



School of International Service
AMERICAN UNIVERSITY
Washington, D.C.



SIS-419-041/653-002: President, Congress and US Foreign Policy

Spring, 2012

Dr. Philip Brenner

Telephone: (o) 202-885-1605; (h) 202-364-8505

e-mail: pbrenne@american.edu

Office: SIS, Room 307

Hours: Monday, 3:45 - 5:15 p.m.;

Tuesday, 8:15-9:45 and by appointment

COURSE OBJECTIVES: This course is intended to achieve two goals. The first is to examine the constitutional bases of the foreign policy powers of the President and Congress, and the ways in which the two institutions use their powers. The second objective of the course is to explore the evolution of the relationship between the President and Congress, in order both to assess the extent each institution's foreign policy power has changed over time and to understand the sources of the changes.

LEARNING OUTCOMES: Students will be able to: collaborate effectively; identify and critically examine multiple perspectives; develop their analytic skills; explain the constitutional foundations of the major foreign policy institutions.

REQUIREMENTS: For all students, there will be a Take-Home Midterm exam (due on **March 6**), a final paper (due on **April 24**), and Group Project #1. Students in SIS-653-002 will be responsible, in addition, for Group Project #2, monitoring the activities of a House committee or subcommittee.

- For students in SIS-419-041: the mid-term exam is worth 45% of your grade; the final paper is 40% of your grade; Group Project #1 is 15% of your grade.
- For students in SIS-653-002: the mid-term exam is worth 35% of your grade; the final paper is 35% of your grade; Group Project #1 is 15% of your grade; Group Project #2 is 15% of your grade.

Group Project #1 (To be presented in class on **April 10**): This presentation should examine one of the following cases in which Congress appears to have played a significant role in shaping the outcome: (1) US policy toward El Salvador, 1979-1989; (2) US policy on the expansion of NATO, 1992-2000; (3) Creation of the Office of the Director of National Intelligence; (4) US policy toward the Israel-Palestine conflict, 2001-2010; (5) US trade policy in the Western Hemisphere, 2001-2010.

The presentation should: (a) provide a summary of the case; (b) describe what Congress did in the case; c) evaluate whether Congress's actions meaningfully influenced the outcome; (d) analyze the factors enabling Congress to play a significant role in shaping the policy or preventing it from doing so.

Group Project #2 (To be presented twice in class on the indicated dates): Each group will monitor one of the following five House committees or subcommittees: (1) Armed Services Committee [HASC]; (2) Foreign Affairs Committee [HFAC]; (3) Oversight and Government Reform Committee [HOGRC]; (4) Appropriations – Defense Subcommittee [HAC-Def]; (5) Appropriations – State and Foreign Operations Subcommittee [HAC-State].

The group should provide background information about the jurisdiction of the committee or subcommittee, a summary of the committee or subcommittee's recent significant actions, and an analysis of the significance (or lack of significance) of the actions.

Jan. 31: HASC; Feb. 7: HFAC; Feb 14: HOGRC; Feb 21: HAC-Def; Feb. 28: HAC-State
Mar 20: HASC; Mar 27: HFAC; April 3: HOGRC; April 17: HAC-Def Apr. 24: HAC-State

Final Paper (**Due on April 24**): The final paper should provide an analysis of **one (1)** of the following books: *Top Secret America* by Dana Priest and William M. Arkin; *While Dangers Gather* by William Howell and Jon Pevehouse; or *Bomb Power* by Garry Wills. The paper should: (a) elaborate the book's theme with respect to the changing foreign policy/national security powers of the President and Congress since World War II; (b) analyze the theme on the basis of at least seven (7) assigned works (in addition to the book itself); © evaluate the book in terms of the validity of the theme and the extent to which the book provides evidence that adequately supports the theme. The paper should be no more than **2500 words** (approximately 8-9 pages).

