

## 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 analytic tools with which to critically evaluate claims about American politics. In this class we will focus special attention on evaluating both existing American political institutions and proposals to reform those institutions. To use the education establishment's favored jargon, the "student learning outcomes" are to be able (1) to evaluate how well American governmental institutions, practices, and processes measure up to normative and constitutional theories, and (2) to analyze the efficacy and desirability of alternative institutional arrangements and political reforms.

The first part 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, 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? And should we at last abolish the electoral college?

The next section of the course looks at the political and legal issues surrounding voting rights, legislative redistricting (aka gerrymandering), and apportionment. Issues to be explored here include: whether partisan gerrymandering should be justiciable, how much race can or should be considered in drawing district lines, how best to understand and implement the right to an equally weighted vote, and whether *Shelby County v. Holder* was correctly decided.

During the final five weeks, we examine the major national political institutions: Congress, the presidency, and the Supreme Court. We will ask how well these institutions work and whether they could be made to work better. Questions include: Would proportional representation improve the functioning of the House of Representatives? Would abolishing the filibuster improve the US Senate? 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? Is it fair or prudent to have Supreme Court justices elected for life? Can original intent jurisprudence improve the judicial decision-making? Does the constitutional structure created over two hundred years ago need to be fundamentally changed? Is it time perhaps for a rethinking of our democracy, maybe even for a new constitutional convention?

Your grade will be based on two midterm exams (the first worth 20% and the second worth 25% of your grade), a final exam (worth 30% of your grade), and class participation (worth 25%). More than one unexcused absence will result in a full letter grade deduction from the final course grade; more than two unexcused absences will result in a deduction of two full letter grades; more than three unexcused absences will result in failing the class. If you are frequently late to class that may also result in a grade deduction.

If you miss a class, whether excused or unexcused, you must write a 500 word paper analyzing the reading that was assigned for the day they miss. Your class participation grade will be lowered by a full grade for every 500 word paper you do not turn in within a week of your return to class. The makeup paper must be turned in to me in class *and* submitted electronically via email, saved as a Word document.

More than one unexcused absence will result in a full letter grade deduction from your final course grade; more than two unexcused absences will result in two full letter grade deductions from your final grade; more than three unexcused absences will result in failing the class. Persistent lateness for class can also result in deductions from the final grade.

The two books to be purchased are: Richard J. Ellis and Michael Nelson, ed., *Debating Reform: Conflicting Perspectives on How to Fix the American Political System* (CQ Press, 2017; 3<sup>rd</sup> ed.) and Martin Wattenberg, *Is Voting for Young People?* (2016; 4<sup>th</sup> ed.). The other readings indicated in the syllabus are available as pdfs on the class WISE page, except for a couple readings that have URLs. In addition, you should read a newspaper daily, preferably the *Washington Post* but other papers with robust coverage of national politics are acceptable.

*Readings available on WISE must be printed out and brought to class. In class you should **always** have the reading for that day on the desk in front of you. Sorry, but no laptops or other electronic devices may be used during class. No texting should take place during class.*

Please tell me about any disabilities that will affect your participation in this course and any accommodations authorized by the Office of Disabilities Services. I expect you to be familiar with Willamette's Plagiarism and Cheating Policy

My office is Smullin 324. Office hours are T 10:30-11:30 and TH 10:30-12:30, and by appointment (my email is [rellis@willamette.edu](mailto:rellis@willamette.edu)).

## **Schedule of Class Topics and Readings**

1-1. (Aug. 27) Introduction

### I. VOTING AND ELECTIONS

1-2 (Aug. 29) The Adults' Lament: Why Don't the Young Know More About Politics?

Wattenberg, *Is Voting for Young People*, chapters 1-3 (pp. 8-47, 57-88)

Watch John Oliver clip at [https://m.youtube.com/watch?v=bq2\\_wSsDwkQ](https://m.youtube.com/watch?v=bq2_wSsDwkQ)

2-1 (Sept. 3) Is there a Turnout Problem?

