Hofstra University
Peter S. Kalikow Center for the Study of the American Presidency
Hofstra University School of Law

and the

Hofstra Cultural Center present

A Symposium



President or King? Evaluating the Expansion of Executive Power From Abraham Lincoln to George W. Bush



REGISTRATION PROGRAM

Wednesday and Thursday November 4 and 5, 2009

A Symposium

President or King?

Evaluating the Expansion of Executive Power From Abraham Lincoln to George W. Bush

This symposium seeks to examine the sources and consequences of the expansion of presidential power in American politics, as well as justifications for and reactions to that expansion. In organizing this event, the Kalikow Center recognizes the bicentennial year of President Abraham Lincoln's birthday (February 12, 1809) by examining Lincoln's most enduring legacy for his successors, namely, the broad use of political power in defense of the nation. Lincoln's leadership during the Civil War is widely lauded today, as demonstrated by both scholarly and public opinion polls that rank him as one of the top three "great" presidents (if not first among the three), on a list that also includes George Washington and Franklin D. Roosevelt. Subsequent presidents have faced more controversy for their wartime leadership, from Lyndon B. Johnson's and Richard M. Nixon's decisions on waging the Vietnam War to, more recently, George W. Bush's



actions in combating terrorism. The symposium will address these topics and related issues to understand how presidential power can be exercised to meet constitutional requirements and political expectations in the 21st century.

The first panel focuses on presidential leadership in wartime, when the expansion of executive power is most likely to receive popular support. The second panel examines how the other national institutions of government, Congress and the judiciary, have responded to executive assertions of power. The third panel discusses administrative tools that the White House has used to increase its authority and the consequences of those actions for recent presidents. The keynote address for the symposium will be delivered by New York Times columnist David Brooks, and the event will conclude with an assessment of executive leadership in modern American politics by Kalikow Center senior fellows.

Symposium Co-Directors:

Meena Bose

Peter S. Kalikow Chair in Presidential Studies
Director, Kalikow Center for the Study of the American Presidency
Professor of Political Science
Hofstra University

Julian G. Ku

Professor of Law and Associate Dean for Faculty Development Hofstra University School of Law

Eric Lane

Eric J. Schmertz Distinguished Professor of Public Law and Public Service Hofstra University School of Law

Symposium Coordinator:

Athelene A. Collins

Senior Associate Director Hofstra Cultural Center This symposium is made possible, in part, through the generosity of the law firm of Jaffe & Koumourdas, L.L.P.

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Wednesday and Thursday, November 4 and 5, 2009

Wednesday, November 4, 2009

11:30 a.m.-4 p.m. Registration and Coffee

246 East Library Wing

Joan and Donald E. Axinn Library, South Campus

12:30 p.m. WELCOME

Stuart Rabinowitz

President and

Andrew M. Boas and Mark L. Claster Distinguished Professor of Law

Hofstra University

Bernard J. Firestone

Dean and Professor of Political Science Hofstra College of Liberal Arts and Sciences

Meena Bose

Peter S. Kalikow Chair in Presidential Studies

Director, Kalikow Center for the Study of the American Presidency

Professor of Political Science

Hofstra University

12:45-2:15 p.m. **PANEL I**:

Constitutional Limitations on Presidential Power in Wartime?

Chair Meena Bose, Hofstra University

Panelists "Presidential War Powers and the Limits of Judicial Supremacy"

Rebecca Curry, Hofstra University "Presidents Operating Under the Law"

Louis Fisher, Law Library, Library of Congress, Washington, D.C.