BOOKS

The following books have been ordered through the AU Campus Store:

- Matthew Crenson and Benjamin Ginsberg, *Presidential Power: Unchecked & Unbalanced* (2008); ISBN: 9780393979497
- Roger H. Davidson, Walter J. Oleszek, and Frances E. Lee, *Congress and Its Members*, 12th edition (2009); ISBN: 9780872899674
- Louis Fisher, *Constitutional Conflicts Between Congress and the President*, 5th edition (2007); ISBN: 9780700615346
- Thomas E. Mann and Norman J. Ornstein, *The Broken Branch: How Congress Is Failing America and How to Get It Back on Track* (2008); ISBN: 9780195368710
- Michael Nelson, ed., *Presidency & the Political System*, 8th edition (2006); ISBN: 9781568028750
- James Thurber, *Rivals for Power: Presidential-Congressional Relations*, 4th edition (2009); ISBN: 9780742561427

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- Dana Priest and William M. Arkin, *Top Secret America: The Rise of the New American Security State* (2011); ISBN: 9780805091410
- William Howell and Jon Pevehouse, *While Dangers Gather: Congressional Checks on Presidential War Powers* (2007); ISBN: 9780691134628
- Garry Wills, *Bomb Power: The Modern Presidency and the National Security State* (2010); ISBN: 1594202400

PAPER REQUIREMENTS: All papers must meet the following minimum standards:

- There should be a title, your name and the date of submission. A title page is not necessary.
- Each page, except the first, needs to be numbered.
- Papers should have no grammatical or spelling errors.
- References to authors must be cited using a standard citation method. See the *Chicago Manual of Style* or a similar reference work for guidance. Either footnotes or endnotes are acceptable. When an author's work is paraphrased, credit must be given to the author, preferably in the body of your paper and in a footnote or endnote. Anything quoted must be indicated with quotation marks and a citation. A quote used without quotation marks is plagiarism, even if the author is cited.
 - Papers must be printed in a font size no smaller than 10 pt., and may be printed on both back and front.
 - Please do not use plastic covers or binders. A staple or binder clip is sufficient.

ACADEMIC INTEGRITY: Students are expected to abide by the *Academic Integrity Code* of American University (available online at <<http://www.american.edu/academics/integrity/code.htm>>)

DISABILITY SUPPORT AT AMERICAN UNIVERSITY: American University is committed to ensuring accessibility for all qualified students with disabilities to university programs and activities. In order to promote full participation on campus, one of two offices may be of assistance. The Academic Support Center (ASC) works with students with learning disabilities and Attention Deficit Disorder. Disability Support Services (DSS) works with students with physical and psychological disabilities.

EMERGENCY PREPAREDNESS: In the event of a declared pandemic (influenza or other communicable disease), American University will implement a plan for meeting the needs of all members of the university community. Should the university be required to close for a period of time, we are committed to ensuring that all aspects of our educational programs will be delivered to our students. These may include altering and extending the duration of the traditional term schedule to complete essential instruction in the traditional format and/or use of distance instructional methods. Specific strategies will vary from class to class, depending on the format of the course and the timing of the emergency. Faculty will communicate class-specific information to students via AU e-mail and Blackboard, while students must inform their faculty immediately of any absence due to illness. Students are responsible for checking their AU e-mail

regularly and keeping themselves informed of emergencies. In the event of a declared pandemic or other emergency, you should refer to the AU website <www.prepared.american.edu> and the AU information line at (202) 885-1100 for general university-wide information, as well as contact their faculty and/or respective dean's office for course and school/ college-specific information.

Reading Assignments

I - Declining Checks and Balances

A. Introduction

January 17

B. Veto, Treaty, Appointment and Removal and Implied Powers

January 24

Fisher, *Constitutional Conflicts Between Congress and the President*, chapters 2, 3, 5, and 8

Thurber, *Rivals for Power*, chapter 8 (Rudalevige)

Crenson and Ginsberg, *Presidential Power*, chapter 1

Mann and Ornstein, *The Broken Branch*, chapter 1

Davidson and Oleszek, *Congress and Its Members*, chapters 1 and 10

Laurence H. Tribe, "Games and Gimmicks in the Senate," *New York Times*, January 6, 2012

C. Legislative Power

January 31

Fisher, *Constitutional Conflicts Between Congress and the President*, chapter 4

Nelson, *Presidency & the Political System*, chapter 19 (Quirk and Nesmith)

Crenson and Ginsberg, *Presidential Power*, chapters 5 and 7

Thurber, *Rivals for Power*, chapters 3 (Wayne)

Davidson and Oleszek, *Congress and Its Members*, chapters 2 and 11

Michael J. Berry, "Controversially Executing the Law: George W. Bush and the Constitutional Signing Statement," *Congress & the Presidency*, vol. 36 (2009)

