

Sam Houston State University
Department of Political Science
Fall 2017
The Presidency and Executives
POLS 3336 - 01
Unique #: 81335

Instructor: Eric Svensen
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Course Information:
Meeting Place: CHSS 232
Meeting Time: TTH 9:30 –10:50

Course Overview

This course evaluates the structure, powers, and place of the presidency in the American constitutional order. As the one American institution given the most public attention, the presidency has become the most perplexing and difficult political institutions to comprehend. On the one hand, many citizens look to the president as the branch of government that can solve pressing social problems. Many believe, for example, that the power of presidential leadership is an ample governing characteristic to implement policies. Yet, on the other hand, the public is increasingly dissatisfied that presidents seem incapable of solving these issues. Government, many feel, is locked in a continuous cycle of legislative gridlock while the president seems incapable to initiate change. Where presidents argue their policies will make positive changes in foreign, economic, and social policy, reality suggests otherwise. We seem no safer after 9/11 than we were before, most economic policy are mere superficial band aids that never seem to work, and, the quality of bureaucratic performance in areas such as education, healthcare, and crime prevention, to name but a few, is lackluster at best. How, then, do we evaluate the presidency under these conditions?

Questions we will be considering and discussing in this course are many. Is government hopelessly paralyzed and unable to fashion responsible policy or are these worries misplaced and this characterization wrong? Can tough political challenges like war, fiscal crisis, and economic decline be addressed with political resources provided by our Constitution, or is our political system out of date and incapable of responding to contemporary crises? To what extent is the underperformance of government a failure of the presidency? Is the presidency strong enough to contend with modern challenges or has it become too strong in recent decades and, therefore, has the presidency itself become a problem in need of repair?

Couse Objectives

We will address these questions and concerns in a number of ways. We will begin with an accounting of the structure and powers of the president followed by common political science approaches to viewing the presidency. However, we cannot simply address these questions by detailing the mechanics of the presidency or the history of the institution. Instead, we will draw upon political analyses, constitutional texts and history, and descriptive materials in order to elaborate contending *theories and diagnoses* of the presidency in the American political order. Upon completion of this course students should be able to explain how the modern presidency does and does not connect to original constitutional design.

Prerequisites

Students must have completed twelve semester hours of college credit and received a passing score on the reading section of the Texas Higher Education Assessment (THEA) or another appropriate test before enrolling in this course.

Course Evaluation

For this course, there will be two take-home exams, a group-centered debate project, and debate question submissions for non-debate participants. The percentage toward your overall grade total is as follows:

50% - Two Take-Home Essays (25% Each) – September 28th, November 2nd, and December 5th
10% - Participation
25% - Debate Project (Debate Participants)
15% - Debate Question Blog Participation and Voting (Non-debate Participants)
100%

Take-Home Essays: Students are required to complete two of three take-home essays. One week before essays are due, I will provide students with question prompts. Students are required to answer one question. Essays should be a clear, cogent, and provide an original accounting of the readings and class discussion. Student essays will be judged for care in composition as well as for substantive insight. Students are encouraged to work through multiple drafts in order to produce a strong paper. Keep in mind that even though the final draft of each paper is relatively short, the essays will require substantial work to receive a good grade. The essays are to be typed using 12-point font, double spaced, with normal margins and have a 1,500 word limit, excluding references. Late papers will result in a ten-point per day reduction, unless the student has a documented excuse.

Debate (Debate Participants): An important component of your final grade is participation in weekly debates. Students will be divided into two groups to debate that week's topic, a pro side and a con side. Students are welcome to form groups with friends or associates. I will, if needed, randomly assign students into groups. Once groups are assigned, topics will be assigned on a first-come, first-serve basis. Depending on the number of students enrolled in the class, students will only be required to participate in ONE debate. Beginning in Week 5, debates will occur every Tuesday and take the entire class time.

For students assigned to a debate topic, each student will receive a grade based on the following criteria:

- 20: Preparation (Debate Materials)
- 20: Clear and Effective Argument
- 20: Argumentative and Reasoned Questions for Opposition
- 20: Response Quality
- 20: Overall Organization
- 100 Points

Debates will proceed under three phases: (1) Research and development phase – students will research and gather materials for the debate, plan strategy, and prepare their debate packet. Each group will have private access to a journal on Blackboard where you can communicate with each other and share information. No other student will have access to this journal except the two students in each group and myself. (2) Debate Packet – One week before your scheduled debate, each group will provide two copies of their debate materials, one for me and one for the opposition. Contents of the debate packet will include two questions for the opposing team, references used from the assigned reading list, and copies of all external material your group plans to possibly use in the debate. (3) Debate day – students participating in each week's debate will follow a debate format that I provide. In general, each side will present opening argument, answer prepared questions from the opposing team, present a rebuttal question to the opposition (in this instance neither side will have advance warning of that question), provide closing arguments, and answer audience questions.

