

Fall 2020
Classroom & Office: Zoom!
Office Hours: Tues 12:30-1:30pm & Thu 3-4pm

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The U.S. Constitution & the Presidency (79-248)

This course explores the changing role and powers of the American Presidency under the Constitution, from the founding era through the twentieth century. After absorbing drafting and ratification debates, we will focus on how certain presidents established or expanded executive power and how particular conflicts (Wars, Inequality, Terrorism, Impeachments) restructured or restricted presidential powers.

Readings will include the U.S. Constitution (of course), parts of *The Federalist Papers*, biographical chapters on selected presidents from Ken Gormley's *The Presidents and the Constitution*, and three short books: Daniel Farber's *Lincoln's Constitution*, Corey Brettschneider's *The Oath and the Office: A Guide to the Constitution for Future Presidents*, and Cass Sunstein's *Impeachment: A Citizen's Guide*.

Grading will be based on three short essays, a final paper, and well-prepared participation in discussion (which, of course, requires attendance). Weights are as follows: first short essay (10%); second short essay (15%); third short essay (20%); final paper (25%); participation (20%); and a handwritten assignment that can be submitted any time before October 22 (10%).

Required Books:

Corey Brettschneider, *The Oath and the Office: A Guide to the Constitution for Future Presidents*
[W.W. Norton, 2018; paperback edition](#); ISBN-10: 0393357287/ISBN-13: 978-0393357288

Daniel Farber, *Lincoln's Constitution*
[University of Chicago, 2003; paperback edition](#); ISBN-10: 0226237966/ISBN-13: 978-0226237961

The Federalist Papers (Dover Thrift Editions)
[Dover, 2014; paperback edition](#); ISBN-10: 0486496368/ISBN-13: 978-0486496368

Ray Raphael, *The U.S. Constitution: Explained – Clause by Clause – for Every American Today*
[Vintage, 2017; paperback edition](#); ISBN-10: 0525562540/ISBN-13: 978-0525562542

Cass R. Sunstein, *Impeachment: A Citizen's Guide*
[Penguin, 2019; paperback edition](#); ISBN-10: 0143135171/ISBN-13: 978-0143135173

All other required readings will be distributed in PDF format

Personal note from Scott: As I will talk about in class (and one-on-one, anytime you'd like you ask), I've been treated for mental illness all my life, since I was 11 years old. I will do my best to let you know me as a person and to get to know you. Please visit my office hours to talk about anything you wish (including but not limited to coursework, the news, you, me, history, or anything on your mind).

Statement of Support for Students' Health & Well-being

Take care of yourself. Do your best to maintain a healthy lifestyle this semester by eating well, exercising, avoiding drugs and alcohol, getting enough sleep and taking some time to relax. This will help you achieve your goals and cope with stress.

All of us benefit from support during times of struggle. There are many helpful resources available on campus and an important part of the college experience is learning how to ask for help. Asking for support sooner rather than later is almost always helpful.

If you or anyone you know experiences any academic stress, difficult life events, or feelings like anxiety or depression, we strongly encourage you to seek support. Counseling and Psychological Services (CaPS) is here to help: call 412-268-2922 and visit their website at <http://www.cmu.edu/counseling/>. Consider reaching out to a friend, faculty or family member you trust for help getting connected to the support that can help.

If you or someone you know is feeling suicidal or in danger of self-harm, call someone immediately, day or night:

CaPS: 412-268-2922

Re:solve Crisis Network: 888-796-8226

If the situation is life threatening, call the police

On campus: CMU Police: 412-268-2323

Off campus: 911

If you have questions about this or your coursework, please let me know.

Accommodations for Students with Disabilities:

If you have a disability and have an accommodations letter from the Disability Resources office, I encourage you to discuss your accommodations and needs with me as early in the semester as possible. I will work with you to ensure that accommodations are provided as appropriate. If you suspect that you may have a disability and would benefit from accommodations but are not yet registered with the Office of Disability Resources, I encourage you to contact them at access@andrew.cmu.edu.

Week One:

Tue, 1 Sep: [The Constitution of the United States of America](#)

Thu, 3 Sep: Swearingen, [“Reading The Federalist Under Lockdown” Salon](#), May 20, 2020; and *The Federalist Papers*, Preface and Nos. 1-3, 9-10, 14, 23

Week Two:

Tue, 8 Sep: *The Federalist Papers*, Nos. 41-43, 47-51, 62-66

Thu, 10 Sep: *The Federalist Papers*, Nos. 67-78, 84-85

Week Three:

Tue, 15 Sep: Raphael, *The U.S. Constitution: Explained*, 3-61

Thu, 17 Sep: Raphael, 61-106

Week Four:

Tue, 22 Sep: Raphael, 107-135

Thu, 24 Sep: NO CLASS

First essay due by 11:59 p.m. at <https://canvas.cmu.edu/>

Week Five:

Tue, 29 Sep: Raphael, 137-139; and “George Washington” and “John Adams,” from Gormley (PDF)

Thu, 1 Oct: Raphael, 138-143; “Thomas Jefferson” and “James Madison,” from Gormley (PDF)

Week Six:

Tue, 6 Oct: “Andrew Jackson,” and “Abraham Lincoln” from Gormley (PDF)

Thu, 8 Oct: Daniel Farber, *Lincoln’s Constitution*, Introduction & chs. 1-2

Week Seven:

Tue, 13 Oct: Farber, chs. 2-4

Thu, 15 Oct: Farber, chs. 5-6

Week Eight:

Tue, 20 Oct: Farber, chs. 7-8, Afterward

Thu, 22 Oct: Raphael, 143-160; and
"Andrew Johnson" and "Ulysses S. Grant," from Gormley (PDF)

Week Nine:

Tue, 27 Oct: NO CLASS

Second essay due by 11:59 p.m. at <https://canvas.cmu.edu/>

Thu, 29 Oct: Cooper, "Executive Orders," from *By Order of the President* (PDF)

Week Ten:

Tue, 3 Nov: Raphael, 160-167; and
"Franklin D. Roosevelt" and "Harry S. Truman," from Gormley (PDF)

Thu, 5 Nov: Raphael, 167-179; and
"Dwight D. Eisenhower" and "Lyndon B. Johnson," from Gormley (PDF)

Week Eleven:

Tue, 10 Nov: Brettschneider, *The Oath and the Office*, Introduction & Part I; and
"Richard Nixon," from Gormley (PDF)

Thu, 12 Nov: Brettschneider, Part II

Week Twelve:

Tue, 17 Nov: Brettschneider, Part III & Conclusion; and
"Bill Clinton" from Gormley (PDF)

Thu, 19 Nov: Cooper, "Presidential Signing Statements" from *By Order of the President* (PDF)

Week Thirteen:

Tue, 24 Nov: NO CLASS

Third essay due by 11:59 p.m. at <https://canvas.cmu.edu/>

Thu, 26 Nov: NO CLASS – THANKSGIVING BREAK

Week Fourteen:

Tue, 1 Dec: Sunstein, *Impeachment*, Preface and chs. 1-4

Thu, 3 Dec: Sunstein, chs. 5-7

Week Fifteen:

Tue, 8 Dec: Sunstein, chs. 8-10

Thu, 10 Dec: Sunstein, Afterward (pages 195-259 optional)

**Your One and Only Warning:
Zero Tolerance of Cheating & Plagiarism**

Plagiarism means using words, ideas, or arguments from another person or source without acknowledgment. Cite all sources consulted to any extent (including material from the internet), whether or not assigned and whether or not quoted directly. For quotations, four or more words used in sequence must be set off in quotation marks *and* the source must be identified by both a citation within the paper and on a separate page identifying all “Sources Consulted” -- *not* “Works Cited” (notice the distinction?).

Any form of cheating on assignments will immediately earn you an ‘R’ grade for *the entire course*. **By choosing to remain enrolled in my course, you consent to this policy.**

In addition, I will seek the harshest official penalties under CMU’s cheating, plagiarism, and unauthorized assistance policies at:

<https://www.cmu.edu/student-affairs/ocsi/academic-integrity/index.html>

and

<https://www.cmu.edu/student-affairs/ocsi/academic-integrity/statement-AI.html>

and

<http://www.cmu.edu/policies/student-and-student-life/academic-integrity.html>

and

<https://cms-staging.andrew.cmu.edu/theword/academic/standards-for-academic-and-creative-life.html>

Many students are surprised that CMU's definition of cheating encompasses a wide range of actions that you might not expect to be prohibited. *One example is unauthorized collaboration with others.*

If you have never taken time to read these guidelines on these CMU webpages, it is in your best interest to do so today. Save us both a lot of time and grief, OK?

STUDENT INFORMATION

Name: _____ Major(s): _____

Email: _____ Phone: _____

Disabilities, special needs, or accommodations: _____

Class year: _____ Hometown: _____

Your hero(es): _____

Favorite book(s): _____

Anything else you would like me to know about you? _____

RECORD OF SCORES AND GRADES

First Essay: _____ out of 10 points

Handwritten CUSA: _____ out of 10 points

MID-SEM LETTER GRADE: _____

Second Essay: _____ out of 15 points

Third Essay: _____ out of 20 points

Final Essay: _____ out of 25 points

Participation: _____ out of 20 points

TOTAL: _____ **OUT OF 100 POINTS**

Comments on Participation: _____

Dates Absent: _____ Total absences: _____

FINAL SEMESTER LETTER GRADE: _____