Wattenberg, *Is Voting for Young People*, chaps 4-6, 8 (pp. 89-112, 119-143, 148-150, 171-197)

Martin Wattenberg, "In 2018, the turnout gap between the young and old didn't really shrink at all," *Washington Post*, February 11, 2019

2-2 (Sept. 5) Two Solutions: Compulsory Voting and Lowering the Voting Age

Wattenberg, *Is Voting for Young People?* chapter 9 (pp. 117-118, 198-212)

Jason Brennan (con) debates "Resolved, the United States should adopt compulsory voting,"

*Debating Reform*, 146-154

Joshua Douglas, "The Tale of a Sixteen-Year-Old Voter," in *Vote for US: How to Take Back Our Elections and Change the Future of Voting* (Prometheus Books, 2019), 15-30

3-1 (Sept. 10) The Politics of Ballot Access: Photo ID Laws, Early Voting, and Vote by Mail

Michael Nelson (Pro) and Keith Bentele and Erin O'Brien (Con) debate "Resolved, States should enact voter ID laws and reduce early voting," *Debating Reform*, 99-117

Joshua Douglas, “This Former Miss Wisconsin May Save Your Vote,” and “How Voting Can Be as Easy as Food Shopping,” in *Vote for US: How to Take Back Our Elections and Change the Future of Voting* (Prometheus Books, 2019), 63-81, 97-114

3-2 (Sept. 12) Should we require Open Primaries?

Jason Altmire (Pro) and Nicholas Seabrook (Con) debate “Resolved, the United States should require open primaries,” from *Debating Reform* (forthcoming, 4<sup>th</sup> ed, on WISE)

4-1 (Sept. 17) Should we adopt a National Presidential Primary?

Caroline Tolbert (Pro) and David Redlawsk (Con) debate: “Resolved, political parties should nominate candidates for president in a national primary,” *Debating Reform*, 173-195

Barbara Norrander, *The Imperfect Primary: Oddities, Biases, and Strengths of U.S. Presidential Nomination Politics* (Routledge, 2015; 2nd edition), 76-79 (“Are Caucuses Fair?”), 118-124 (“Alternative Mechanisms for Counting the Votes in a National Primary”)

4-2. (Sept. 19) Should we abolish the Electoral College?

George C. Edwards III (Pro) and Gary L. Gregg II (Con) debate “Resolved, the electoral college should be abolished,” *Debating Reform*, 286-305

5-1 (Sept. 24) Midterm 1

5.2 (Sept. 26) No Class

## II. DRAWING LINES: VOTING RIGHTS, REDISTRICTING, AND APPORTIONMENT

6.1 (Oct. 1) The Right to an Equally Weighted Vote

Guy-Uriel E. Charles and Luis Fuentes-Rohwer, “*Reynolds* Revisited,” in *Election Law Stories*, ed. Joshua A. Douglas and Eugene D. Mazo (Foundation Press, 2016), 21-61

*Reynolds v. Sims* (1964), in *Election Law: Cases and Materials*, ed. Daniel Hays Lowenstein et al. (Carolina Academic Press, 2017; 6<sup>th</sup> ed), 86-92

Charles S. Bullock III, *Redistricting: The Most Political Activity in America* (Rowman and Littlefield, 2010), chap 2 (“Population Equality”)

Emily Badger, “People Who Can’t Vote Still Count Politically. What if that Changes?” *New York Times*, June 2019, <https://www.nytimes.com/2019/06/22/upshot/america-who-deserves-representation.html>

6-2 (Oct. 3) The Undemocratic Senate

Bruce I. Oppenheimer (Pro) and John J. Pitney, Jr, (Con) debate “Resolved, the Senate should represent people not states,” *Debating Reform*, 250-265

7-1 (Oct. 8) Ruling on the Voting Rights Act (Section 5)

