Law and Politics: Electing A President
Law 201
Fall 2020

CONTACT INFORMATION
Prof. Franita Tolson
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CLASS INFORMATION
T 4:00-7:20 (Online)
4 Units

Teaching Assistant: Chinelo Ikem
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Office Hours: Tuesdays before class (3:00-4:00) and by appointment (use Zoom Meeting ID)
Zoom Meeting ID for Office Hours: 749 194 5446

COURSE DESCRIPTION/LEARNING 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.

Because this course is being offered during an election year, 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.

COURSE MATERIALS


**Attended AND Classroom Participation Policy**

You are required to come to class prepared and on time. Attendance is mandatory and excessive tardiness will not be tolerated. Roll will be taken at each class. If you must miss a class, it is your responsibility to obtain the materials, notes, and assignments from that class. I strongly encourage each of you to do your part to make our discussions a rewarding experience for us all.

**Grading Policy**

A. Overview

1. Complete all readings and participate in class discussion.
2. Attend lecture. Your attendance is recorded and counts for 10% of your grade.
3. Complete the Midterm Exam, “What Makes A President?” presentation, and term paper. This is required for a passing grade.
4. The Midterm Exam will cover material read and discussed during the first half of the semester.
5. All students are required to complete a term paper based on a 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 15-20 pages, and projects should be of comparable size and scope. You must submit a 1-page proposal by October 1st, and a final draft by November 20th.
6. Each student will be responsible for doing a 20 minute presentation on “What Makes A President?” The student must select any president of their choice and prepare a presentation on that president’s campaign including the messaging and strategies employed by the campaign as well as details about the political culture of the time.

B. General Grading System

Final Grades will be calculated as follows:
- Class Participation 10%
- “What Makes A President?” Presentation 30%
- Midterm 30%
- Paper 30%
- Total 100%

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. 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.

D. Zoom Etiquette

- Make sure everyone can hear you.
  - Use a microphone when you speak.
  - Make sure the microphone is on and close enough to pick up your voice, no matter what location you are in.
  - Don’t have side conversations.
- Make sure everyone can see you.
  - Turn on your camera. Showing your face is important for facilitating conversation and community in these challenging times.
  - If you have privacy concerns, please use a zoom background.
  - If you have preferred pronouns and/or pronunciations, please put them in your Zoom name.
  - Wear bottoms.
- Don't be distracting.
  - If you aren’t talking, mute or turn off your microphone.
  - Avoid noisy activities like typing while your microphone is on.
- All classes will be recorded.
  - These recordings will only be available to students enrolled in the course.
COURSE OUTLINE

1. INTRODUCTION: WHO RUNS FOR PRESIDENT? (AUGUST 18TH)
   • Linda Beail, Lilly J. Goren, and Mary A. McHugh, Madame President? Female Candidates, Masculine Norms of Executive Power, and the 2020 Nomination Contest, Chapter 1 in Bernstein et al
   • Sign Up for “What Makes A President?” Presentations

2. POLITICAL POLARIZATION I (AUGUST 25TH)
   • David W. Brady and Hahrie C. Han, “Polarization Then and Now: A Historical Perspective,” Nivola & Brady, eds., in Red and Blue Nation? Characteristics and Causes of America’s Polarized Politics (Brookings Institution Press 2006)

3. POLITICAL POLARIZATION II (SEPTEMBER 1ST)
   • Polsby et al: Chapter 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)
   • Polsby et al: Ch 2, Groups (25-48)

4. RULES AND RESOURCES (SEPTEMBER 8TH)
   • Polsby et al: Ch 3, Rules and Resources (49-84)
• Kathleen Searles and Patrick Rose, Chapter Three: “How the News Media Cover and Shape the Nomination,” in Bernstein et al
• Presentations

5. **THE PRE-REFORM ERA PRESIDENTIAL NOMINATING PROCESS (SEPTEMBER 15TH)**

- Austin Ranney, Chapter 1: “Party Reform in Academic Theory and Political Practice,” in Curing the Mischief of Faction (University of California Press 1975)
• Presentations

6. **THE MODERN NOMINATION PROCESS (SEPTEMBER 22ND)**

- Polsby et al: Ch 4, The Nomination Process (87-134)
- John Sides, Michael Tesler, and Lynn Vavreck, Chapter 4: “Voter Choice in Presidential Primaries,” in Bernstein et al
- Jonathan Bernstein, Chapter 7: The Expanded Party’s Influence, in Bernstein et al
• Presentations

7. **THE POLITICS AND EMOTIONS OF PRESIDENTIAL DEBATES & VP SELECTION (SEPTEMBER 29TH)**

- Drew Westen, Chapter 4: “The Emotions Behind the Curtain,” in The Political Brain (Public Affairs 2007)