"Executive Secrecy in Wartime"

Eric Lane, Hofstra University School of Law

Commentator Michael Genovese, Loyola Marymount University

3-4:30 p.m. Keynote Address

Monroe Hall Lecture Center Theater California Avenue, South Campus

David Brooks

Columnist

The New York Times

"Lessons From Lincoln for Presidential Leadership in the 21st Century"

Thursday, November 5, 2009

8:30 a.m.-1 p.m. Registration and Coffee

246 East Library Wing

Joan and Donald E. Axinn Library, South Campus

9:30-11 a.m. **PANEL II:**

Institutional Responses to Expanding Presidential Power

Chair Eric M. Freedman, Maurice A. Deane Distinguished Professor of Constitutional Law

Hofstra University School of Law

Panelists "The Trajectory of Illimitable Executive Power in Foreign Affairs:

Presidential Usurpation, Congressional Abdication and Judicial Acquiescence"

David Adler, Idaho State University

"Congressional Abdication and the Cult of the Presidency"

Gene Healy, CATO Institute

"Reverse Effect: Congressional and Judicial Restraints on Presidential Power"

Nancy Kassop, SUNY at New Paltz

Commentator Carolyn Eisenberg, Hofstra University

11:10 a.m.-12:35 p.m. **Panel III:**

The Future of Presidential Power

Chair Julian G. Ku, Hofstra University School of Law

Panelists "To Be (Unitarian) or Not to Be (Unitarian)? Presidential Power

in the George W. Bush Administration" **Christopher Kelley**, Miami University

"Imperial Implementation? Bureaucratic Control and the Future of

Presidential Power"

Andrew Rudalevige, Dickinson College

"Democracy in the Dark: How Excessive Secrecy Upsets

Checks and Balances and Harms America"

Frederick A.O. Schwarz, Jr., Brennan Center for Justice

New York University School of Law

Commentator John McGinnis, Northwestern University School of Law

12:45-2:15 p.m. Lunch (on your own)

2:20-3:45 p.m. Closing Panel

Meena Bose

Peter S. Kalikow Chair in Presidential Studies Director, Kalikow Center for the Study of the American Presidency Professor of Political Science Hofstra University

Howard B. Dean III

Chairman, Democratic National Committee, 2005-2009 Senior Fellow, Peter S. Kalikow Center for the Study of the American Presidency Hofstra University

Edward J. Rollins

Political Strategist, CNN Commentator Senior Fellow, Peter S. Kalikow Center for the Study of the American Presidency Hofstra University

LODGING INFORMATION

The Long Island Marriott Hotel and Conference Center in Uniondale and La Quinta Inn & Suites in Garden City have been designated the official symposium hotels. The following are the special discounted rates for room reservations.

LONG ISLAND MARRIOTT HOTEL AND CONFERENCE CENTER

101 James Doolittle Blvd. Uniondale, NY 11553

Attn: Reservations Manager

Tel: (516) 794-3800 or (800) 832-6255

Fax: (516) 794-5936

Room rate: \$184 per night, single/double occupancy

Cutoff date: October 6, 2009

LA QUINTA INN & SUITES

821 Stewart Avenue Garden City, NY 11530

Tel: (516) 705-9000 or (800) 531-5900

Fax: (516) 705-9100

Room rate: \$155 per night, single/double occupancy

Cutoff date: Based on availability

NOTE: ALL RESERVATIONS WILL BE HELD UNTIL 6 P.M. ON DAY OF ARRIVAL UNLESS ACCOMPANIED BY THE FIRST NIGHT'S ROOM DEPOSIT OR SECURED BY A MAJOR CREDIT CARD. RESERVATIONS AT THE DISCOUNTED RATE ARE SUBJECT TO AVAILABILITY. WHEN MAKING YOUR RESERVATIONS, PLEASE IDENTIFY YOURSELF AS A PARTICIPANT IN THE KALIKOW CENTER SYMPOSIUM AT HOFSTRA UNIVERSITY.

Scheduled transportation will be arranged between the Hofstra University campus and contracted hotels. Schedules will be available at the Symposium Registration Desk as well as at the hotels.

LOCATION OF HOFSTRA UNIVERSITY

HOFSTRA UNIVERSITY is located in Hempstead, Long Island, New York, about 25 miles east of New York City, less than an hour away by train or automobile. The Long Island Rail Road (LIRR) has frequent trains to the Hempstead Station and the Mineola Station from Pennsylvania Station, located at 34th Street and 7th Avenue, New York City, as well as from the Flatbush Avenue Station in Brooklyn, New York. Use local taxi service to the Hofstra campus.

