The ratification of the U.S. Constitution more than two centuries ago precipitated an enduring debate – How should America reconcile the twin imperatives of national security and the rights and protections enshrined in the Constitution? Threats to America from the 19th century through the attacks of 9/11 have often short-circuited our system of checks and balances in favor of expanded presidential power and precipitated infringements on the individual liberties promised by the Constitution and the Bill of Rights – from the rounding up and internment of Asian Americans during the Second World War to the unwarranted surveillance and searches during the 1960s and after 9/11.

America now faces national security threats that are elusive to detect as they can be deployed not by armies or governments but by a few obscure individuals boarding a plane or slipping over the U.S. border. In an effort to combat these threats, the powers of presidents (under both Democrats and Republicans) have expanded while legislative authority over war making and national security has receded and the federal government has constructed a vast and often secret apparatus to conduct surveillance and searches of citizens that intrude on our liberties. Is the diminution of the Constitution’s rights and system of checking and balancing the necessary cost of security? Or, can we reconcile the imperative of security with our Constitutional system? This course covers the enduring debates over security and justice through a series of seminal episodes over the past half century from Harry Truman’s seizure of U.S. steel mills in 1952 to Barack Obama’s expanded use of drones abroad and bulk collection of our phone and internet records.

The course uses the struggles over national security and liberty to explore core aspects of the politics of public affairs – power; institutional development; political communications; and democratic accountability. A rigorous understanding of these political dynamics offers a general approach to policy and public affairs that moves beyond superficial impressions to understanding and engaging in the practical work of public affairs. These tools of analysis are indispensable for making sense of America’s constitutional crises as well as other issues.

Class sessions are organized around interactive discussions of major Supreme Court decisions, debates in Congress, and other original documents that bring students into direct contact with the competing perspectives of each case, and with penetrating studies of politics. Class sessions also include occasional presentations by Vice President Walter Mondale and by guests, which introduce students to the cross-currents experienced by the real people facing tangible and complex threats and challenges.

Grading Policy: Students will be graded on the following basis:
1. **Participation** (20 points total)

Class will generally begin with presentation(s) by me and Mr. Mondale or a guest that are intended to flesh out readings and trigger your participation. Thoughtful and bold questions that are anchored in the readings and evidence are the lifeblood of our discussions in class and in Moodle discussions. Please pitch in and, as you do, be respectful – a range of perspectives and ideas are likely and should be treated with civility and tolerance. Also, let’s work together to encourage wide participation in the class discussions.

The course touches on three levels of analysis: (1) description (what is the argument of a reading or presenter?); (2) interpretation (what are the weaknesses, strengths, and interrelationships among readings and presentations?); and (3) application of frameworks of political analysis to contemporary American politics and policy. Learning and applying these skills to engage across all three levels of analysis will only improve the class and it will also help you develop the ability to make cogent, impactful arguments in public – a valuable tool for public affairs work.

Please come to class having completed the assigned reading and prepared to participate in class discussions. Students are also expected to take advantage of opportunities to participate in the Moodle class discussion board to flesh out questions raised in class, raise new issues, link to appropriate arguments and current news that deepens the class discussion or takes it worthwhile new directions. We will be tracking participation in both class and the Moodle discussion board in order to assign participation grades.

2. **Papers (20 points each)**

Each student is responsible for writing two short papers that apply the core concepts for the study of politics (such as those relating to power, institutional analysis, or political communications). These concepts are identified with a *.

The first paper should use a core concept (e.g. power during the September 22nd session) to analyze one of the historical episode covered in class (e.g. the September 24th session on the Truman episode related to the seizing of steel mills).

The second paper should use a core concept to analyze the distribution of power and resources that you have observed in your work, internships, or volunteer activities.

The purpose of the papers is to apply the core concepts of politics in order to develop of an explanation and address the “Why” question. Little of your paper should summarize the readings, episode, or work experience.

Each paper should be 5 pages (double spaced, 1” margins, and 12 point font, either Times New Roman or Calibri) and turned in **before** the class in which the core concept or episode is discussed, whichever is first.

We will ask you to sign up for an episode or core concept. There is some value in having students spread-out, though this is not a requirement.

3. **Quiz (15 points)**

A short quiz will be given during class on **October 13**.
4. Take-Home Exam (25 Points)

A take-home exam will be distributed on the last day of class (December 15th); it will be due Saturday December 19th by 1:30pm at my office in the Humphrey School in hard copy form – electronic form will not be accepted. The exam will ask you to write a synthetic essay that uses the political analyses covered in class to scrutinize an aspect of the security/justice tension.

Readings: The readings are available on Moodle 2.6. All registered students can access Moodle through the official University of Minnesota myU site. A second approach is to access Moodle here (https://ay15.moodle.umn.edu/course/view.php?id=2558). Select “PA 5012 The Politics of Public Affairs Fall 2015.” If you have problems accessing the Moodle readings, please contact Matthew.

COURSE OUTLINE AND ASSIGNED READINGS

This is a tentative outline of the course, which is likely to change during the semester. You are responsible for announcements in class including changes in readings, scheduling, and assignments.