Recommended

Philip Brenner and Geoffrey Plague, "Congress and Latin America Policy," in *Handbook on U.S. Latin American Policymaking*, ed., David Dent (1995)

D. Power of the Purse

February 7

Fisher, *Constitutional Conflicts Between Congress and the President*, chapter 7

Davidson and Oleszek, *Congress and Its Members*, chapter 14

Thurber, *Rivals for Power*, chapter 10 (White)

Nelson, *Presidency & the Political System*, chapter 15 (Lewis)

Rudalevige, *The New Imperial Presidency*, chapter 5

Mann and Ornstein, *The Broken Branch*, chapters 3 and 4

E. War Power

February 14 and 21

Fisher, *Constitutional Conflicts Between Congress and the President*, chapter 9

Thurber, *Rivals for Power*, chapters 12 (Hamilton), 13 (Owen), 14 (Fisher)

Crenson and Ginsberg, *Presidential Power*, chapter 6

Davidson and Oleszek, *Congress and Its Members*, chapter 15

Nelson, *Presidency & the Political System*, chapter 21 (Polsky)

Louis Fisher, "Obama's UN Authority?" *National Law Journal*, April 18, 2011

Harold Honju Koh, "Statement Regarding Use of Force in Libya," US State Department, March 26, 2011

James M. Lindsay, "Deference and Defiance: The Shifting Rhythms of Executive-Legislative Relations in Foreign Policy," *Presidential Studies Quarterly*, vol. 33, No. 3 (September 2003)

Julian E. Zelizer, "Congress and the Politics of Troop Withdrawal," *Diplomatic History*, vol 34, No. 3 (June 2010)

William G. Howell and Jon C. Pevehouse, "When Congress Stops Wars," *Foreign Affairs*, Sept/Oct 2007

Recommended

Christopher J. Deering, "Foreign Affairs and War," in *The Legislative Branch* (Oxford University Press, 2005)

D. Changing Domestic and Global Circumstances

April 3

Nelson, *Presidency & the Political System*, chapters 4 (Skowronek)

Arthur M. Schlesinger, Jr., *War and the American Presidency* (2005), chapter 3

Gordon Adams and Matthew Leatherman, "A Leaner and Meaner Defense: How to Cut the Pentagon's Budget While Improving Its Performance," *Foreign Affairs*, vol. 90, No. 1 (Jan/Feb 2011)

Gordon Adams, "Don't Reinvent the Foreign Assistance Wheel," *Foreign Service Journal*, March 2008

Gary Hart, "Fighting the Next War: The case for a new national security act," *The Atlantic*, January/February 2011

Recommended

Nelson, *Presidency & the Political System*, chapter 20 (Rudalevige)

United States Commission on National Security/21st Century (Hart-Rudman), "Road Map for National Security: Imperative for Change," February 15, 2001 <<http://govinfo.library.unt.edu/nssg/PhaseIIIFR.pdf>>

III - Case Studies

April 10 (25 minutes each, maximum)

Group Project #1:

- (1) US policy toward El Salvador, 1979-1989
- (2) US policy on the expansion of NATO, 1992-2000
- (3) Creation of the Office of the Director of National Intelligence
- (4) US policy toward the Israel-Palestine conflict, 2001-2010
- (5) US trade policy in the Western Hemisphere, 2001-2010

IV - Do We Need A National Security Constitution?

April 17

Crenson and Ginsberg, *Presidential Power*, chapter 9

Thurber, *Rivals for Power*, chapter 11 (Oleszek and Oleszek)

Mann and Ornstein, *The Broken Branch*, chapter 7

Fisher, *Constitutional Conflicts Between Congress and the President*, chapter 1

Samuel Huntington, "Congressional Responses to the Twentieth Century," in *The Congress and America's Future*, ed. David B. Truman (1965)

Recommended

Davidson and Oleszek, *Congress and Its Members*, chapter 2

April 24

Fisher, *Constitutional Conflicts Between Congress and the President*, chapter 10

Thurber, *Rivals for Power*, chapter 15 (Edwards)

Nelson, *Presidency & the Political System*, chapters 1 (Nelson), 3 (Tulis)

>>>>>>>April 24: Final Paper Due<<<<<<<<