Local Taxi Service:

All Island Taxi Service	(516)	481-1111
Hempstead Taxi	(516)	489-4460
Pub Taxi Service	(516)	483-4433
Ollie's Airport Service	(516)	437-0505
	(516)	352-6633
	(718)	229-5454

BY CAR: Travel on the Long Island Expressway to exit 38, Northern State Parkway to Meadowbrook Parkway South (exit 31A), or Southern State Parkway to Meadowbrook Parkway North (exit 22N). Take Meadowbrook Parkway to exit M4 (Hempstead Turnpike). Proceed west on Hempstead Turnpike (Route 24W) to the Hofstra campus (approximately one mile).

TRANSPORTATION FROM AIRPORTS:

The Hofstra campus is located approximately 30 minutes by car from either John F. Kennedy and LaGuardia International Airports.

CALL IN ADVANCE FOR RESERVATIONS:

Classic Transportation

Classic Transportation provides shared van service from JFK and LaGuardia Airports to Hofstra University. Courtesy phones are located in the baggage claim area of both airports, and are connected directly to Classic dispatch/reservation. Dial 2O from the courtesy phone to speak directly with the reservation department. Tell the representative that you are traveling to Hofstra University. Cost: approximately \$2O.

Discount: Classic Transportation offers a discount when you reserve your round-trip airport shuttle trip online at classictrans.com or call (631) 567-5100.

Long Island Airport Limousine Service (LIALS)

LIALS can be called upon arrival at either JFK or LaGuardia Airport at a public telephone: 656-7000 (no area code required). The phones are monitored from $4\ a.m.$ through midnight, seven days a week.

U.S. Limousine and Car Service

Personalized Transportation Service (516) 352-2225 or (800) 962-2827

NOTE: Please be advised that there are no set fares charged by New York City yellow cabs between the airports and the Hofstra campus. Please confirm fee with the driver before starting your trip.

FOR FURTHER INFORMATION CONTACT:

HOFSTRA CULTURAL CENTER 113 Hofstra University Hempstead, NY 11549-113O Tel: (516) 463-5669 Fax: (516) 463-4793 E-mail: hofculctr@hofstra.edu Web site: hofstra.edu/culture

PRESIDENT OR KING? EVALUATING THE EXPANSION OF EXECUTIVE POWER FROM ABRAHAM LINCOLN TO GEORGE W. BUSH SYMPOSIUM REGISTRATION FORM

Mail or fax to:	Method of Payment:		
Kalikow Center Presidential Studies Symposium Hofstra Cultural Center 113 Hofstra University	☐ Enclosed is a check in the amount of \$ (payable to Hofstra University-Kalikow Center Symposium)		
Hempstead, NY 11549-1130	Please charge my:		
Tel: (516) 463-5669 Fax: (516) 463-4793	☐ MasterCard		
To register online, please visit hofstra.edu/culture .	☐ Visa		
Name	Amount \$		
Address	Cardholder's Name		
City/State/ZIP			
Affiliation	Card Number		
Telephone	Expiration Date Security Code		
Fax			
E-mail	Cardholder's Signature	_	
I have made lodging reservations at: Long Island Marriott	Cancellations : A \$15 administrative fee will be deducted for registration refunds; notice of cancellation must be received by October 18, 2009.		
☐ La Quinta Inn & Suites	Returned Checks : A \$25 handling fee will be charged for returned checks.		

REGISTRATION FEES

		No. of Persons	Amount
Regular rate	\$30		\$
Senior citizen (65 and over) (Must include copy of Medicare card)	\$25		\$
Matriculated non-Hofstra student (Must include copy of current student ID)	\$15		\$
	Total		\$

 $\label{thm:loss} \mbox{Hofstra University is 100-percent program accessible to persons with disabilities.}$

All events (with the exception of meals) are FREE to Hofstra students, faculty and staff upon presentation of a current HofstraCard.