

Political Science 225
Congress and the Presidency
Fall 2014

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Office Hours: M, T, W and TH 10:30 to 11:30 and by appointment

Course Objectives

This course seeks to address these concerns through the following objectives:

- Students will understand the constitutional foundations of the Congress and the President.
- Students will understand the basic ways in which Congress organizes its work to perform its basic functions of representation and legislating.
- Students will understand the role of partisanship and interest group activity on the outcome of the congressional process.
- Students will understand the theories of presidential power and how exercise of that power has impacted democracy in America.
- Students will understand how the presidency is organized to address presidential roles regarding legislative leadership, foreign policy, war and national emergencies.
- Students will write a research paper that will require them to practice writing as a process including the process of formal revisions.

Required Books

Mark Leibovich, **This Town**, (Penguin), 2013

Michael Nelson, editor, **The Presidency and the Political System**, 10th Edition, (Sage/Congressional Quarterly Press), 2014

Roger Davidson, Walter Oleszek, Frances Lee and Eric Schickler, **Congress and Its Members**, 14th Edition, (Sage/Congressional Quarterly Press), 2014

Attendance

Students are required to attend all classes. Attendance will be part of the instructor evaluation grade. Students missing class for legitimate reasons can be excused but the instructor reserves the right to judge the legitimacy of the excuse.

Learning Disability Accommodations

Students who wish to request accommodations in this class for a disability should contact Elaine Mara, Assistant Director of Learning Services for academic and disability support at the lower level of Monocacy Hall, or by calling 610-861-1401. Accommodations cannot be provided until authorization is received from the Academic Support Center.

Evaluation of Student's Performance

The student's final grade will be based on a 400 point system.

Reading portfolio	80 points
This Town narrative	25 points
Election report	25 points
Presidential debate (oral presentation)	50 points
Annotated bibliography	25 points
Presidential power research paper	100 points
Congressional simulation	75 points
Instructor evaluation	20 points

Reading Assignments and Reading Portfolios

The assigned readings in this course are intended to achieve the course objective listed above. In this context, the class will be divided into two teams for the purpose of reporting on assigned readings. Each group may have reporting responsibilities on different days or the same day depending on whether more than one reading is assigned for a given day. On the day when a reading report is to be delivered, each team will meet as a group for the first 10 minutes of the class to identify the most important elements of the readings to be reported to class and choose which student or students will make the reports. Over the course of the semester, each member of the teams should participate in making at least one oral report. If a team is not due to report on a given day, team meeting time can be used to discuss preparation for the team's next presentation.

To prepare for the oral reports and to assess the student's comprehension of these readings, each student will also prepare **written** responses to **eight** of the readings assigned to the team over the course of the semester. For 4 of these reports, the choice of which reading will be subject to a written response will be at the discretion of the individual student and will be selected from those readings assigned to the team or to all students. The exceptions to this are the following:

- Students are not permitted to submit a reading portfolio response to **This Town**.
- All students are required to submit an entry for the reading assigned for ***September 10, September 24, October 15, and December 1.***

The written responses should include the following:

1. **A synopsis of the authors' basic thesis:** Write one paragraph stating the principal argument, hypothesis or theme the authors have presented. What fundamental issue or concept are they exploring? What are their most fundamental conclusions or observations?
2. **Specific "highlights" of the readings:** Identify **three** specific elements of the reading that are particularly important or interesting. Each element should be stated in one paragraph and include an indication of how the specific observation relates to the general theme identified in response to the first element noted directly above.

3. **Critical commentary:** Write one paragraph reflecting a critical consideration of the reading. In doing so, consider the following questions: Was it convincing or insightful? Was the work unclear or biased in any way? Does the article correspond to or contradict other readings in the course? What questions would you want to ask the authors if you had the chance to meet with them to discuss their work?

These responses will be kept together in a folder or ring binder and will be collected from selected groups of students at different intervals in the course. The only point at which all the portfolios will be collected is after the first reading response has been completed. After that, the portfolios will be collected on a rotating basis and evaluated with the intent of giving each student reasonable feedback on how they are performing in this segment of the course. *Student will be given notice one class prior to the collection of their portfolio.*

Portfolio entries will be evaluated based on the following criteria:

- The accuracy and validity of the written reports.
- The clarity with which the reports are written.
- The quality of any reflections or insight offered by the student.

Each entry in the portfolio will be worth a possible 10 points.

