

## AMERICAN POLITICS

This course aims to deepen your understanding of the theory and practice of American politics. I want you to leave the course with the tools with which to critically evaluate commonly voiced normative and empirical claims about American politics. In this class we will focus particular attention on evaluating both existing American political institutions and some of the many proposals to reform those institutions.

The opening half of the course focuses on elections, the primary institution through which citizen preferences are translated into public policy. Questions to be addressed here include: Who votes and who doesn't and does it matter? What should we do, if anything, to encourage more people to vote? How well does the current electoral system work? Should we change the nominating process? Should we at last abolish the electoral college? Is the system biased against third parties and, if so, is that a bad thing? Would we be better off allowing citizens to vote directly on issues, as with the initiative process? Is campaign finance reform futile or even constitutional?

The second half of the course examines the major national political institutions: Congress, the Supreme Court, and the presidency. We will ask how well these institutions work and whether they could be made to work better. How can we make Congress more competitive or more responsive to popular preferences? Do we even want a more responsive legislature? Would term limits help? And what about the Senate, with its institutionalized anti-majoritarianism? Should we abolish the filibuster? And how democratic is it to have a national legislature based on states rather than people? Has the presidency grown too powerful, or is the real problem that the president lacks the power to do what the people elected him to do? And is it fair or prudent to have Supreme Court justices elected for life?

In the final class sessions we will entertain some of the larger questions concerning the American Constitution and democratic theory. In particular, we shall be interested in the question of whether the constitutional structure created over two hundred years ago needs to be fundamentally changed. Does the system of separation of powers that our founders established still work? Is that system truly democratic? Is it time for a new constitutional convention? Or maybe we need a renaissance of citizen engagement; perhaps universal national service is the answer.

Your grade will be based on a number of unannounced reading quizzes (10%), a midterm exam (25%), a final exam (35%), and participation in class, including in-class or other short writing assignments (30%). More than two unexcused absences will result in a full grade deduction from the final grade. If you are frequently late to class that may also result in a grade deduction.

Students who miss a class, whether excused or unexcused, must write a 500 word paper analyzing the reading that was assigned for the day they miss. Your participation grade in the course will be lowered by 1/3 for every 500 word paper you do not turn in within a week of your return to class.

Required texts are available for purchase at the Willamette Bookstore. The other items are available either through electronic reserve at the Hatfield library, JSTOR, as a pdf that I will send to you, or through the direct URL link indicated in the syllabus. The two books to be purchased are: Larry Sabato, *A More Perfect Constitution* (Walker, 2007) and Martin Wattenberg, *Is Voting for Young People?* (Pearson Longman, 2007)

Finally, I ask that you please turn off your cell phone before entering class, and that you not use any electronic devices during class, that is, no laptops, no Blackberries, no texting devices of any kind. I want your attention focused entirely on the people in the classroom and the materials that we are discussing.

1-1. (Jan.20) Introduction: Politicians in the Public Mind

## Part I: Voting and Elections

1-2 (Jan. 22) The Adults' Lament: Why Don't the Young Know More About Politics?  
Wattenberg, *Is Voting for Young People?* chapters 1-3 (pp. 9-92)

2-1. (Jan. 27) Is There a Turnout Problem?  
Wattenberg, *Is Voting for Young People?* chapters 4-6 (pp. 95-159)

2-2 (Jan. 29) The Mechanics of Running Elections and Registering Voters  
Spencer Overton, *Stealing Democracy: The New Politics of Voter Suppression* (Norton 2006),  
pp. 11-16, 28-34, 38-40, 42-64, 148-67, 185-97  
Guest speaker: John Lindback, Oregon's Director of Elections

3-1 (Feb . 3) Two Solutions: Compulsory Voting and Deliberation Day  
Wattenberg, *Is Voting for Young People?* chapter 7 (pp. 161-74)  
Austin Ranney, "Nonvoting is Not a Social Disease," in Robert E. DiClerico and Allan S.  
Hammock, eds., *Points of View* 11<sup>th</sup> edition (McGraw-Hill, 2009), pp. 83-88.  
Bruce Ackerman and James Fishkin, *Deliberation Day* (Yale University Press, 2004), 3-39

3-2. (Feb. 5) An Alternative Solution: Enfranchise the Disenfranchised  
Ron Hayduk, "The Case for Immigrant Voting Rights," in *Democracy for All: Restoring  
Immigrant Voting Rights in the United States* (Routledge, 2006), 57-85  
Stanley Renshon, "Allowing Non-Citizens to Vote in the United States," available as pdf at  
[http://www.cis.org/articles/2008/renshon\\_08.pdf](http://www.cis.org/articles/2008/renshon_08.pdf)

4-1 (Feb. 10) Minority Vote Dilution and Alternative Voting Methods  
*Thornburg v. Gingles* (1986)  
*Holder v. Hall* (1994), opinion by Clarence Thomas  
*Cottier v City of Martin* (2008), available at  
[http://www.aclu.org/pdfs/votingrights/cottiervmartin\\_decision.pdf](http://www.aclu.org/pdfs/votingrights/cottiervmartin_decision.pdf)

