The American Presidency

Course Description
There is no such thing as a bad time to study the American presidency. But some times (now, for instance) are better than others. Consider the following:

Three weeks ago, the presidential campaign began in earnest, with the Iowa caucuses, in which about 130,000 Hawkeyes exercise their Divine Right to go first, mostly because they need the ethanol subsidies. The top 3 candidates in the Republican contest (there isn’t anything going on with the Democrats) were Mitt Romney, probably the person with the best chance of beating Obama next November, but who many Republicans cannot stand, and two candidates with far more enthusiastic supporters (Ron Paul and Rick Santorum), neither of whom has any chance of actually getting the nomination.\(^1\) And it turns out that Romney didn’t really win, though we didn’t learn that for two weeks.

Fourteen months ago, a president with the most ambitious domestic agenda since FDR takes a self-described “shellacking” in the midterm elections, losing the House when the Republicans picked up more seats than in any other midterm election since 1938. The President’s signature domestic policy initiative, health care reform, is becoming increasingly unpopular, and while there is no chance that the GOP promise to repeal it will actually work, the House vote will be an important symbol of the Republicans’ opposition to what they see as a massive expansion of government size and power. The Supreme Court will weight in as well over the coming year.

Two years ago we witnessed an historic presidential election. There are millions of Blacks old enough to have experienced the violence, repression, and systematic disenfranchisement of the Jim Crow era. Fifty years ago, African Americans risked being murdered when they tried to vote. Now, an African American has been elevated to the country’s (indeed, the world’s) most powerful office. Obama’s reelection is much more difficult to call, as no president in the modern era has been reelected during comparable times of economic trouble and mediocre popularity ratings.

Twelve years ago, a president was impeached over obstruction of justice and perjury charges emerging from what could only be described as shocking and unbelievable behavior by a sitting president. It made perfect sense, therefore, that the major consequence of the whole affair was that two Republican Speakers of the House lost their jobs.

This is a course about a peculiar American political institution, the Presidency. Throughout the course, we will focus on four fundamental questions about the President's role as formal head of the executive branch of government, but also as the focal point of public attention:

\(^1\) Apologies to Paul and Santorum supporters, but that’s just how it is.
(1) What are the sources of presidential power? In Harry Truman's formulation, presidential power is little more than convincing other people that what the president wants is in fact what they should want in order to further their own interest. The president sits atop a vast bureaucracy, filled with actors whose interests will not always coincide with his. The president must continually bargain with members of Congress, each of whom has his or her own independent base of political support. And, as every president learns, public evaluations can be fickle.

On the other hand, presidents retain substantial amount of statutory and constitutional authority, and there is little doubt about the president’s ability to act almost at will with respect to war powers and foreign affairs. We will investigate the importance of these formal and informal sources of presidential power, and devote considerable attention to the historical development of presidential power, examining key presidencies and eras in close detail.

And, finally, some questions of presidential power are actually impossible to answer. We will consider one of the contradictions of the office – the existence of the prerogative power, or the inherent authority to go outside the Constitution (or even violate it) in order to achieve a higher goal, such as saving the Republic. The book you’ll read concludes that such powers don’t legitimately exist, but it’s a very difficult problem that lacks an easily identifiable resolution.

(2) How are presidents elected? The presidential election process is long, complex, and difficult to navigate (and it doesn’t always produce what most people think are particularly strong candidates). Critics contend that the process is flawed, because presidential campaign skills have little to do with presidential governing skills. Some observers maintain that the election process deters quality leaders from seeking the office; historian James Bryce made the same argument in 1888. We will investigate presidential primaries, the politics of getting to the convention, the general election campaign, and the relationship between the politics of campaigning and the politics of governance.

We will pay close attention to the 2012 Republican primary process, which will unfold as the class proceeds. It may be over early in the semester, but it may not be. How’s that for a confident forecast?

(3) How do presidents govern? This may seem like an obvious question, akin to asking how fish swim or birds fly (the easiest answer is, well, that’s just what they do). But it is perhaps the key question about presidential behavior. Every modern president has tried to use campaign-type techniques to generate support for their legislative initiatives. It rarely works, in part because the two tasks – campaigning and governing – are so different. Can you recall an instance where a president overcame congressional or public opposition by making public appeals? Bush attempted this with Social Security reform, with dismal results. Obama did the same with health care reform. The legislation ultimately passed, but only because of huge amounts of arm-twisting and backroom deals (google “Cornhusker kickback” or “Louisiana Purchase 2009” to see what I mean).
Here, the Obama White House provides an excellent case study. The president had developed a reputation for oratorical brilliance during the campaign, and was widely regarded as a Transformational Figure who had altered the rules of politics. In office, though, Obama has shown a tendency to get in his own way. These missteps have a substantive effect on the president’s proposals and public image, especially if they become a pattern. Candidates can do this with little consequence; it’s more of a problem when a president does it. Why?

