

# AMERICAN POLITICAL BEHAVIOR AND INSTITUTIONS

Spring 2011

POSC 202-02

*Meetings:* Knapp 308 MWF 12:30-1:20pm

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## Course Overview

We take up a provocative question in this course: Is democracy workable? To evaluate something, we need to start with what we expect it to do. After spending some time establishing initial conditions and expectations, we will evaluate American government piece by piece. We will spend extra time investigating access to the courts to enforce civil rights and whether there's a culture war in America. While learning about the American system, you will also learn how to be better citizens, exploring avenues for information gathering about and participation in government. By the end of this class, you may have a deeper appreciation of the American political system, will have a series of snapshots of what a political science major may entail, and you might even like this stuff.

The basic questions we intend to address are:

- ✦ How was the U.S. federal government intended to function, how does it function, and why does it function the way it does?
- ✦ What role do citizens play, what role is reserved them in the U.S. political system, and does the U.S. have an effective democracy?
- ✦ And, why should we care about these questions?

## Readings

- ✦ Kernell, Samuel, Gary C. Jacobson, and Thad Kousser (KJK). 2009. *The Logic of American Politics*. 4<sup>th</sup> edition. Washington DC: CQ Press. ISBN: 9780872896048
- ✦ Bingham, Clara and Laura L. Gansler (B&G). 2003. *Class Action: The Story of Lois Jenson and the Landmark Case that Changed Sexual Harassment Law*. Knopf. ISBN: 0385496133
- ✦ Fiorina, Morris P. 2006. *Culture War? The Myth of a Polarized America*. New York: Longman. ISBN: 9780321366061.
- ✦ Hamilton, Alexander, James Madison, and John Jay (Fed). *The Federalist Papers*. (these are all available online, just search for the appropriate numbers – e.g., “Federalist 10”)
- ✦ Other readings will be made available as needed.

## Course Requirements

Attendance and Participation	10%	
Critical Thought Papers (CTPs)	60%	(4 total, 15% each)
Two Exams	30%	(each worth 15%)
Total=	<u>100%</u>	

## Description of Requirements

*Attendance and Participation* (10%) – This is an introductory class so occasionally I will have to talk for a bit. However, this is not nearly a lecture class. There will be many opportunities for you to involve yourself in this class by, for instance, speaking up in class and working in small groups. I ask a lot of questions, I will call on you when no one volunteers, and your questions are always welcome and encouraged. If you miss more than 3 unexcused classes, you will forfeit your attendance points. Those who faithfully come to class and say nothing can expect to receive about 66% of their attendance points (FYI, that’s a D).

*Critical Thought Papers* (CTPs) (60% total; 15% each) – You will engage in a regular written dialogue with me and the mainsprings of American politics. These 4 (out of 5) papers are short efforts in response to specific and timely questions posed at regular intervals throughout the semester. You must do the first CTP, then can choose any three of the next four (i.e., you *will* skip one). Full descriptions of these are offered later in this syllabus. No, you can’t do all 5 and drop one.

*Two Exams* (15% each) – The two tests split the course in half. The format will include an essay question and include several identification and short answer questions. My theory of your evaluation for a grade is as follows. I need to know three things from you in order to give you a grade: 1) that you know some of the substance of American politics (exams and class participation), 2) can think critically about it (CTP’s), and 3) that you see some of the bigger picture of American politics and can integrate different parts of the course (exams). Note that your knowledge of substance is demonstrated on roughly a biweekly basis following the issue attention cycle, while the chance to showcase your ability to integrate American political themes comes at more leisurely intervals, allowing you time to reflect on and integrate the material (though demonstrated in shorter spurts to be sure).

## Important Course Policies

*Due Dates and Excuses* The due dates are prescribed to fit into a larger schedule. The semester is fairly evenly spaced so that the work of the course is paced. If you see a conflict coming (a campus event, 10 papers due the same day, etc.), **PLAN FOR IT IN ADVANCE!** Extensions are almost never granted, and certainly not for, “I’m really busy.” If you are ill, I expect a short call alerting me of your absence (emergencies obviously excepted, but get someone to call and make arrangements with me soon). You must be up front with me and alert me to your absences **BEFORE** they occur. I will not reschedule tests and due dates if you do not alert me before the absolutely unavoidable absence.