4-2 (Feb. 12) Discrimination against Third Parties: Ballot Access Laws and Fusion Laws  
Barry Burden, "Multiple Parties and Ballot Regulations," in Bruce Cain, Todd Donovan, and  
Caroline Tolbert, eds., *Democracy in the States: Experiments in Election Reform*  
(Brookings 2008), 161-73  
Lisa Disch, *The Tyranny of the Two-Party System* (Columbia University Press, 2002), 17-51

5-1 (Feb 17) Direct Democracy  
Paul Jacob, "Silence Isn't Golden: The Legislative Assault on Citizen Initiatives," in Dane  
Waters, ed., *The Battle Over Citizen Lawmaking* (Caolina Academic Press, 2001), 97-108  
Portland City Club, "Making the Initiative Work for Oregon," January 11, 2008; at  
[http://www.pdxcityclub.org/pdf/Initiative\\_Referendum\\_2008.pdf](http://www.pdxcityclub.org/pdf/Initiative_Referendum_2008.pdf).

5-2 (Feb 19) Debating Measure 65: The "Top Two" Open Primary  
Text of Measure and Arguments Pro and Con in Voters' Pamphlet, available at  
<http://www.sos.state.or.us/elections/nov42008/guide/meas/m65.html>

6-1 (Feb 24) Choosing a President: The Nomination Process

Sabato, *A More Perfect Constitution*, 121-34

Michael Nelson and Andrew Busch debate “Resolved, Political Parties Should Nominate Candidates for the Presidency Through a National Primary,” in Richard J. Ellis and Michael Nelson, *Debating the Presidency: Conflicting Perspectives on the American Presidency* (Congressional Quarterly Press, 2006), 14-29

6-2 (Feb 26) Choosing a President: The Electoral College

Sabato, *A More Perfect Constitution*, 134-53

Burdett Loomis and Byron Shafer debate “Resolved, the President Should be Elected Directly by the People,” in Richard J. Ellis and Michael Nelson, *Debating the Presidency: Conflicting Perspectives on the American Presidency* (Congressional Quarterly Press, 2006), 30-44.

7-1. (March 3) Campaign Finance Reform: Is it Futile?

Raymond La Raja, “From Bad to Worse: The Unraveling of the Campaign Finance System,” *The Forum*, Berkeley Electronic Press, vol. 6, issue 1, 2008. Available as pdf.

Thomas Mann, “A Collapse of the Campaign Finance Regime?” *The Forum*, Berkeley Electronic Press, vol. 6, issue 1, 2008. Available as pdf.

Thomas Mann vs Bradley Smith, 5 part debate in *Los Angeles Times*, July 9-13, 2007

<http://www.latimes.com/news/opinion/la-op-dustup-jul9-13,0,486428.storygallery>

Bruce Ackerman and Ian Ayers, *Voting with Dollars: A New Paradigm for Campaign Finance* (Yale University Press, 2002), 12-44

7-2. (March 5) Political Advertising on Television

Fred Werthheimer, “TV Ad Wars: How to Cut Advertising Costs in Political Campaigns” and Stephen Bates and Edwin Diamond, “Damned Spots: A Defense of Thirty-Second Campaign, in *Points of View* 11<sup>th</sup> edition (McGraw-Hill, 2009), pp. 90-96.

Paul Freedman, “Thirty-Second Democracy: Campaign Advertising and American Elections,” *The Hedgehog Review* (Summer 2010), 49-59

Darrell West, “A Report on the 2008 Presidential Nomination Ads: Ads More Negative than Previous Years,” at

[http://www.brookings.edu/papers/2008/0630\\_campaignads\\_west.aspx](http://www.brookings.edu/papers/2008/0630_campaignads_west.aspx)

8-1. (March 10) Movie: *Can Mr. Smith Get to Washington Anymore?*

8-2 (March 12) Midterm Exam

## **PART II: Reforming Political Institutions**

### **A. Fixing the Legislature**

9-1 (March 17) Democratize the Senate

Sabato, *A More Perfect Constitution*, 19-32

Tom Geoghegan, “The Infernal Senate,” *New Republic*, November 21, 1994, 17-23; available as pdf

Tom Harkin, “It’s Time to Change the Filibuster,” and Bill Frenzel, “Defending the Dinosaur: The Case for Not Fixing the Filibuster,” in Robert E. DiClerico and Allan S. Hammock, eds., *Points of View* 11<sup>th</sup> edition (McGraw-Hill, 2009), pp. 168-77

9-2. (March 19) The Case for Proportional Representation and an Expanded House  
Sabato, *A More Perfect Constitution*, 37-40  
Michael Lind, "A Radical Proposal to Change American Politics," *Atlantic Monthly*, August 1992, 73-83  
Mark E. Rush, "Making the House More Representative: Hidden Costs and Unintended Consequences," *PS: Political Science and Politics* (March 1998), 21-24; available as pdf on JSTOR