**Presidential Election Debate**

8. **MIDTERM EXAM (OCTOBER 6TH)**

9. **THE CAMPAIGN (OCTOBER 13TH)**
   - Polsby et al: Chapter 5, The Campaign (135-198)
   - Paul Boller, Jr., Chapter 20 (Lincoln), Chapter 32 (Wilson/Roosevelt/Taft), Chapter 46 (Nixon), in *Presidential Campaigns from George Washington to George W. Bush*

**Film: The War Room**

10. **ELECTION LAW AND DEMOCRACY’S BOUNDARIES (OCTOBER 20TH)**
   - George C Edwards III, Chapter 4: “The Origins of the Electoral College,” in *Why the Electoral College is Bad for America* (Yale University Press 2004)
   - Andrew Gelman, Nate Silver, and Aaron Edlin, “What is the Probability Your Vote Will Make a Difference?” 50 *Economic Inquiry* 321 (2012)

**Presentations**

11. **THE FUTURE OF PRESIDENTIAL ELECTIONS (OCTOBER 27TH)**
   - Polsby et al: Ch 6, Appraisals (201-228)
   - Polsby et al: Ch 7, American Parties and Democracy (229-242)
     - Appendix C, Selections from the Democratic and Republican Party Platforms, 2008 (261-266)

**Presentations**

12. **ELECTION DAY – NO CLASS**
13. COURTS AND THE REGULATION OF ELECTORAL PROCESS (NOVEMBER 10TH)

- Bush v. Gore
- Boller, Chapter 54 (Bush)

- Film: Recount
Statement on Academic Conduct and Support Systems

Academic Conduct:

Plagiarism – presenting someone else’s ideas as your own, either verbatim or recast in your own words – is a serious academic offense with serious consequences. Please familiarize yourself with the discussion of plagiarism in SCampus in Part B, Section 11, “Behavior Violating University Standards” policy.usc.edu/scampus-part-b. Other forms of academic dishonesty are equally unacceptable. See additional information in SCampus and university policies on scientific misconduct, policy.usc.edu/scientific-misconduct.

Support Systems:

Student Health Counseling Services - (213) 740-7711 – 24/7 on call engemannshc.usc.edu/counseling
Free and confidential mental health treatment for students, including short-term psychotherapy, group counseling, stress fitness workshops, and crisis intervention.

National Suicide Prevention Lifeline - 1 (800) 273-8255 – 24/7 on call suicidepreventionlifeline.org
Free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, 7 days a week.

Relationship and Sexual Violence Prevention Services (RSVP) - (213) 740-4900 – 24/7 on call engemannshc.usc.edu/rsvp
Free and confidential therapy services, workshops, and training for situations related to gender-based harm.

Office of Equity and Diversity (OED) | Title IX - (213) 740-5086 equity.usc.edu, titleix.usc.edu
Information about how to get help or help a survivor of harassment or discrimination, rights of protected classes, reporting options, and additional resources for students, faculty, staff, visitors, and applicants. The university prohibits discrimination or harassment based on the following protected characteristics: race, color, national origin, ancestry, religion, sex, gender, gender identity, gender expression, sexual orientation, age, physical disability, medical condition, mental disability, marital status, pregnancy, veteran status, genetic information, and any other characteristic which may be specified in applicable laws and governmental regulations.

Bias Assessment Response and Support - (213) 740-2421 studentaffairs.usc.edu/bias-assessment-response-support
Avenue to report incidents of bias, hate crimes, and microaggressions for appropriate investigation and response.

The Office of Disability Services and Programs - (213) 740-0776 dsp.usc.edu
Support and accommodations for students with disabilities. Services include assistance in providing readers/notetakers/interpreters, special accommodations for test taking needs, assistance with architectural barriers, assistive technology, and support for individual needs.
USC Support and Advocacy - (213) 821-4710
studentaffairs.usc.edu/ssa
Assists students and families in resolving complex personal, financial, and academic issues adversely affecting their success as a student.

Diversity at USC - (213) 740-2101
diversity.usc.edu
Information on events, programs and training, the Provost’s Diversity and Inclusion Council, Diversity Liaisons for each academic school, chronology, participation, and various resources for students.

USC Emergency - UPC: (213) 740-4321, HSC: (323) 442-1000 – 24/7 on call
dps.usc.edu, emergency.usc.edu
Emergency assistance and avenue to report a crime. Latest updates regarding safety, including ways in which instruction will be continued if an officially declared emergency makes travel to campus infeasible.

USC Department of Public Safety - UPC: (213) 740-6000, HSC: (323) 442-120 – 24/7 on call
dps.usc.edu
Non-emergency assistance or information.