*Late Assignment Policy* Each day (including weekend days and holidays) your work is late and unexcused, you lose 10 percent from your final grade for that assignment. So: the top possible grade for an assignment 3 days late is 70 (or C-). You must alert me to your valid excuse before the assignment is due, not when you are handing it in late. You will automatically fail this course if you have not completed all assignments.

*Grading Policy* Final grades are based roughly on a 90 (lowest A), 80 (lowest B), 70 (lowest C), scale. I prefer not to specify exactly what the grading scale will be so I have the flexibility to curve the scale a bit to fit the class distribution (that’s always in your favor). I can calculate a rough grade for you at nearly any point in the semester if you need to know.

*Electronic Submission* I would rather you give me a paper copy, but it is acceptable to submit your assignments by email as a Word (or pdf) document. Please scan your paper for viruses; if you store your files in your network account, which you should do, they will be automatically

scanned. If submitting your paper electronically, the paper will be subject to the above “late assignment policy” if you forget to attach it to the email; moreover, the paper is still due by the start of class. Papers are considered one day late if they are not handed in by class time.

*Paper Formatting* Any material or ideas you use from an outside source should be cited appropriately in the text and included in a works cited list at the end of the paper (you can begin this on the last page of your paper). ALL written assignments completed out of class should include citations whenever you reference the work of another person. Citations must adhere to the Turabian/Chicago Manual of Style **parenthetical** approach with a works cited section. Note that in this approach footnotes/endnotes are not used for citations, but clarification of an idea. More info and examples of this approach can be found at:

[http://www.press.uchicago.edu/books/turabian/turabian\\_citationguide.html](http://www.press.uchicago.edu/books/turabian/turabian_citationguide.html).

Still, applying the citation style to certain sources, such as court cases and internet sources can be a challenge. When in doubt do your best to mimic the style and include as much relevant information as possible. Failure to cite sources correctly or include a works cited section could result in up to a 25% grade penalty and in extreme cases could be considered an act of plagiarism and academic dishonesty.

*Computer-based Excuses* It is no longer acceptable to excuse a late paper because of a disk or harddrive error. Everyone has access to the network, which is reliable and accessible from any computer on campus. Never solely rely on flashdrives. If the network is down, that’s another thing entirely. It is also not an excuse that there was a line to print out a paper in the lab before class. Plan ahead.

*Accommodations* Any student wishing an accomodation based on the impact of a disability should contact me privately as soon as possible to discuss your specific needs. I rely on the Office of Academic Support to verify the need for accomodation based on their office files.

*Academic Honesty* The Denison academic dishonesty policy can be found in the Student Handbook. Any incidence of academic dishonesty in this course will result in your failure, not just of the assignment, but of this course and referral to the Denison judicial process. There is never a problem if you keep your eyes to yourself and properly cite and reference sources of information and ideas.

## Weekly Schedule

Week and Topic	Readings	Due Dates
<b>The Context</b>		
1-17 Introductions & A Framework to Study Politics	M None, Introductions and Introduction W KJK 1 F More KJK 1	
1-24 The American Context and Founding	M MLK Day – No Class W Federalist paper (Fed.) 15, Declaration of Independence (pp. A1-A2), Constitution (pp. A3-A12), KJK 2 F More KJK 2	
1-31 Federalism	M KJK 3 + Fed. 10, 39; <i>McCulloch v. Maryland</i> (1819) <a href="http://supreme.justia.com/us/17/316/case.html">http://supreme.justia.com/us/17/316/case.html</a> (read the “syllabus” and then pp 400-410ish). W Sack, Kevin. 2010. “Terrain Shifts in Challenges to the Health Care Law.” <i>NYT</i> <a href="http://nyti.ms/dKJC2Z">http://nyti.ms/dKJC2Z</a>	