This Town Narrative

Each student will write a two to three page typewritten narrative that is intended to capture the basic theme of the book **This Town**. The narrative is to be a fictional account of an individual whose career has placed him or her in the elite culture and power structure of Washington. The character about whom the account is written can be a public official, a lobbyist/paid advocate, media figure or social leader. The narrative should provide some biographical material indicating how the subject of the narrative came to be part of the Washington establishment and should provide insight into the interests which guide his or her actions. The narrative must include references to at least five actual people whose names appear in the book. After completion of the narrative, the student should provide a one or two paragraph explanation of how the narrative captures the theme of the book. **This assignment is due on September 8.**

Election Report

Each student will write a research report on the 2014 congressional elections. The reports will answer the following questions:

1. What was the outcome of the national congressional election? How many Democrats won? How many Republicans? Who will control Congress? Were there any specific races that impressed you as particularly important or significant?
2. What was the outcome in your home congressional district?
3. What conditions (political, economic, social) most significantly shaped the outcome of the overall election?
4. What are the most significant implications of the outcome?

Reports should be typewritten and 2 to 3 pages in length double spaced. These reports are due on November 12.

Debate and Research Report on Presidential Power

This assignment will focus on the contemporary status of presidential power and will consist of an in class debate and a written research paper. For both elements, students will conduct research, present or contribute to oral arguments and write a written analysis in response to the following proposition:

Resolved: The accumulation and use of power by modern presidents has unbalanced the U.S. constitutional system and poses threats to American democracy.

The debate portion of this assignment will entail two teams with each team arguing one side of the resolution. The in-class debate will follow what is called the advocate style of debate in which each team will feature a lead advocate and three witnesses that offer arguments in response to questions posed by a lead advocate and who will be cross examined by an opposing lead advocate.

Student roles and responsibilities:

- Each team will decide who will serve as lead advocate and who will serve as witnesses.
- Team members will prepare an inventory of arguments in support of the team position and allocate elements of the arguments to individual witnesses.
- The lead advocate will introduce basic arguments, present questions to “witnesses” to introduce information supporting the team’s position taken, cross examine witnesses for the opposing team and offer concluding statements in support of the team’s position.
- Witnesses will help prepare questions, respond to questions from the “lead advocate” as a means of introducing information supporting the team’s position and respond to questions from the opposing lead advocate.
- All team members will work to anticipate questions that might be posed by the opposing lead advocate and consult during the debate to offer lead advocates questions to ask during the debate.
- Team members not serving as lead advocates or witnesses will assist with research, providing counsel to the lead advocate during the debate and assist witnesses during cross examination if necessary (i.e. if a witness is not prepared to answer a question in cross examination, team members who are not witnesses can endeavor to answer the question).

Format and process:

Lead advocate affirmative introduction (2 minutes)

Lead advocate negative introduction (2 minutes)

First witness affirmative direct examination (4 minutes)

First witness affirmative cross examination (2 minutes)

Second witness affirmative direct examination (4 minutes)
Second witness affirmative cross examination (2 minutes)

Third witness affirmative direct examination (4 minutes)
Third witness affirmative cross examination (2 minutes)
Lead advocate affirmative summary (1 minute)
Lead advocate negative summary and reintroduction (1 minute)

First witness negative direct examination (4 minutes)
First witness negative cross examination (2 minutes)

Second witness negative direct examination (4 minutes)
Second witness negative cross examination (2 minutes)

Third witness negative direct examination (4 minutes)
Third witness negative cross examination (2 minutes)

Lead advocate negative summary (1 minute)
Lead advocate affirmative summary (1 minute)

Notes:

1. To avoid speechmaking and filibusters, lead advocates should ask each witness for his or her own team at least four questions. Each lead advocate should be prepared to ask the witnesses for the opposing team at least three questions. Witnesses who filibuster will be penalized.
2. The debate will be judged by a panel of judges recruited from outside of the College. Each judge will be asked to complete an evaluation of each participants and the team's performance.
3. The time allotted for the debate presentation is 40 minutes. The remaining class time will be available for the judges or the instructor to ask questions of the debate performers.

Criteria for evaluation of oral presentation

For the in-class debate, students will be evaluated separately on the oral and written components of the exercise. The oral presentation will be evaluated on three components:

- Team score (20 points)
- Rhetorical quality of individual oral presentation (20 points)
- Substantive content of individual presentations (10 points)

Students who do not make oral presentations in the in-class debate will be subject to a separate evaluation similar to that being used for the congressional simulation described below.