Spring Break, no class March 24 and 26

10-1 (March 31) Change the Way Districts are Drawn  
Sabato, *A More Perfect Constitution*, 32-37  
League of Women Voters, "Redistricting in Oregon," available at <http://www.lwvor.org/documents/Redistricting2007.pdf>  
Michael McDonald, "Redistricting and Competitive Elections," in Michael McDonald and John Samples, eds., *The Marketplace of Democracy: Electoral Competition and American Politics* (Brookings, 2006), 222-44  
Thomas Brunell, *Redistricting and Representation: Why Competitive Elections are Bad for America* (Routledge 2008), 50-89, 113-25  
Earl Blumenauer and Jim Leach, "Redistricting, a Bipartisan Sport," and Bill Bishop, "You Can't Compete with Voters' Feet," in Robert E. DiClerico and Allan S. Hammock, eds., *Points of View* 11<sup>th</sup> edition (McGraw-Hill, 2009), pp. 149-54

10-2. (April 2) The Case for Term Limits  
Sabato, *A More Perfect Constitution*, 41-53  
Thad Kousser, "Term Limits and State Legislatures," in Bruce Cain, Todd Donovan, and Caroline Tolbert, eds., *Democracy in the States: Experiments in Election Reform* (Brookings 2008), 117-33

## B. Fixing the Presidency

11-1. (April 7) Abolish the 22<sup>nd</sup> Amendment or Change the Presidential Term of Office  
Sabato, *A More Perfect Constitution*, 76-96  
Ronald Reagan, "Restoring the Presidency," in *Restoring the Presidency: Reconsidering the Twenty-Second Amendment* (Washington, D.C.: National Legal Center for the Public Interest, 1990)  
Thomas Cronin, "Two Cheers for the 22<sup>nd</sup> Amendment," *Presidency Research* (Spring 1987), 6-14

11-2. (April 9) Downsize Presidential Power or Bolster It?  
Sabato, *A More Perfect Constitution*, 97-104  
John Yoo, "How the Presidency Regained Its Balance," Frederick A. O. Schwarz Jr. and Aziz Huq, "You Go Too Far, Mr. President: The Founders Would Disapprove," and Eric Posner, "All Hail . . . King George?" in Robert E. DiClerico and Allan S. Hammock, eds., *Points of View* 11<sup>th</sup> edition (McGraw-Hill, 2009), pp. 179-88

12-1. (April 14) Who Should be Eligible to be President? (or member of Congress?)  
Sabato, *A More Perfect Constitution*, 104-107  
Michael Nelson, "Who Can be President?" available as pdf (excerpt from forthcoming volume on *The Elections of 2008*, edited by Michael Nelson and published by CQ Press)  
Forrest McDonald, "Becoming President: Natural-Born Citizens Only," Debate 24 in John T. Rourke, ed. *You Decide!* (Pearson 2004), 3-5  
Sanford Levinson, "The Constitution as Creator of Second-Class Citizens," in *Our Undemocratic Constitution* (Oxford University Press, 2006), 141-54

12-2 (April 16) Who Should be Eligible to Participate in Presidential Debates  
George Farah, *No Debate: How the Two Major Parties Secretly Ruin the Presidential Debates*  
(Seven Stories Press, 2004), 1-10, 17-74, 97-100, 176-90

### C. Fixing the Judiciary

13-1. (April 21) Selecting Judges

Janet Malcolm, "The Art of Testifying," John Cornyn, "R-E-S-P-E-C-T," and Robert Post and Reva Siegel, "Questioning Justice: Law and Politics in Judicial Confirmation Hearings," in David T. Canon, John J. Coleman, and Kenneth Mayer, eds., *Faultlines* 2<sup>nd</sup> ed (2007), 254-82.

John C. Eastman and Timothy Sandefur, "The Senate Is Supposed to Advise and Consent, Not Obstruct and Delay," and Erwin Chemerinsky, "Of Course Ideology Should Matter in Judicial Selection," in Robert E. DiClerico and Allan S. Hammock, eds., *Points of View* 11<sup>th</sup> edition (McGraw-Hill, 2009), pp. 220-34

13-2. (April 23) End Lifetime Tenure for Supreme Court Justices  
Sabato, *A More Perfect Constitution*, 108-120

14-1 (April 28) Original Intent

The Federalist, Number 10, available as pdf

Edwin Meese, "A Jurisprudence of Original Intention," and Irving Kaufman, "What Did the Founding Fathers Intend?" in Robert E. DiClerico and Allan S. Hammock, eds., *Points of View* 11<sup>th</sup> edition (McGraw-Hill, 2009), 207-18

### D. Fixing the Political System

14-2 (April 30) The Case for Amending the Constitution

Sabato, *A More Perfect Constitution*, 198-220

Kathleen M. Sullivan, "What's Wrong with Constitutional Amendments?" in David T. Canon, John J. Coleman, and Kenneth Mayer, eds., *Faultlines* 2<sup>nd</sup> ed (2007), 26-30

15-1 (May 5) The Case for National Service

Sabato, *A More Perfect Constitution*, 154-78

Tod Lindberg, "Service and the State: Politicizing the Need for Social Connection," *Brookings Review* (2002), available at <http://todlindberg.net/?p=247#more-247>

15-2 (May 7)