		<p>Semple, Kirk. 2010. "Confusion Over Program to Spot Illegal Immigrants." <i>NYT</i> <a href="http://nyti.ms/cK9Bni">http://nyti.ms/cK9Bni</a></p> <p>F More KJK 3</p>	
2-7 Civil Liberties and Rights	M	KJK 5 (liberties)	
	W	More, start KJK 4 (rights)	
	F	More KJK 4	
2-14 <i>Class Action</i>	M	B&G, first third	<b>Mon., 2-14 CTP #1 Due</b>
	W	B&G, second third	
	F	B&G, third third, plus these @ other class actions: <a href="http://nyti.ms/fy5dEu">http://nyti.ms/fy5dEu</a> ; <a href="http://nyti.ms/eQ0YN4">http://nyti.ms/eQ0YN4</a> ; <a href="http://nyti.ms/hhlfaP">http://nyti.ms/hhlfaP</a>	
<b>The Political Organization of Society</b>			
2-21 Political Organizations	M	KJK 13, Fed. 10 again (interest groups)	
	W	<a href="http://nyti.ms/f9IyIZ">http://nyti.ms/f9IyIZ</a> <i>Citizens United v. FEC</i> (2010) <a href="http://bit.ly/al5jjm">http://bit.ly/al5jjm</a> ; <a href="http://nyti.ms/bLnCCs">http://nyti.ms/bLnCCs</a> <a href="http://nyti.ms/hsFr0H">http://nyti.ms/hsFr0H</a> <a href="http://nyti.ms/f4SJ3b">http://nyti.ms/f4SJ3b</a>	
	F	More KJK 13	
2-28 Parties + Campaigns	M	KJK 12 (Parties)	<b>Mon. 2-28 CTP #2 Due</b>
	W	More KJK 12; plus: <a href="http://nyti.ms/cUDUSx">http://nyti.ms/cUDUSx</a>	
	F	KJK 11	
3-7 <b>Midterm</b>	M	More KJK 11 + exam review	<b>Wed. 3-9 Midterm</b>
	W	<b>Midterm Exam</b>	
	F	Class	
<b>3-14 ! Spring Break !</b>			
3-21 Public Opinion: Are we capable democrats?	M	KJK 10	<b>Wed. 3-23 CTP #3 Due</b>
	W	More KJK 10; plus reading tba	
	F	More; plus reading tba	
3-28 <i>Culture War?</i>	M	Fiorina, first half	
	W	No Class W or F – I'm in Chicago for the MPSA	
	F	meeting where I'm presenting several papers, one with a Denison student.	
<b>The Institutions</b>			
4-4 Separation of Powers; Congress	M	Fiorina, second half, plus <a href="http://bit.ly/emX1yF">http://bit.ly/emX1yF</a>	
	W	Fed. 51, Constitution Articles, revisit KJK pp 68-72	
	F	KJK 6; plus: <a href="http://nyti.ms/fEr259">http://nyti.ms/fEr259</a> ; More KJK 6; <a href="http://bit.ly/hhr43c">http://bit.ly/hhr43c</a>	
4-11 Supreme Court	M	More KJK 6; Fed. 55, 57, 58, 62, 63	<b>Mon., 4-11 CTP #4 Due</b>
	W	More KJK 6	
	F	KJK 9, Fed. 78	
4-18 Executive	M	More KJK 9; plus: <a href="http://nyti.ms/fIXctM">http://nyti.ms/fIXctM</a> <a href="http://nyti.ms/hqwpty">http://nyti.ms/hqwpty</a>	
	W	KJK 7, Fed. 70-72	
	F	More KJK 7	
4-25 Bureaucracy	M	<b>Course evaluations in Fellows 201, 1:00-1:20</b>	<b>Mon., 4-25 CTP #5 Due</b>
	W	More KJK 7	
	F	KJK 8; <a href="http://nyti.ms/cK9Bni">http://nyti.ms/cK9Bni</a>	

5/2 Final! Exam Monday May 9, 9-11am (Exam Letter E)	M W F	Exam Review  <b>Final!</b> Monday May 9, 9-11am	<b>Final! Exam</b> Monday May 9, 9-11am
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## CRITICAL THOUGHT PAPER INTRODUCTION

These may be different papers than you have written before and there are a variety of types contained within these five. From my perspective the CTP's constitute mini-research papers that expose you to a host of political science problems, issues, and methods of inquiry. It is crucial that you approach these assignments as questions, realize that you need evidence to support your claims, and that the claims are driven by the evidence and not some bias you come with. The goal is not to prove a point (with most of the assignments), but to uncover the truth.

