

USC Gould

School of Law

Law and Politics: Electing A President

Law 201

Fall 2021

CONTACT INFORMATION

Prof. Franita Tolson
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CLASS INFORMATION

T 4:00-7:20 Room Law 2
4 Units

Teaching Assistant: Angela Chuang
Angela.chuang.2023@lawmail.usc.edu

Office Hours: Thursdays 9:00-10:00 (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

- Polsby, Wildavsky, Schier, and Hopkins, eds., *Presidential Elections: Strategies and Structures of American Politics* (14th Edition) (Rowman & Littlefield, 2015) (hereinafter **Polsby et al**)
- Bernstein and Dominguez, eds., *The Making of Presidential Candidates 2020* (Rowman & Littlefield, 2019) (hereinafter **Bernstein et al**)

- Photocopied materials that have been uploaded to blackboard

ATTENDANCE 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. **If you are not feeling well, do not come to class.**

All students must wear a mask while in class. If a student refuses to wear a mask, I will ask the student to leave and mark the student absent. Repeated refusal to wear a mask will result in being unenrolled from the course.

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 through Class 10 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. **Please email me (and cc Angela Chuang) a 1-page proposal by October 5th, a detailed outline by November 9th, and a final draft by December 14th.**
6. Each student will be responsible for doing a **20-25 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.

COURSE OUTLINE

1. INTRODUCTION: WHO RUNS FOR PRESIDENT? (8/24)

- Paul R. Abramson, John H. Aldrich, and David W. Rohde, “Progressive Ambition among United States Senators: 1972-1988,” 49 *Journal of Politics* 3 (1987)
- 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**

2. POLITICAL POLARIZATION I (8/31)

- 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)
- Avidit Acharya, Matthew Blackwell, and Maya Sen, *Deep Roots: How Slavery Still Shapes Southern Politics*, Chapters 1, 7 (Princeton University Press 2018)
- Chapter 1, “The Nature of the Puzzle,” in *The End of Southern Exceptionalism: Class, Race and Partisan Change in the Postwar South*, by Byron E. Shafer and Richard Johnston, (Harvard University Press 2006)
- Sign Up for “What Makes A President?” Presentations

3. POLITICAL POLARIZATION II (9/7)

- **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)
- Lilliana Mason, Chapter 3: “A Brief History of Social Sorting,” in *Uncivil Agreement: How Politics Became Our Identity* (University of Chicago Press 2018)
- Daniel Hopkins, Chapter 3: “The Nationalization of American Elections, 1928-2016,” in

The Increasingly United States: How and Why American Political Behavior Nationalized
(University of Chicago Press 2018)

4. RULES AND RESOURCES (9/14)

- 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**
- Casey B.K. Dominguez, Chapter 2: “Money: The Resource Race,” in **Bernstein et al**
- **Presentations (2 max)**

5. THE PRE-REFORM ERA PRESIDENTIAL NOMINATING PROCESS (9/21)

- William G. Mayer, Chapter 9: “The System Evolves: Changes in the Presidential Selection Process, 1792-1824, in **Bernstein et al**
- Elaine C. Kamarck, Chapter 1: “The Good Old Days” in *Primary Politics: How Presidential Candidates Have Shaped the Modern Nominating System* (Brookings Press 2009)
- Austin Ranney, Chapter 1: “Party Reform in Academic Theory and Political Practice,” in *Curing the Mischief of Faction* (University of California Press 1975)
- Theodore H. White, Chapter 5: “Pre-Convention: Democrats,” in *The Making of the President 1960* (Signet 1961)
- **Presentations (2 max)**

6. THE MODERN NOMINATION PROCESS (9/28)

- Polsby et al: Ch 4, The Nomination Process (87-134)
- Barbara Norrander, “The Accidental Calendar, Part 1: Iowa and New Hampshire Come First,” in *The Imperfect Primary: Oddities, Biases, and Strengths of U.S. Presidential Nomination Politics* (Routledge 2015)
- 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 (2 max)**

7. THE POLITICS AND EMOTIONS OF PRESIDENTIAL DEBATES & VP SELECTION (10/5)

- Drew Westen, Chapter 2: “Rational Minds, Irrational Campaigns,” in *The Political Brain* (Public Affairs 2007)

- Drew Westen, Chapter 4: “The Emotions Behind the Curtain,” in *The Political Brain* (Public Affairs 2007)
- John Heilemann and Mark Halperin, Chapter 20: “Sarahcuda,” in *Game Change: Obama and the Clintons, McCain and Palin, and the Race of a Lifetime* (Harper Collins 2010)
- Jaeho Cho and Yerheen Ha, “On the Communicative Underpinnings of Campaign Effects: Presidential Debates, Citizen Communication, and Polarization in Evaluations of Candidates,” *Political Communication* 29(2):184-204 (2012)

- **Presentations (2 max)**

- **PAPER PROPOSAL DUE**

8. THE CAMPAIGN (10/12)

- 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**

Discussion Session (10/14) (Midterm Exam Review Session) (**online**) (optional)

9. ELECTION LAW AND DEMOCRACY’S BOUNDARIES (10/19)

- 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)
- Edward Foley, Chapter 4: The Jeffersonian Electoral College in the 19th Century, in *Presidential Elections and Majority Rule: The Rise, Demise, and Potential Restoration of the Jeffersonian Electoral College* (Oxford 2020)
- Andrew Gelman, Nate Silver, and Aaron Edlin, “What is the Probability Your Vote Will Make a Difference?” *50 Economic Inquiry* 321 (2012)

- **Presentations (2 max)**

Discussion Session (10/21) (Midterm Exam Review Session) (**online**)(optional)

10. MIDTERM EXAM (10/26)

11. THE FUTURE OF PRESIDENTIAL ELECTIONS (11/2)

- 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)
- Josh Putnam, Chapter 5: “Backward Looking, Future Rule-Making: How 2016 Affected the 2020 Presidential Nomination Rules,” in **Bernstein et al**

- **Presentations (2 max)**

12. **COURTS AND THE REGULATION OF ELECTORAL PROCESS (11/9)**

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

- **Film: Recount**

- **PAPER OUTLINE DUE**

13. **Presentations (11/16) (4 max)**

14. **Meeting re: final paper (11/17-11/23) (online) (mandatory)**

15. **Presentations (11/30) (4 max)**

16. **FINAL PAPER DUE 12/14**

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.

Help with Basic Needs

<https://studentbasicneeds.usc.edu/>

<https://studentbasicneeds.usc.edu/resources/covid-19/>

If you are experiencing food insecurity

<https://studentbasicneeds.usc.edu/resources/food-insecurity/>

If you are experiencing housing insecurity

<https://studentbasicneeds.usc.edu/resources/housing-insecurity/>

If you are experiencing financial insecurity

<https://studentbasicneeds.usc.edu/resources/financial-insecurity/>

If you need help procuring technology to perform coursework remotely

<https://studentbasicneeds.usc.edu/resources/technology-assistance/>

We realize attending classes online and performing coursework remotely requires access to technology that not all students may possess. If you need resources to successfully participate in your classes, such as a laptop or internet hotspot, you may be eligible for the University's equipment rental program. To apply, please fill out this form (see link above) and our Student Basic Needs team will partner with you to evaluate your options.