Introduction: The Study of Politics and America’s Constitutional Crisis  
September 8

Politics as a Vocation*


U.S. National Security and the U.S. Constitution  
September 10

Reconciling US national security and accountability


The U.S. Constitution – Invitation to Struggle

U.S. Constitution, Articles I, II, and III

Federalist Papers 10, 51, and 70.

Domestic and International Institutions of Governance*  


Power and Presidential Prerogative  

Hamiltonian Tradition:  

Madisonian Tradition:  
http://www.icdc.com/~paulwolf/cointelpro/churchfinalreportIIa.htm


Power and Powerlessness*  


John Gaventa, Power and Powerlessness: Quiescence and Rebellion in an Appalachian Valley (Urbana: University of Illinois Press, 1980), Chapter 1 (pp.3-32).

Episodes of Constitutional Crises  

Truman’s Seizure of the Steel Mills  


Politics and Markets*  
Milton Friedman, Capitalism and Freedom (Chicago: University of Chicago Press, 1962), Chapters 1 and 2 (pp.7-36).


Lyndon Johnson: Unilaterally Escalating the War in Vietnam  


Public Communications - Education, Framing, and Deception*  


Nixon and the Wars in South East Asia  


Congressional Record, May 29, 1973: Debate over Eagleton amendment to end funding for combat activities in Cambodia and Laos. Skim over the debate over procedure and focus on the pro and con arguments to cut off funds (read Barry Goldwater’s inserted testimony at the end of this excerpt) (pp.17124-17140).
Political Change – Institutional Challenges and Citizen Capabilities*  October 13

Quiz

John Aldrich. Why Parties? The Origin and Transformation of Political Parties in America (Chicago: University of Chicago Press, 1995), Chapters 1 (pp.18-27) and 2 (pp.28-61).


Nixon and Watergate: Unilateral Assertion of Executive Privilege  October 15


Richard Nixon’s Legal Argument (Brief for President Nixon filed by James St. Clair et al with the U.S. Supreme Court, June 21, 1974), pp. 17-20, 39-49, and 54-56.


Executive Evasion  October 20


Democratic Accountability and Elite Governance*  October 22


Reagan and the Support of the Nicaraguan Contras  October 27


Workshop: Accountability and Effectiveness

October 29

#1: Trust and Verify - Performance and Measurement

#2: The promise of constitutional and civic checks

#3: Presidential power threatens the established order but is necessary

Power and Accountability: Presidents and Congressional Deadlock*

November 3


Bush and Foreign Intelligence Surveillance Act (FISA)

November 5

Legal challenge against 2008 Foreign Intelligence Surveillance Amendments Act:


How to exert democratic accountability* November 10

Frances Fox Piven and Richard Cloward. Regulating the Power: The Functions of Public Welfare. (Review)


Bush and the detention and treatment “Enemy Combatants” November 12

Detention of “Enemy Combatants”:

http://www.law.cornell.edu/supct/pdf/03-6696P.ZO

http://www.law.cornell.edu/supct/pdf/06-1195P.ZO

Torture:


Race, Religion, and Constructing Profiles* November 17


Obama’s Handling of Metadata - Security and Liberty November 19


Emerging Legal Battles over government collection and use of metadata

Government Wins in U.S. District Court of New York - ACLU et al v. Clapper


USA Freedom Act of 2015: Curtailing without handcuffing NSA:


Guest speaker: Eric Schwartz. Dean of the Humphrey School, National Security Council, Assistant Secretary of State. “President Obama’s Iran Deal: Is it Constitutional and Good Policy?”


Thanksgiving Holiday November 27

Judge James Robertson December 1

Institutional Autopilot* December 3


Targeted Killings by Pilotless Drones, U.S. Constitution and Law December 8

http://www.nybooks.com/blogs/nyrblog/2015/apr/14/targeted-killing-new-questions/?printpage=true

Lawsuit filed by Aulaqi family and Obama administration defense:

Obama Administration argument in court to drop Al-Aulaqi family lawsuit:
http://images.politico.com/global/2012/12/15/alawlwakidismot.html

http://www.aclu.org/files/assets/tk2_opposition_filed_plus_declaration.pdf
[to be announced] December 10

“Leave the world a better place” December 15


Take-Home Exam Distributed in Class

Additional Information:

Policy on incomplete grades and makeup examinations
There will be no incomplete grades or makeup examinations given except for standard University policy reasons (for example, illness with a note from a doctor).

Disability services

The University of Minnesota is committed to providing equitable access to learning opportunities for all students. Disability Services (DS) is the campus office that collaborates with students who have disabilities to provide and/or arrange reasonable accommodations. If you have, or think you may have, a disability (e.g., mental health, attentional, learning, chronic health, sensory, or physical), please contact DS at 612-626-1333 to arrange a confidential discussion regarding equitable access and reasonable accommodations. If you are registered with DS and have a current letter requesting reasonable accommodations, please contact me early in the semester to review how the accommodations will be applied in the course.

Mental health services

As a student you may experience a range of issues that can cause barriers to learning, such as strained relationships, increased anxiety, alcohol/drug problems, feeling down, difficulty concentrating, and/or lack of motivation. These mental health concerns or stressful events may lead to diminished academic performance or reduce your ability to participate in daily activities. University of Minnesota services are available to assist you with addressing these and other concerns you may be experiencing. You can learn more about the broad range of confidential mental health services available on campus via www.mentalhealth.umn.edu.