****I will provide the class with more detailed instructions after the second week of class****

The debate assignments will follow the course schedule. I will provide the class with more detailed questions as we proceed through the semester. Here is a brief summary of the questions groups will debate:

Debate Schedule (Broad Overview):

Week 5: Presidential Selection

- Should the Electoral College be abolished?

Week 6: Congress and the President

- Under what conditions is presidential impeachment appropriate?

Week 7: Unilateral Power

- When is it appropriate for presidents to use discretion in executing law?

Week 8: Presidents and the Use of Force

- When can the president initiate military conflict without congressional approval?

Week 9: Emergency Power

- What can a president do if no existing statutory authority exists to address a national emergency?

Week 10: Secrecy

- When is it appropriate for a president to withhold information from Congress and the public?

Week 11: The President and the Bureaucracy

- Can presidents fire political appointees confirmed by the Senate?

Week 12: The President and the Courts

- Do presidents have too much power in the selection of federal judges?

Week 13: Presidents and the Public

- Are public's expectations for presidential success too high?

Debate (Non-Debate Participants): Students not participating in that week's debate are also required to complete assignments. The week before a scheduled debate, each student not assigned to a debate team for that week is required to submit a question to either debate team on a secure blog. Debate participants will be denied advanced access to these questions. One debate day, out of respect for the effort your fellow classmates put into preparing for the debate, all students will be required to attend. To ensure attendance, at the conclusion of every debate each student is required to write a short reactionary paper on the debate (three or four sentences) where they will reflect on the strength and weaknesses of both sides and vote on who they feel won the debate. I will present the results at the next class meeting as well as provide feedback to the debate teams on the positive points or criticisms audience members had with the arguments used during the debate. Non-debate participants will also provide a grade for each debate team on the overall organization and presentation quality of the two teams.

Participation: Regular attendance and participation is required for success in this class. I have specifically selected readings that will provide us with excellent material for class discussions. Keep in mind that to do well on your participation grade you should complete a large portion of the readings before class and attend class. I will regularly take attendance and absences will count against your participation grade. Of course, a medical excuse, required university commitments, and team meetings are permitted with the proper documentation. Students are permitted two absences without penalty.

Grading: The grading scale for the course is as follows:

90-100%	A
80-89%	B
70-79%	C
60-69%	D
< 60%	F

Required Text

Ellis, Richard J. 2015. *The Development of the American Presidency* (2nd Edition). New York, NY: W.W. Routledge ISBN: 978-1-138-78627-1

Pika, Joseph A., John Maltese, and Andrew Rudalevige. 2017. *The Politics of the Presidency* (9th Edition). Los Angeles, CA: Sage/CQ Press. ISBN: 978-1-4833-7563-2.

Additional Text (Not Required)

Milikis, Sidney M. and Michael Nelson. 2016. *The American Presidency: Origins and Development, 1776-2014*. Los Angeles, CA: Sage/CQ Press. ISBN: 978-1-4833-1869-1

Make-up Exams (Late Essays)

Make-up or late essays will be permitted for illness certified by a doctor, family emergencies certified by the Dean, or official university events with a letter from the appropriate university authority. Athletes and other students who must miss exams should notify me in advance.

Accommodations for Religious Holidays

Section 51.911(b) of the Texas Education Code requires that an institution of higher education excuse a student from attending classes or other required activities, including examinations, for the observance of a religious holy day, including travel for that purpose. Section 51.911 (a) (2) defines a religious holy day as: "a holy day observed by a religion whose places of worship are exempt from property taxation under Section 11.20...." A student whose absence is excused under this subsection may not be penalized for that absence and shall be allowed to take an examination or complete an assignment from which the student is excused within a reasonable time after the absence.

University policy 861001 provides the procedures to be followed by the student and instructor. A student desiring to absent himself/herself from a scheduled class in order to observe (a) religious holy day(s) shall present to each instructor involved a written statement concerning the religious holy day(s). The instructor will complete a form notifying the student of a reasonable timeframe in which the missed assignments and/or examinations are to be completed.

Special Needs

It is the policy of Sam Houston State University that individuals otherwise qualified shall not be excluded, solely by reason of their disability, from participation in any academic program of the university. Further, they shall not be denied the benefits of these programs nor shall they be subjected to discrimination. Students with disabilities that might affect their academic

performance should register with the Office of Services for Students with Disabilities located in the Lee Drain Annex (telephone 936-294-3512, TDD 936-294-3786, and e-mail disability@shsu.edu). They should then make arrangements with their individual instructors so that appropriate strategies can be considered and helpful procedures can be developed to ensure that participation and achievement opportunities are not impaired.