(4) How do Presidents make policy? Different presidents have different policy goals; how successful are they in implementing their ideas of government? Here we will pay particular attention to the relationship between the President and Congress, and the manner in which the White House manages public relations. Health care reform will be our major case study.

Course Requirements: You should purchase the following books at the University Bookstore, Underground Textbook Exchange, Amazon, or anywhere you can get a good deal:


James A. Thurber, ed., *Obama in Office*

I will also assign some more specialized readings, which will be posted on the course web page in electronic format. The reading load is moderate, and at times the assignments can be demanding. It is important that you stay current, because I guarantee that you will not be able reel everything in two days before the exams.

I urge you to read a national newspaper of record. The New York Times and the Wall Street Journal are the easiest to get here. The National Journal, published weekly (available via library electronic journal, as well as through Pro-Quest), offers more detailed stories about contemporary events. Most national news sources offer comprehensive free access to their web sites. This is a reasonable substitute for subscribing.

Your grade will be based on the following: a final (40%), a two midterms (20% each), and section attendance and participation (20%).

There will be two midterms, a 6-week on February 28th and a take home 12 week on April 10th. The final exam will be a take home exam, due at 4:30PM on Tuesday, May 15th.
Part I: Introduction. - Studying the presidency, and the nature of the office. Historical patterns

- Overview
Readings: Edwards and Wayne, chapter 1
  Federalist 67, 70, 71, 72
  Joseph Story, Commentaries on the Constitution, sections 1485-1486

- Constitutional Origins and Historical Development; Formal Powers
Readings: Edward S. Corwin, The President: Office and Powers, 1787-1957, pp. 3-30

- The problem of prerogative: formative issues and the development of Presidential Power

Part II: The Politics of Presidential Elections

- Overview
Readings: Wayne, ch. 1

- Strategic Context: the environment, money, and the vote decision
Readings: Wayne, chs. 2-3

- Nominations and Presidential Primaries
Readings: Edwards/Wayne, ch. 2
  Wayne, chs. 4-6

- The General Election
Readings: Edwards/Wayne, ch. 3
  Wayne, ch7-8

- Is this any Way to Pick a President?
Readings: James Bryce, “Why Great Men are Not Chosen President,” chapter 8 in The American Commonwealth (originally published 1888)
  Wayne, ch. 10
Part III: Presidential Governing -- Managing the Affairs of State, and Getting What You Want

- Campaigning is not Governing, and other Cautionary Tales
  readings: Wayne, ch. 9
  Thurber, chs. 2-4

- The President and the Public and the Media; the rise of the “Public Presidency”
  readings: Edwards/Wayne, ch. 4-5
  Thurber, chs. 9-10
  FDR’s March 12, 1933 Fireside Chat

- The Presidency as an institution: The White House Office; organizational problems, managing the Executive Branch
  readings: Edwards/Wayne, ch. 6, 7, 9
  Thurber, ch. 5

- Psychological Approaches
  Readings: Edwards and Wayne, ch. 8

Part IV: Governing in a "Separated System." Relations with other governmental actors.

- relations with Congress and the Separation of Powers
  readings: Edwards/Wayne, ch. 10, 15
  Thurber, ch. 6-8

- relations with the Judiciary
  readings: Edwards/Wayne, ch. 11

- The President and the Military: The day-to-day politics of civil-military relations, and National Security policymaking

Part V: Public Policies

- Unilateral Action

- Domestic Policy
  readings: Edwards/Wayne, ch. 12
  Thurber, ch. 12-13
  DHS et al v. State of Florida et al., Brief for Petitioners, pp. 1-63
- Budget and Economic Policy and the Recession and the Housing Bubble and Lehman Brothers and the Coming Entitlement Crisis Explosion MELTDOWN train wreck. Train wreck sounds good.

Readings: Edwards and Wayne, ch. 13
          Thurber, ch. 12

- Foreign Policy and War Powers
readings: Edwards/Wayne, ch. 14
         Thurber, chs. 14, 15
         Memorandum for John Rizzo, Acting General Counsel of the CIA, *Interrogation of Al Qaeda Operative*