

POSC 109
THE U.S. POLITICAL SYSTEM
"SPRING" 2016
(Provisional Syllabus, December 8, 2015)

Tuesday/Thursday
2:45 – 4:00 p.m.
Geller 001

Office Hours Tues/Thurs 1:00 – 2:30 p.m.

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THIS COURSE'S PERSPECTIVES ON THE TOPIC

The Instructor's Dilemma

The purpose of this course is to provide a sophisticated introduction to American politics and government. But it can only provide an introduction to an immensely complicated topic, or set of topics.

To me, a sophisticated understanding means knowing what to look for in order to understand political events, and knowing enough to reject some common rhetoric about politics. But any instructor of this course must be aware of another dimension of what students learn, or conclude. Politics is a basic aspect of human society, which affects us whether we like it or not. And there is a lot not to like. So we all have to develop a moral orientation to the political systems in which we live. By that I mean not a sense of what policies are "right" or "wrong," but a sense of what forms of behavior we consider acceptable, either for us or by political leaders. Unlike in almost any other course, what you study here can influence your own choices about how you act as a citizen – both the extent to which you will be involved in government and politics, and how you view your responsibilities in those roles.

Both kinds of understanding are a challenge. On the intellectual side, politics in the U.S., though generally pretty visible, can be quite hard to follow because the country and its governing institutions are so complicated. As the class will be reminded when we read some of the *Federalist Papers*, complexity is part of the design – both the institutions developed and the choice to combine 13 colonies into one United States. A moral orientation is difficult because most Americans – actually, most of anybody – seem to think of "politics" as usually "dirty" or at least unpleasant.¹ As the famous saying goes, "laws are like sausages; it is better not to see them being made."² Unfortunately, we cannot learn about how U.S. politics works without frankly confronting the less attractive aspects of the system. Whenever I teach this course I therefore worry about discouraging students, leaving only people who have some affinity about the less admirable aspects of political behavior willing to participate.

¹ Some political theorists, following the tradition exemplified by Aristotle, view participation in politics as the highest form of human activity. That should not, however, be interpreted as meaning politics is a realm of virtuous behavior. I would say that, if it is the highest activity, that would be because virtue is so hard, yet simultaneously so important to try to attain.

² The quote is usually attributed to the "iron Chancellor" who first unified Germany, Otto von Bismarck (1815-1890). Attributing the quote to a political genius is easy to understand. But I'm not sure it's confirmed by evidence. Some say the source is an American lawyer and poet named John Godfrey Saxe (1816-1887), who also is credited with introducing the Indian parable of the blind men and the elephant to western audiences. That story also might have some relevance to the U.S. political system.

I hope you will not be too discouraged, for the results of politics and government are such an important part of your lives, and leaving it to other people to control does not seem like a good solution. I also don't believe human behavior in politics is especially different from behavior in other activities. I don't believe politicians misrepresent their products much more than do other salesmen under intense pressure to make sales, and I think that many politicians inherently face extremely difficult ethical trade-offs. Just imagine if you had to make decisions about domestic surveillance in the face of valid threats of violence; or what you might consider "fair" tactics if you thought your opponents could do great damage to the country.

Coping With Conflict

Therefore one purpose of this course is to help students appreciate the dilemmas of political behavior. That does not mean to excuse everything you see – but it does mean to be fully aware of moral complexity.³ One of the most difficult tasks in building any society is to develop norms of moral political behavior, and then to stick to them. It is a topic that does not fit easily into a textbook, for it can seem to be so much a matter of opinion rather than “science.” Yet the United States is now in a period of the country's political history when, as at some other times, the bounds of legitimate political conflict are in question. That is not a good place to be.

I am not sure what I believe about how bad the situation is – though I think the question is important enough that we will end the course with a book titled, *It's Even Worse Than It Looks*. But I do think the basic problem – political leaders engaging in what outsiders might see as underhanded deals or viciously unfair attacks on each other, while failing to “solve the country's problems” – is nothing new. In order to show that, at various points in the course we will look at the early years of the Republic and the behavior of some of the most admired political leaders in history – men like Jefferson and Madison, Hamilton and Adams, who led the revolution, wrote the Constitution, and then fought over how it should be implemented.

Whether we look at 1790 or 2013, actors in politics and government may resist limits on how they behave because, simply, there is a great deal of conflict and the stakes are extremely high. Madison and Hamilton were playing for the stakes of history – we know that now and so did they. But Obama and Ryan think they are doing the same. A core question for the course, then, will be how the U.S. political system manages and structures conflict, and with what effects.

One goal for political systems is to take the conflict that naturally exists in society and channel it in a constructive way. By “constructive” I mean a way that enables people to live together in complex societies in a way that meets some standards of decency and justice. This is made more difficult, naturally, by the fact that people disagree about what those standards might be. But in healthy systems the vast majority of people think the result is close enough to their personal standards, even if they have different standards. We might call that compromise.