**GENERAL CTP FORMAT** Papers are expected to conform to the *University of Chicago Style Guide* (see note on page 3) and will acquire significant penalties if they do not (a 25% discount). Here are a few other specifics for CTPs. Each paper should be under 3 pages (for the text – references can spill over to page 4), double spaced, typed, paginated, and with your name, date, and course number single spaced in the upper right or left corner. Use 12 point Times New Roman or Garamond (my fav) as your typeface. Use 1 inch margins – change your MS Word defaults by going to menus: page layout, margins; when adjusted, click on ‘default’ at the bottom. Title the paper using at least the CTP number – no title pages. Any material or ideas you take from another source should be cited in text and the paper must include a reference list at the end (do not put it on a separate page, start the list after the last paragraph to save trees).

**GENERAL COMMENTS ON WRITING STYLE** You would do well to follow Madison's writing style – there is a reason, besides his brilliance, that we remember his papers more than the others: he wrote intelligibly and systematically! In practice and in part, that means paying attention to writing clear introductions that disclose a roadmap of where you are going. The introduction must pose a question, discuss briefly the importance of the question, and then provide a roadmap of the arguments you will make. Do not be afraid to use the first person, such as “I will first argue yada, and then yada, yada...” Then work through the arguments systematically using, at most, one thought per paragraph. Finally, wrap it up with a conclusion that pulls your arguments together by suggesting the implications of your arguments for the functioning of democracy.

**FOR MORE, SEE: THE POLITICAL SCIENCE RESEARCH PAPER STYLE GUIDE** (I'll email)

### PAPER GRADING EXPECTATIONS

- ☺ A: An ‘A’ paper covers a topic well, presents a clear theme and evidence to support the argument, is well written, well organized, creative, and has well-chosen, appropriately documented sources.
- ☹ B: A ‘B’ paper misses at least one of A paper categories or presents a muddled version of A paper characteristics. It might be a solid piece except for doing some of the following: presents a theme but may not be completely logical or organized in presentation of supporting evidence; has minor writing problems; is not tightly organized in presentation; has the bare minimum of sources; or fails to properly cite information. Or it may merely have a less clear theme, weaker evidence, etc.
- ☹ C: A ‘C’ paper misses several of the A paper categories. It might have modest logical or organizational flaws, obvious writing problems, too few sources, or no consistent citation of sources.

- ☛ D: A ‘D’ paper combines serious logical flaws, superficiality, and writing problems.  
 ☛ F: An ‘F’ paper fails to display much of any thought or effort on your part.

### *Critical Thought Paper Summary*

<i>Number</i>	<i>Subject Matter</i>	<i>Due Date</i>
1	Federalism	Monday, 2-14
2	Civil Liberties	Monday, 2-28
3	Interest groups, campaigns, campaign finance	Wednesday 3-23
4	Elections and public opinion	Monday, 4-11
5	TBA	Monday, 4-25