Team score:

1. Did the team make an effective argument? Was the team persuasive?
2. Was the team presentation integrated and well-coordinated?

Rhetorical Quality of Individual Presentation:

1. Did the students speak clearly and with sufficient volume?
2. Did the speaker use effective rhetorical means in delivery of the content? Did he or she choose effective language? Did he or she use inflection well?
3. Did the speaker engage well with those to whom they were speaking?
4. Did the student conform to the time requirements?

Substantive Content: Clarity, Logic and Evidence

1. Was the speakers well prepared?
2. Was the content of the presentation concrete and evidence based?
3. Did the presentation follow a clear and logical order?
4. Was the presentation well coordinated with others making presentations?

Research Paper

The research paper element of this assignment will constitute the primary occasion on which students will be provided with an opportunity for revision. The research paper will be presented as an argument that corresponds to the position the student took in the debate. It will focus on whether presidents since World War have exercised power in an appropriate and justifiable way. This paper should include a review of basic historical, legal and practical controversies regarding the use of presidential power. Following the review of such issues, students will state a position consistent with their role in the debate and offer arguments to support that position. The final draft of the paper will be a minimum of 10 typewritten pages and include a minimum of 5 sources that are not part of the assigned course readings.

Consistent with the conventions of the formal writing process, the student will submit an advanced draft of the paper on **October 20**. That draft will include an annotated bibliography of the materials used to construct the paper. The annotated bibliography will include one or two paragraphs summarizing the content of the source and describing why the source was useful. The draft will be returned to the student with comments and the student will be given one week following the return of the draft to revise it for final grading.

Congressional Hearing Simulation

The congressional hearing simulation will take place on **November 17**. The simulations will be conducted in conjunction with students from **POSC 340: Energy Policy**. Students will assume specific roles and perform those roles in a simulation of a congressional hearing focusing on federal funding of research and development of energy technologies. For the purposes of the simulation, the hearings will be conducted in the U.S. House of Representatives. The

congressional hearing simulation will take place on Monday, November 17 from 7:00 to 9:00 p.m. in the UBC Room of the HUB.

Students from POSC 225 will serve as members of the House of Representatives or congressional staff working for a given member. Students in POSC 340 will act as the witnesses coming before the committee or will be assigned as staff for the congressional members from POSC 225. The consequence of these arrangements will mean that each student will be working as part of a team of three students with one team member being assigned from POSC 340.

The substantive focus of the hearing will be a proposal to offer tax credits to support research and development projects and/or increase production for a particular source of energy. The energy sources that will be under consideration will be drawn from the list of possible alternatives presented immediately below. Six alternatives will be selected. A witness will be assigned to make the case for funding support for each selected energy source:

- Unconventional oil
- Nuclear
- Wind
- Solar
- Energy efficiency
- "Clean" coal
- Biofuels
- Hydrogen

Student Roles

Students participating in the simulation will be assigned to one of three roles:

- **Members of Congress:** Five students from POSC 225 will assume the role of elected members of the House of Representatives. Three will be assigned positions as members of the majority party and two will be members of the minority party.
- **Witnesses:** Six students from POSC 340 will assume the role of witnesses testifying before the committee. Each witness will offer testimony on one of the energy alternatives listed above. The specific areas for testimony will be chosen by each student in consultation with the instructor.
- **Staff:** Students from both classes who do not assume a role as a member of Congress or as a witness will be assigned a staff role in support of the performance of the congressional members.

Student responsibilities

Members of Congress

- A committee chair will be identified who will have responsibility to run the hearings (i.e. open and close session, allocate and monitor time, assign responsibilities for who is to question whom, rule on requests from committee members, consult and direct staff)

- A ranking minority member will be selected and will work with committee chair to allocate time, assign responsibilities for questioning, consult and direct staff.
- In consultation with the committee chair or the ranking minority member, a determination of which member will ask questions of which witness should be made.
- The chair and ranking minority member must assume responsibility to make sure that each witness is subject to a round of questions.
- In consultation with staff, congressional members will review materials on the energy alternatives that are the subject of witness testimony and prepare questions to be asked of the witnesses.