SHSU adheres to all applicable federal, state, and local laws, regulations, and guidelines with respect to providing reasonable accommodations for students with disabilities. If you have a disability that may affect adversely your work in this class, then I encourage you to register with the SHSU Services for Students with Disabilities and to talk with me about how I can best help you. All disclosures of disabilities will be kept strictly confidential. NOTE: No accommodation can be made until you register with the Services for Students with Disabilities.

Academic Integrity

Students are expected to engage in all academic pursuits in a manner that is above reproach. Students are expected to maintain honesty and integrity in the academic experiences both in and out of the classroom. Any student found guilty of dishonesty in any phase of academic work will be subject to disciplinary action. The University and its official representatives may initiate disciplinary proceedings against a student accused of any form of academic dishonesty including but not limited to, cheating on an examination or other academic work which is to be submitted, plagiarism, collusion and the abuse of resource materials.

For a complete listing of the university policy, see: <http://www.shsu.edu/dept/dean-of-students/index.html>

Visitors in the Classroom

Only registered students may attend class. Exceptions can be made on a case-by-case basis by the professor. In all cases, visitors must not present a disruption to the class by their attendance. Students wishing to audit a class must apply to do so through the Registrar's Office.

Course Schedule and Reading Assignments

Please note: The syllabus should be used as a guideline for course objectives and student responsibilities. The instructor reserves the right to modify the syllabus, including the course schedule, shown below. Any modification to the schedule will be announced. Students are responsible for announcements and other information presented in class, posted on Blackboard, and/or sent via email.

Week 1 (August 24th) – Course Introduction (Taking stock of where we are)

- **Readings:**

- Envisioning the Presidency (Development - Chapter 1)
- The Changing Presidency (PP – Chapter 1)
- Resolved: The Framers Would Approve of the Modern Presidency (Blackboard)

Week 2 (August 29th – August 31st) – Perspectives on the Presidency

- **Readings:**

Read the Following:

- Evaluating Presidents (Development - Chapter 11)
- Presidential Character and Performance (PP - Chapter 4)

Suggested Reading:

- Neustadt, *Presidential Power*, Chapters 1, 2, 3 (Blackboard)
- Barber, *Presidential Character*, Chapters 1 and 2 (Blackboard)
- Skowronek, *The Politics Presidents Make*, Chapters 1, 2, 3 (Blackboard)
- Presidential Competence (Blackboard)

Week 3 (September 5th – September 7th) – The Founding and the Constitution

- **Readings:**

- U.S. Constitution, Article II (Online)
- The Federalist Papers, 69 – 73 (Online)
- The Anti-Federalist, Letters of Cato IV & V (Blackboard)

Week 4 (September 12th – September 14th) – The Separation of Powers

- **Readings:**

Read the Following:

- The Federalist Papers, 47 - 51 (Online)

Suggested Reading:

- Tulis, *The Two Constitutional Presidencies* (Blackboard)
- Howell and Moe, *Relic*, Chapter 1 (Blackboard)

Week 5 (September 19th – September 21st) – Presidential Selection

- **Readings:**

Read the Following:

- Selecting the President (Development – Chapter 2)
- Election Politics (PP – Chapter 2)

Debate Readings:

- Ceaser, *Presidential Selection*, Introduction (Blackboard)
- Issacharoff, *Law, Rules, and Presidential Selection* (Blackboard)
- Resolved: Political Parties should Nominate Candidates through a National Primary (Blackboard)
- Resolved: The President should be Elected Directly by the People (Blackboard)

Week 6 (September 26th – September 28th) – The President and Congress

- **Readings:**

Read the Following:

- The Legislative Presidency (Development - Chapter 4)
- Legislative Politics (PP – Chapter 5)

Debate Readings:

- Cameron, *Veto Bargaining*, Chapter 1 (Blackboard)
- Resolved: Congress should be Required to Up or Down on Presidential Legislation (Blackboard)
- Tulis, *Impeachment in the Constitutional Order* (Blackboard)
- Cohen, *Presidents, Polarization, and Divided Government* (Blackboard)

Essay #1 Due – September 28th

Week 7 (October 3rd – October 5th) – Unilateral Power

- **Readings:**

Read the Following:

- The Unilateral Presidency (Development – Chapter 6)

Debate Readings:

- Mayer, *Going Alone* (Blackboard)
- Fisher, *Presidential Unilateral Actions* (Blackboard)
- Howell, *Power without Persuasion*, Chapter 1 (Blackboard)
- Mayer and Price, *Unilateral Presidential Powers: Significant Executive Orders* (Blackboard)