### *Critical Thought Paper Descriptions*

<i>Number</i>	<i>Questions and Resources</i>	<i>Due Date</i>
1	<p>A case about the national health care law (the “Patient Protection and Affordable Care Act” ), signed into law in March, 2010, is slowly wending its way to the Supreme Court, though it may take a year or more to reach the high court. So far, 2 federal district judges have dismissed suits against it, while one has struck down the provision regarding the mandate for individuals to carry insurance; other suits are in the works. The decisions turn on the definition applied to the commerce clause power and how the “necessary and proper” clause is implemented in tandem. Using available rulings on related matters, your job is to predict how the Supreme Court will rule regarding the health insurance mandate. You should read <i>U.S. v Alfonso Lopez</i> (514 U.S. 549 1995); <i>U.S. v Morrison et al.</i> (2000) (docket # 99-5); <i>Gonzales v. Raich</i> (545 U.S. 1 2005); <i>U.S. v. Comstock</i> (docket 08-1224 2010); and of course the ruling of the judge who struck it down: <a href="http://bit.ly/gbt2X1">http://bit.ly/gbt2X1</a> (pp 3-4 are particularly useful). Be precise, be concise.</p>	<b>Monday, 2-14</b>
2	<p>Choice 1: The Fourth Amendment prohibits unreasonable search and seizure. Indianapolis ran checkpoints at which they hoped to interrupt the trafficking of illegal drugs. Can a government hold a drug checkpoint? How is a drug checkpoint different from an alcohol checkpoint or some other kind of general search of people, cars, or their effects like luggage? Can you envision a Constitutional way in which a government may attempt to intercept drug trafficking?</p> <p><i>Resources</i> Case: <i>Indianapolis v. Edmond</i> (2001) (docket #99-1030)  <a href="http://www.findlaw.com/cascode/supreme.html">http://www.findlaw.com/cascode/supreme.html</a> has the briefs and decision in this case.</p>	<b>Monday, 2-28</b>
2	<p>Choice 2: In 2005, California passed a law that banned the sale of violent video games to minors. It required labeling of such games and \$1000 fines to any establishment caught selling to minors. The law was stayed by a district court pending court review, in which those challenging the law suggest that the law violates the first amendment rights of minors. It is well established that obscene material presents a danger to minors, but this is different – it’s not obscene, it’s violent. So,</p>	<b>Monday, 2-28</b>

	<p>it is true that the law violates the 1<sup>st</sup> Amendment unless the Supreme Court does not expand their strict scrutiny standard that is applied in these cases, established in 1968 in <i>Ginsberg v. New York</i>. The Supreme Court is considering this case this term, but held off deciding to hear the case until it decided <i>U.S. v. Stevens</i> (docket #08-769). Typically, the Court would simply send this case back to a lower court to consider the application of <i>Stevens</i>. However, they decided to hear the case themselves, which throws some doubt that there is a clear application of <i>Stevens</i> to this case. So, you tell me: how should they apply the standard set in <i>Ginsberg</i>? Should the standard be enlarged?</p> <p><i>Resources</i> Case: <i>Schwarzenegger v. Video Software Dealers Association</i> (08-1448). Scotusblog or Findlaw have a nice selection of resources. Make sure to examine all sides and make reference to the development of case law and argue about the standard.</p>	
3	<p>First read the bits about campaign contributions in KJK (pp 536-546). How do political interests distribute their monies to federal elected officials? The most common breakdown given is the percentage of funds donated that goes to Republicans and Democrats, but that tells us very little. Therefore, explore the donations of an industry to U.S. Senators with an eye toward understanding their strategies. Try the Agriculture, Oil and Gas, Health, and/or Finance industries (these are categories on the Center for Responsive Politics webpage). Consider: What and who are the magnets for money? What is the best way for organized interests to accomplish their goals? I want to see your evidence and we'll discuss what this means in class. It's not enough to examine an anecdote or two. I want something more systematic.</p> <p><i>Resources</i> <a href="http://www.opensecrets.org/">http://www.opensecrets.org/</a> is the best out there, imo (btw, it's the CRP webpage)</p>	<b>Wednesday, 3-23</b>
4	<p>Choice 1: Republicans have gained control of the House claiming a mandate to do some very specific things, repeal the Patient Protection and Affordable Care Act of 2010 first among them. Using the mountains of available public opinion data, tell me just what signal the electorate sent in the 2010 elections. What is it they appear to want the federal government to do? It will not be enough to discuss a small handful of poll results. You need several large handfuls.</p> <p><i>Resources</i> <a href="http://www.pollingreport.com/">http://www.pollingreport.com/</a>  <a href="http://www.fivethirtyeight.com">http://www.fivethirtyeight.com</a>  <a href="http://www.pollster.com">http://www.pollster.com</a></p>	<b>Monday, 4-11</b>
5	<p>TBA</p> <p><i>Resources</i></p>	<b>Monday, 4-25</b>