Witnesses

- Witnesses will prepare and submit a written list of talking points focusing on the most significant elements of their testimony by **October 15**. This document should also include a bibliography of 5 citations for items to be used in the preparation of testimony.
- Witnesses will provide a written statement of testimony by **November 10**. Testimony will constitute an advocacy statement that supports the use of tax credits to support the specific energy option for which the witness is advocating.
- Witnesses will prepare an opening statement articulating a position on the allocation of the tax credits to be read at the hearing simulation.
- Witnesses will answer questions posed by committee members during the appropriate point in the committee hearing.

Staff

- There will be six staff members from POSC 225. One student will be assigned as staff to each member of the committee with the exception of the chair who will have two staff members.
- There will be six staff members from POSC 340. Three will be assigned to the majority party and three will be assigned to the minority party.
- Each staff member from POSC 340 will assume responsibility to become familiar with the substantive issues for two of the six alternatives that will be the focus of the hearings.
- Staff members should meet with witnesses in advance of the hearings to get a sense of the points the witnesses will seek to stress.
- Staff members should meet with committee members to discuss the relevant substantive elements of the energy alternatives that will be discussed during the hearings.
- Staff should prepare questions to ask during the hearings and advise congressional members as to follow up questions they might ask.

Process:

- Opening by chair with description of the intent of the hearing and description of the process (1 minute)
- Opening statements about legislative issues (1 minute for chair 1 minute for ranking minority member)

- The witnesses will appear before the committee in two panels of three witnesses on each panel. The total time for each panel will be 30 minutes.
- The panels will open with each witness reading a 2 minute prepared statement that supports the use of tax credits to support the specific energy option for which the witness is advocating.
- After the statements are read, each witness will be subject to 8 minutes of questions from members of the committee. Questions will be posed to witnesses in the same order that the witnesses initially spoke.
- Majority members will be accorded a total of five minutes to ask questions of each witness and make statements in accordance to arrangements established in consultations with the chair.
- Minority members will be accorded three minutes to ask questions of each witness and make statements in accordance to arrangements established in consultations with the chair.
- The chair will monitor time allocations
- After the first the testimony of the first panel is concluded, the second panel will offer testimony and the process described above will be repeated for the second panel.
- Closing statements (1 from ranking minority member, 1 from chair)

Written assignment

After the exercise, students will write a report on the activity. **The report will be due on November 24.** The report should be 5 to 8 pages typewritten and will include:

- A description of the tasks that each student undertook for the assignment
- Identification of three key observations indicating the correspondence (consistency, inconsistency) with course materials as to the nature of the congressional process. E.G. three specific observations tied to specific citations from a course reading
- Substantive assessment of which testimony was most effective and why
- Assessment of the performance of other students with whom the student worked.

Assessment of shared responsibilities

In this exercise, there is an assumption of shared responsibility for preparation of in-class presentations among those students serving as members of Congress and those serving as staff. While those serving as staff will not be scheduled to make formal oral presentations, staff contributions will consist of research, crafting of arguments and questions, or choice of language or rhetorical strategies. Within this context, a fair evaluation of the contributions made by each individual requires that members of the class provide feedback on the contributions of the staff to the formal presentations. Towards this end, each student will include in his or her written report an assessment of the activities and contributions of the three-person representative/staff "teams." This section of the report should include answers to the following question:

- What was the greatest contribution made by individual students?
- Were there any significant weaknesses in the performance of other students in the preparation for the formal presentations?

Instructor Evaluation

Each student will be evaluated by the instructor for his or her participation and contributions to the course. This portion of the grade will reflect all activities in the course that are not otherwise specified in the syllabus including attendance, submitting assignments on time and participation in class discussion.

Course Topics and Reading Assignments

Readings are listed by the team that is supposed to report on the assigned reading. If no team is designated, all students are responsible for the reading.

8/25 Introduction

8/27 Congressional elections

Read: Davidson, et. al., Congress and Its Members, Ch. 3

9/1 Washington culture

Read: Liebovich, This Town, entire

9/3 Institutional context and theories of presidential power I

Read: Team 1: Jeffrey Tullis, "The Two Constitutional Presidencies," Ch. 1 in Nelson, The President and the Political System.

Team 2: Marc Landy and Sidney Milkis, "The Presidency in History: Leading from the Eye of the Storm," Ch. 4 in Nelson, The President and the Political System.

9/8 Institutional context and theories of presidential power II

Read: Team 1: Stephen Skowronek, "The Development of Presidential Power: Conservative Insurgency and Constitutional Construction," Ch. # in Nelson, The President and the Political System.

