage?*

(ER) Jeffrey E. Cohen, "News that Doesn't Matter: Presidents, The News Media, and the Mass Public in an Era of New Media," in George C. Edwards III, ed., *Readings in Presidential Politics* (Belmont, CA: Thomson Wadsworth, 2006), pp. 235-260.

(ER) Elisabeth Bumiller, "Keepers of Bush Image Lift Stagecraft to New Heights," *New York Times* May 16, 2003.

Oct. 13: Election essay due today!

After the election: The Public as a Resource & a Constraint

As you do today's readings, think about the following:

How does Kernell argue Washington has changed over time? Is public opinion more of a resource for presidents now than it used to be? How can presidents manipulate public opinion? Should they pay attention to it?

(ER) Samuel Kernell, *Going Public* (Washington: CQ Press, 1993) pp. 1-33.

Oct. 16: Rally Effects

As you do today's readings, think about the following:

What advantages does a president gain by focusing his attention on international rather than domestic affairs? Do presidents face fewer constraints during a perceived crisis? If so, why?

(ER) Marc J. Hetherington and Michael Nelson, "Anatomy of a Rally Effect: George W. Bush and the War on Terrorism," *PS: Political Science & Politics*, January 2003, 37-42.

Oct. 18: Midterm

WHEN AND HOW DOES THE PRESIDENT GET THE POLICIES HE WANTS?

Oct. 23: Separate but Equal Branches: Congress

As you do today's readings, think about the following:

In what ways is Congress on equal footing with the president? In what ways should Congress dominate policymaking? In what ways should Congress follow presidential leadership?

Ellis and Nelson, "Resolved, the president is a more authentic representative of the people than is Congress," pp. 75-91.

Oct. 25: Congress II: Repeated interactions between president and congress

As you do today's readings, think about the following:

*How do the president and Congress negotiate? Who has the upper hand in such negotiations? How does public opinion affect those negotiations? **When is a president more likely to be successful in his negotiations with Congress?***

(ER) John Gilmour, *Strategic Disagreement* (Pittsburgh: University of Pittsburgh Press, 1995) Chapters 1 and 4.

Oct. 27: What can go Wrong? Impeachment as a control

As you do today's readings, think about the following:

In your mind, what is an impeachable offense? Of the three crises described in the Pfiffner piece, which is the most egregious? Which is the least? Why? Is the cover-up worse than the original action? What distinguishes Nixon's actions from those of other presidents who did or did not face impeachment?

(ER) James A. Pfiffner, "Presidents in Crisis," in *Report to the President-Elect 2000: Triumphs and Tragedies of the Modern Presidency* (Washington: Center for the Study of the Presidency, 2001) 284-300.

(ER) "The Smoking Gun Watergate Tapes" excerpt from Michael Nelson, ed., *The Evolving Presidency: Addresses, Cases, Essays, Letters, Reports, Resolutions, Transcripts, and Other Landmark Documents 1787-1998* (Washington, D.C.: Congressional Quarterly Inc., 1999) pp. 201-207.

Oct. 30: Impeachment, continued

As you do today's readings, think about the following: Is the impeachment process a tool that Congress can use against all presidents who deserve it? Or does it require specific a political environment to be effective?

Ellis and Nelson, "Resolved, the presidential impeachment process is basically sound," pp. 45-60.

Nov. 1: The President's War Powers: The Constitution and Early Uses

As you do today's readings, think about the following:

How did early presidents conceive of the president's war powers? Of Congress' war powers? How did they interpret the commander-in-chief clause? What example sticks out most in your mind? How do modern presidents conceive of the president's war powers? Of Congress' war powers? How do we interpret the commander-in-chief clause? What role do modern international institutions play in our domestic war powers disputes? What examples of modern uses of war powers stick out most in your mind?

Fisher, *Presidential War Power* 1-31, 47-51.

Nov. 3: The President's War Powers: Modern Uses **Heavy Reading Day**

As you do today's readings, think about the following:

Does the War Powers Resolution empower or constrain the president?

Fisher, 128-151, 160-202; "War Powers Resolution" (in Fisher, Appendix E).

Nov. 6: President Bush's Use of War Powers

As you do today's readings, think about the following:

Did Congress have enough input in the decision to go to war in Iraq? Were sufficient reasons for going to war presented to the public? How should we evaluate that decision knowing that much of the public and secret information on which the decision was based appears to be wrong?

Fisher, Chapter 9.

(ER) "Congressional Joint Resolution to Authorize Use of Force Against Iraq" *Washington Post* 11 Oct 2002 pg. A12.

(ER) Robert Byrd, "Congress Must Resist the Rush to War" *The New York Times* 10 October 2002.

Nov. 8: **Research paper outline and bibliography due! (Plus regular reading...)**

The Executive Branch as a Resource and Constraint

As you do today's readings, think about the following:

How does Congress make it hard for the president to control the bureaucracy? Why does Moe think that the president is in a better position to control the bureaucracy than Congress is? Why might it be important for the president to have his own staff? What advantages and disadvantages to the president, and to the system at large, come with a large presidential bureaucracy?

(ER) Terry Moe, "The Presidency and the Bureaucracy: The Presidential Advantage" in *The Presidency and the Political System* ed. Michael Nelson (Washington: Congressional Quarterly Inc, 2000) pp. 443-474.