*Shelby County v. Holder* (2013) in *Election Law: Cases and Materials*, ed. Daniel Hays Lowenstein et al. (Carolina Academic Press, 2017; 6<sup>th</sup> ed)

7-2 (Oct. 10) Race and Redistricting

Charles S. Bullock III, *Redistricting: The Most Political Activity in America* (Rowman and Littlefield, 2010), chap 3 (“Minorities and Redistricting”)

8-1 (Oct. 15) The Politics of Congressional Redistricting

Charles S. Bullock III, *Redistricting*, chap. 4 (on redistricting criteria)

Elaine C. Kamarck (Pro) and Justin Buchler (Con) debate “Resolved, the redistricting process should be nonpartisan,” *Debating Reform*, 229-249

Joshua Douglas, “Overthrowing the Government...Peacefully” in *Vote for US: How to Take Back Our Elections and Change the Future of Voting* (Prometheus Books, 2019), 133-151

8-2 (Oct. 17) Should Partisan Gerrymandering Be Justiciable?

*Rucho v. Common Cause* (2019)

9-1 (Oct. 22) Study Day

9-2 (Oct. 24) Midterm 2

### III. REFORMING CONGRESS, THE PRESIDENCY, AND THE COURTS

10-1 (Oct. 29) Adopt Proportional Representation

Douglas Amy (Pro) and Brendan Doherty (Con) debate “Resolved, proportional representation should be adopted for U.S. House elections,” *Debating Reform*, 210-228

10-2 (Oct. 31) Repeal the 22nd Amendment

David Crockett (Pro) and Michael Korzi (Con) debate “Resolved, the Twenty-second Amendment should be repealed,” *Debating Reform*, 306-323

11-1 (Nov. 5) Normalize Impeachment

Gene Healy (Pro) and Keith Whittington (Con) debate “Impeachment should be normalized,” from *Debating Reform* (4<sup>th</sup> ed. forthcoming; on WISE)

11.2 (Nov. 7) Make Government More Responsible

Larry Sabato, *A More Perfect Constitution* (Walker & Company, 2007), 76-96

Ezra Klein, “The Unpersuaded,” *New Yorker*, March 19, 2012

12-1 (Nov. 12) Abolish the Filibuster

Steven S. Smith (Pro) and Wendy Schiller (Con) debate “Resolved, Senate Rule XXII should be amended so that filibusters can be ended by a majority vote,” *Debating Reform*, 266-286

12-2 (Nov. 14) Reform the Judicial Appointment Process

David Yalof (Pro) and John Maltese (Con) debate “Resolved the president has too much power in the selection of judges,” from *Debating the Presidency* (5<sup>th</sup> ed. forthcoming, on WISE)

13-1 (Nov. 19) End Lifetime Tenure for Supreme Court Justices

David Karol (Pro) and Ward Farnsworth (Con) debate “Resolved, the terms of Supreme Court Justices should be limited to eighteen years,” *Debating Reform*, 341-361

13-2 (Nov. 21) Original Intent and Judicial Deference

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* 7<sup>th</sup> edition (McGraw-Hill, 1998), 208-219.

George Will, “Progressives are wrong about the Constitution,” *Washington Post*, April 16, 2014

Jeremy W. Peters, “Trump’s New Judicial Litmus Test: Shrinking ‘the Administrative State,’” *New York Times*, March 26, 2018

No class Nov. 26 and 28 (Thanksgiving Break)

IV. DEMOCRACY AND THE CONSTITUTION

14-1 (Dec. 2) Do we need more Direct Democracy?

Todd Dononvan (Pro) and Richard J. Ellis (Con) debate: “Resolved, the United States should adopt a national initiative and referendum,” from *Debating Reform*, 118-137

14-2 (Dec. 4) Should we call a Constitutional Convention

Sanford Levinson (Pro) and David Kyvig (Con) debate “Resolved, Article V should be revised to make it easier to amend the Constitution and to call a constitutional convention,” from *Debating Reform*, 1-18

Final Exam: December 12, 2-5pm