Team 2: Roger Porter, "The Three Presidencies: Power and Policy," Ch. 18 in Nelson, The President and the Political System.

9/10 The Symbolic Presidency and the Public Presidency

Read: Team 1: Bruce Miroff, "The Presidential Spectacle," Ch. 9 in Nelson, The President and the Political System.

Team 2: Elvin Lim, "The Presidency and the Media: Two Faces of Democracy," Ch. 10 in Nelson, The President and the Political System.

9/15 Debate workshop

9/17 The Institutional Presidency

Read: Team 2: John Burke, "The Institutional Presidency," Ch. 13 in Nelson, The President and the Political System.

9/22 The President as Chief Executive

Read: Team 1: David Lewis and Terry Moe, "The Presidency and the Bureaucracy: The Levers of Presidential Control," Ch. 14 in Nelson, The President and the Political System.

Team 2: Andrew Rudalevige, "The Presidency and Unilateral Power: A Taxonomy," Ch. 17 in Nelson, The President and the Political System.

9/24 The President and Foreign Policy

Team 1: Louis Fisher, Studies on Presidential Power in Foreign Relations, Study No. 1: The "Sole Organ" Doctrine, The Law Library of Congress, August 2006
<http://fas.org/sgp/eprint/fisher.pdf>

Team 2: Brandice Canes-Wrone, et. al. "Toward a Broader Understanding of Presidential Power: A Reevaluation of the Two Presidencies Thesis," *The Journal of Politics*, Vol. 70, No. 1 (Jan., 2008), pp. 1-16; <http://home.uchicago.edu/~whowell/papers/TowardABroader.pdf> or <http://www.jstor.org/stable/30218856>

9/29 The President and the War Powers

Teams 1: Andrew Polsky, "The Presidency at War: The Window of Agency in Wartime Presidential Leadership," Ch. 19 in Nelson, The President and the Political System.

Team 2: The Constitution Project, Deciding to Use Force Abroad: War Powers in a System of Checks and Balances,
http://www.constitutionproject.org/pdf/War_Powers_Deciding_To_Use_Force_Abroad1.pdf

10/1 The Institutional/Constitutional Context for Congress

Read: Davidson, et. al., Congress and Its Members, Ch. 1 and 2

10/6 Presidential debate

10/8 Representation

Read: Davidson, et. al., Congress and Its Members, Ch. 5

Read: R. Eric Petersen, Congressional Staff: Duties and Functions of Selected Positions, Congressional Research Service, Nov. 4, 2010;
http://assets.opencrs.com/rpts/RL34545_20101104.pdf

10/20 Washington Culture and Elite Representation

Read: Liebovich, This Town, entire

Team 1: Davidson, et. al., Congress and Its Members, Ch. 13

10/22 Committees

Read: Team 2: Davidson, et. al., Congress and Its Members, Ch. 7

10/27 Simulation preparation

10/29-11/3 Parties and Leadership

Read: Team 1: Davidson, et. al., Congress and Its Members, Ch. 6

11/5 Process and decision making

Read: Team 1: Davidson, et. al., Congress and Its Members, Ch. 8

Team 2: Davidson, et. al., Congress and Its Members, Ch. 9

11/10 Congressional elections

11/12 Presidential/congressional relations

Read: Team 1: Davidson, et. al., Congress and Its Members, Ch. 10

Team 2: Matthew Dickinson, "The President and Congress," Ch. 15 in Nelson, The President and the Political System.

11/17 Simulation

11/19 Congressional/executive branch relations

Read: Team 1: Davidson, et. al., Congress and Its Members, Ch. 11

11/24 Budget politics: economic management

12/1 Budget process

Read: Davidson, et. al., Congress and Its Members, pp. 412-429

12/3 Closing

KEY DATES

- 9/8** **This Town** narrative
- 9/10** Nondiscretionary reading portfolio entry
- 9/15** Debate workshop
- 9/24** Nondiscretionary reading portfolio entry
- 10/6** In class debate
- 10/15** Nondiscretionary reading portfolio entry
Witness talking points available
- 10/20** Research paper draft
Final draft of research paper due one week after preliminary draft is returned
- 10/27** Simulation workshop
- 11/10** Witness testimony due
- 11/12** Election report
- 11/17** Simulation
- 11/24** Simulation report
- 12/1** Nondiscretionary reading portfolio entry