Week 8 (October 10th – October 12rd) – Presidents and Use of Force

- Readings:

Read the Following:

- The War-Making Presidency (Development – Chapter 5)
- The Politics of National Security Policy (PP – Chapter 10)
- Pacificus-Helvidius Debates – Pacificus I and Helvidius 1 (Blackboard)

Debate Readings:

- Schlesinger, *The Imperial Presidency*, Chapters 1, 2, 3 (Blackboard)
- Fisher, *Presidential War Power*, Chapters 1 and 11 (Blackboard)
- Wildavsky, *The Two Presidencies* (Blackboard)
- Canes-Wrone et. al., *Toward a Broader Understanding of Presidential Power* (Blackboard)
- Rudalevige, *The New Imperial Presidency*, Chapters 1 and 8 (Blackboard)

Week 9 (October 17th – October 19th) – Emergency Power

- Readings:

Read the Following:

- Locke, *Of Prerogative* (Online)
- Law and Executive Power (Development – Chapter 10)

Debate Readings:

- *Youngstown Sheet & Tube v. Sawyer* (Blackboard)
- Lobel, *Emergency Power and the Decline of Liberalism* (Blackboard)
- Scheppele, *Exceptions that Prove the Rule* (Blackboard)
- Resolved: Fighting the War on Terror Requires Relaxing Checks on Presidential Power (Blackboard)

Week 10 (October 24th – October 26th) – Secrecy

- Readings:

Read the Following:

- Crockett, *Executive Privilege* (Blackboard)
- Schlesinger, *The Imperial Presidency*, Chapter 10 (Blackboard)

Debate Readings:

- Fisher, *Presidential War Power*, Chapter 10 (Blackboard)
- Fein, *Presidential Authority to Gather Foreign Intelligence* (Blackboard)
- Weaver and Pallitto, *State Secrets and Executive Power* (Blackboard)
- Rozell, *Executive Privilege in the Lewinsky Scandal* (Blackboard)

Week 11 (October 31st – November 2nd) – The President and the Bureaucracy

- Readings:

- The Removal Power, Party Patronage, and Unitary Executive (Development – Chapter 7)

Debate Readings:

- Rudalevige, *The Administrative Presidency and Bureaucratic Control* (Blackboard)
- Bailey, *The New Unitary Executive and Democratic Theory* (Blackboard)
- Nathan, *The Administrative Presidency*, Chapter 1 (Blackboard)

Essay #2 Due – November 2nd

Week 12 (November 7th – November 9th) – The President and the Courts

- Readings:

Read the Following:

- The President and the Judiciary (Development – Chapter 9)
- Judicial Politics (PP – Chapter 7)

Debate Readings:

- Resolved: The President has too much Power in the Selection of Judges (Blackboard)
- Tulis, *Constitutional Abdication* (Blackboard)
- Nicholson and Hansford, *Partisan in Robes* (Blackboard)
- Bell, *Senatorial Discourtesy* (Blackboard)
- Segal, Timpone, and Howard, *Buyer Beware* (Blackboard)

Week 13 (November 14th – November 16th) – Presidents and the Public

- Readings:

Read the Following:

- The Public Presidency (Development – Chapter 3)
- Public Politics (PP – Chapter 3)

Debate Readings:

- Tulis, *The Rhetorical Presidency*, Chapters 1, 2, and 5 (Blackboard)
- Kernell, *Going Public*, Chapters 1 and 4 (Blackboard)
- Lowi, *The Personal Presidency*, Chapter 1 (Blackboard)
- Edwards, *On Deaf Ears*, Chapters 1, 2, 3 (Blackboard)

Week 14 (November 21st) – Organizing the Presidency

- Readings:

Read the Following:

- Organizing the Presidency (Development – Chapter 7)
- Executive Politics (PP – Chapter 6)

Debate Readings:

- Lewis, *Staffing Alone* (Blackboard)
- Rudalevige, *The Structure of Leadership* (Blackboard)
- Resolved: Presidential “Czars” Undermine Congress and the Constitution (PP – Chapter 12)

Week 15 (November 28th – November 30th) – Campaigns and Elections

- Readings:

Read Two of the Following

- Popkin, *The Candidate*, Chapters 1 and 2 (Blackboard)
- Shaw, *The Race to 270*, Chapters 1, 2, 3 (Blackboard)
- Sides and Vavreck, *The Gamble*, Chapters 1, 2, 3 (Blackboard)
- Petrocik, *Issue Ownership and Presidential Campaigning* (Blackboard)
- Ceaser, *Presidential Selection*, Chapter 5 (Blackboard)

Final Essay Due – December 5th 1:00 to 3:00