

Law and Politics: Electing a President

Law 201x

Syllabus: Spring 2018

Professor Franita Tolson

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Office Hours: Thursdays before class, by appointment

Class Meetings: Thursdays
4:00-6:50p.m., Law 103

Teaching Assistant: Mina Saffarian,
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REQUIRED TEXTS:

- a. *Presidential Elections: Strategies and Structures of American Politics*
14th Edition, Ed. Polsby, Wildavsky, Schier, and Hopkins (Rowman & Littlefield, 2015) ISBN 9781442253674
- b. *What it Takes: The Way to the White House*. Richard Ben Cramer (Vintage Books, 1993) ISBN 9780679746492
- c. *Race, Reform, and Regulation of the Electoral Process: Recurring Puzzles in American Democracy*. Ed. Guy-Uriel E. Charles, Heather K. Gerken, Michael S. Kang (Cambridge University Press 2012) ISBN 9781107662735
- d. Additional materials will be handed out in class throughout the semester.
- e. Because this course will also be driven by today's news, each student is required to read a major newspaper every day (we recommend nytimes.com for news, drudgereport.com for political gossip, and *The New Yorker* for in-depth coverage), and to watch a national network television newscast (ABC, CBS, CNN, NBC, FOX, PBS) every day of the semester.

REQUIRED COURSEWORK:

- a. Complete all readings and participate in class discussion.
- b. Attend lecture. Your attendance is recorded and counts for 10% of your grade.
- c. Complete both the midterm and the final exams. This is required for a passing grade.
- d. All students are required to complete a term project or paper, based on either an analysis of the current election campaign or another relevant political topic approved by a teaching assistant. Exemplary papers/projects will reexamine original materials, whether that be newspapers, tapes of the news, position papers issued, or advertisements used in the media; interview key participants, and/or use the readings and scholarly research to place their topic or issue in a larger context. Papers must be 12-15 pages, and projects should be of comparable size and scope. You must submit a 1-page proposal by March 1st, as well as a final draft by April 19th.

COURSE DESCRIPTION AND OBJECTIVES:

This course examines the relationship between the rules that structure the political system, the theories behind them, and the reality of how the political system actually works. We will also consider how the system *ought to* work, making our class time both practical and theoretical. We will look at how we select and elect our candidates, primarily in Presidential politics, why so few people vote, and why so many think the system is broken. We will try to define the place of politics in contemporary American life and culture, and how it has evolved over time. The course will proceed in a combined lecture and

seminar style, with significant student participation encouraged. Students should remain immersed in current events and political happenings independently all week long. The attached syllabus is a basic framework of the topics and reading assignments for the course. It is expected that each student will prepare the weekly assignments prior to that week's class. Students leave this class understanding the interplay between politics, media, and law, and how the effects on individual voters feed back into the system in an endless cycle of transformation and inertia that hopefully results in democratic participation and progress.

SCHEDULE:

Class 1 Introduction

Cramer: Ch 1-9 (3-155)
Charles et al: Introduction: The Future of Elections Scholarship (1-6)

Class 2 Voting Rights

Cramer: Ch 10-20 (161-306)
Charles et al: Race and Politics: Overview (7-16)
Ch 1, Voting Rights: The Next Generation (17-33)
Ch 2, The Reconstruction of Voting Rights (34-51)

Class 3 Voters and Party Loyalty

Cramer: Ch 21-30 (307-430)
Polsby et al: Ch 1, Voters (1-24)
Appendix A, Vote by Groups in Presidential Elections, 1976-2012 (243-250)
Appendix B, Voter Turnout in Presidential Elections, by Population Characteristics, 1976-2012 (251-260)

Class 4 Groups

Cramer: Ch 31-40 (431-497)
Polsby et al: Ch 2, Groups (25-48)
Charles et al: Ch 3, Explaining Perceptions of Competitive Threat in a Multi-Racial Context (52-74)

Class 5 Courts and the Regulation of the Electoral Process

Cramer: Ch 41-50 (498-571)
Charles et al: Overview: Courts and the Regulation of the Electoral Process (75-85)
Ch 4, The Institutional Turn in Election Law Scholarship (86-100)
Ch 5, Judges as political regulators: evidence and options for institutional change (101-116)

Class 6 Rules and Resources

Cramer: Ch 51-60 (572-625)
Polsby et al: Ch 3, Rules and Resources (49-84)

Class 7 *****IN CLASS MIDTERM EXAM*****

Class 8 *****ONE-PAGE PAPER/PROJECT PROPOSAL DUE*****

The Nomination Process

Cramer: Ch 61-70 (626-681)
Polsby et al: Ch 4, The Nomination Process (87-134)
Film: *The War Room*, Dir. Hegedus & Pennebaker, 1993, 96 min

Class 9
The Campaign

Cramer: Ch 71-80, (682-733)
Polsby et al: Ch 5, The Campaign (135-198)

Class 10
Election Law
and
Democracy's
Boundaries

Cramer: Ch 81-90 (734-789)
Charles et al: Ch 6, Empirical Legitimacy and Election Law (117-149)
 Ch 7, Judging Democracy's Boundaries (150-174)

Class 11
Appraisals

Cramer: Ch 91-100 (790-844)
Polsby et al: Ch 6, Appraisals (201-228)
Charles et al: Overview: Election Performance and Reform (175-178)
 Ch 8, New directions in the Study of Voter Mobilization (179-191)

Class 12
American
Parties and
Democracy

Cramer: Ch 101-110 (845-898)
Polsby et al: Ch 7, American Parties and Democracy (229-242)
 Appendix C, Selections from the Democratic and Republican Party
 Platforms, 2008 (261-266)

Class 13
The Future of
American
Politics

Cramer: Ch 111-120 (899-953)
Charles et al: Ch 9, Popular Election Monitoring (192-208)
 Ch 10, Democracy in the United States, 2020 and Beyond: How Can
 Scholarly Research Shape a Vision and Help to Realize It? (209-226)
 Ch 11, Partisanship, Public Opinion and Redistricting (227-262)

Class 14

*****PAPER/PROJECT DUE***
Review Session**

Cramer: Ch 121-130 (954-1012)
Charles et al: Ch 12, More or Less: Searching for Regulatory Balance
(263-286)

Class 15

*****FINAL EXAM*****

GRADING POLICY:

a. General Grading System

Final Grades will be calculated as follows:

Participation	10%
Paper	30%
Midterm	30%
Final	30%
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	100%

b. Material Covered on Exams

- The *Midterm Exam* will cover material read and discussed during the first half of the semester.
- The *Final Exam* is not comprehensive. It will cover only material read and discussed during the second half of the semester.

c. Make-Up Exam Policy

- Unless you have an exam conflict (another exam at the *exact* same time), you will be expected to take the exam on the scheduled day, at the scheduled hour.
- For those with an exam conflict, verified medical excuse, or emergency, there will be only one make-up exam scheduled during the days following the scheduled exam time. Since the midterm exams will be graded before the following lecture, there will be no make-up exam scheduled after that lecture.
- If you know that you will be unable to take the exam on the scheduled day, you must inform the TA at least 72 hours before the scheduled test time. If you fail to do so, you must take the make-up exam at whatever time it is scheduled.
- To receive a passing grade in this course, you must take both the midterm and the final.
- Please note prior experience with the University Registration Office indicates that students who take the make-up final exam do not receive final semester grades until well after the semester's end. During the interim, students' transcripts reflect an Incomplete.

d. Academic Dishonesty

- Plagiarism, cheating, copying, etc., will not be tolerated. Incidences of academic dishonesty will be dealt with according to SCAMPUS guidelines.