Nov. 10: Appointments as a Resource and Constraint

As you do today's readings, think about the following:

Is the cabinet currently a resource for the president? Are his White House advisers assets to him? How do presidential management techniques affect policy?

(ER) Sheryl Gay Stolberg, "An Eye for Detail and the Resolve to Push Change," *The New York Times* June 19, 2006.

(ER) George C. Edwards III, "Why not the best? The Loyalty-Competence Trade-Off in Presidential Appointments," *Readings in Presidential Politics* (Belmont, CA: Thomson Wadsworth, 2006), pp. 311-336.

Nov. 13: What can the president do on his own?

(ER) “Executive Orders” from *CQ’s Guide to the Presidency* (Washington, CQ Press), pp. 478-480.

(ER) Charles Savage, “Bush challenges hundreds of laws,” *Boston Globe* April 30, 2006.

(ER) John W. Dean, “The Problem with Presidential Signing Statements: Their Use and Misuse by the Bush Administration” Jan 13 2006 *FindLaw’s Writ*.

Nov. 15: Courts: How do presidents control the judiciary?

*As you do today’s readings, think about the following:
In what ways is the judiciary independent of the president? In what ways is it shaped by him? Does the Senate play an appropriate role in the confirmation process?*

Ellis and Nelson, “Resolved, the president has too much power in the selection of judges” pp. 110-125.

Nov. 17: Courts II: Can the judiciary constrain presidential power?

*As you do today’s readings, think about the following:
What should the president be able to do to protect the United States from terrorist attacks? Do terrorists have rights? Should they have access to judicial review of executive branch action?? How would you feel if a court let a person go free, and that person later committed a terrorist act? How would you feel if a completely innocent person, or many innocent people were held by the government without access to legal recourse? Are judges in a better position to decide such issues than the president?*

(ER) Charles Lane, “High Court Rejects Detainee Tribunals”, *Washington Post* June 30, 2006.

(ER) *Youngstown Sheet and Tube Co. v. Sawyer* (1952). Excerpt reprinted in Michael Nelson, ed., *The Evolving Presidency* (Washington: Congressional Quarterly, Inc, 1999), pp. 136-144.

Read *Hamdan v. Rumsfeld*, syllabus, (pages 1-8) on the website:
<http://www.supremecourtus.gov/opinions/05pdf/05-184.pdf>

Nov. 20: **Complete draft of research paper due. Peer editing in class. Bring Strunk and White and a red pen.**

INFORMAL RESOURCES AND CONSTRAINTS ON PRESIDENTIAL ACTION

Nov. 22: Bargaining and skill as presidential resources

As you do today's readings, think about the following:

What does Greenstein think of Eisenhower's skill as a leader? What do you think of his skills? What do you think of his strategy of hidden hand leadership? What would you think if Bill Clinton or George W. Bush employed the same strategy? What would the press think?

(ER) Fred Greenstein, *The Hidden Hand Presidency: Eisenhower as Leader*, Chapter 3, (New York: Basic Books, 1982) pp. 57-99.

Nov. 27: Personality **Heavy Reading Day**.

As you do today's readings, think about the following:

How did Bill Clinton's personal characteristics affect his presidency? What was his management style? How were the parties, the press, the public, and Congress checks on Bill Clinton's uses of presidential power? What are Joe Klein's biases? How do they affect the way he tells this story?

Joe Klein, *The Natural*.

Nov. 29: Introduction to Political Time

As you do today's readings, think about the following:

Which do you think is a more important determinant of presidential success: the president's personality or his political environment?

Ellis and Nelson, "Resolved, Psychological character is a powerful predictor of presidential performance" pp. 159-179.

Dec. 1: Political Time and Constraints on Presidents

As you do today's readings, think about the following:

Where does George W. Bush fall in political time? What in the political environment constrained the last five presidents? What in the political environment empowered them?

(ER) Stephen Skowronek, "Bill Clinton in Political Time" paper given to the French American Foundation 4 November 1996.

Dec. 4: History (or Historians?) as a Constraint

As you do today's readings, think about the following:

Is there such a thing as a great president? Who would you rate as the best president of all time? On what basis do you make that decision? How do you think the future judgment of history affects a president's thinking?

(ER) Arthur M. Schlesinger, "Rating the Presidents: Washington to Clinton" *Political Science Quarterly* 112 (1997) pp. 179-90.

Ellis and Nelson, "Resolved, Great presidents are agents of Democratic change," pp. 179-199.

Dec. 6: PRESIDENTIAL POWERS IN COMPARATIVE PERSPECTIVE

Research paper due!

*As you do today's readings, think about the following:
How powerful is the American president compared to the executives in other democracies? What surprises you in King's descriptions?*

(ER) Anthony King, "Foundations of Power" in *Researching the Presidency: Vital Questions, New Approaches* Ed. George C. Edwards III, John H. Kessel, and Bert A. Rockman (Pittsburgh: University of Pittsburgh Press, 1993) pp. 415-451

Dec. 8: Researched Debate: NSA Wiretapping

Dec. 11: Researched Debate: Signing statements

Dec. 13: Informal Debate: Should President Bush be impeached?

Dec. 15: Summary and Review