Yet systems break. Officially, the U.S. political system has continued since the elections of the first U.S. Congress and of President Washington in 1788. In reality, it collapsed in 1861 and had to be re-

³ I also am not endorsing views that continually sacrifice basic human decency to notions of “the greater good.” As Harry Potter could tell you if he were real, great evil can be found on that path too.

founded, with similar institutions but different meanings, after this nation's bloodiest war.⁴ Since the ratification of the 13th, 14th and 15th amendments, the U.S. has seemed much more stable than most other advanced industrial nations. It survived the Great Depression, in particular, without turning towards either fascism or communism. But our country's massive failure and near-misses in the past, as well as the horrible experiences of some other countries, should make us sensitive to risks.

Confronting Complexity

Understanding the sources and depth of disagreement, and the difficulties of politics, are important for evaluating the political system. But they leave out more basic questions like Who Wins, What They Can Win, and Why. In short, how does the system work?

This is where the confusion comes in. The good news is, there is lots of information. The bad news is, there are so many parts of most stories that it is usually hard to say how much difference each part makes.

In the study of politics there are no natural laws. There are general patterns, more like probability statements, which can be applied (somewhat) to understand particular cases. So a course like this can only aim to offer students some understandings that they can use to try to make sense of particular cases.

In order to understand the behavior and outputs of the American political system, you need to understand both the interests and attitudes represented in politics, and the opportunities and constraints created by structure. The American political system is an **interaction between political structures (“the system”) and political beliefs, with beliefs only mattering to the extent that they are organized to influence the system.** The rules for making decisions (the system) structure whose beliefs affect what the government does, how much. The structures also influence beliefs, because they help determine which ideas get attention and they also affect beliefs about government itself. A system designed to frustrate action may frustrate citizens as well. But beliefs also influence structure, because one thing that political combatants do is try to change the rules to favor their sides. The Constitution itself is an example of that kind of politics.

The different parts of the system become chapters in textbooks, or individual courses in a political science department. They can be divided into five basic categories. The first is the basic rules of the game – the Constitution and understandings of the relationship between government and citizens (usually conceived as "rights" and "liberties", and leaving out obligations of citizens to each other or the government). Courses on these topics, of course, are central to legal education as well as to political science.

A second set of topics involves the formation of attitudes that then are organized and seek to influence government decisions. Examples are "public opinion," interest groups, political parties, and "the media." A third set involves the parts of the government that make and implement authoritative policy.

⁴ Almost half a million soldiers died in the Civil War, see <http://www.pbs.org/newshour/updates/many-americans-died-u-s-wars/> World War II had over 90,000 fewer deaths – in a population over four times as large. About 0.31% of the U.S. population died as soldiers in World War II, compared to 1.58% - five times as large a proportion – in the Civil War. And these figures do not include collateral damage to civilians – which had to be much higher than in the World Wars, which were not fought on U.S. soil.

Examples include the three "branches" – Congress, the presidency and the judiciary – as well as the government agencies that do the work (sometimes called "bureaucracy") and the roles of state and local governments (federalism). The two types of institutions are linked by a fourth topic, elections. And the result of all this activity is what government actually does – public policy. Public policy can be discussed either as a general topic (at CWRU, POSC 386) or in terms of specific subtopics (such as U.S. Foreign Policy, or Health Politics and Policy, or Environmental Politics and Policy).

Since each of these topics can be the subject of a full-semester course, but may only be addressed in one or at most three class sessions, this course has to provide only highly selective information. That is what textbooks do, but I have never found one I really liked. So I have written my own analyses of many of the topics. For others, I am selecting reading that I believe make some key points well. **A further goal of the course, then, is for students to gain a useful, overall understanding of the processes by which beliefs are brought into political conflict (or, ideally, "deliberation,") and how decision-making processes within each part of the "separated institutions sharing powers" combine into policy outputs.**

In covering these topics, it seems to me that a big problem with textbooks (including my essays) is that they can make the topic dry by reducing it to a series of facts and analytic points. So I have also included some stories. The stories about the early years of the United States are one example. Another long and dramatic story involves Prohibition. Much of the story happened more than a century ago, but it shows a lot of the basic dynamics of politics even today.⁵ Some other stories include how President Johnson fought for passage of the Civil Rights Act of 1964, how the federal poverty program of the 1960s tried to find the most dangerously angry minorities so it could give jobs in the way that was most likely to prevent riots; and President Obama's view of his own situation as of 2014.

COURSE READING MATERIAL

You should obtain four books for this course:

Joseph J. Ellis, *Founding Brothers: The Revolutionary Generation*. Vintage Books, 2002.

Robert A. Katzmann, *Judging Statutes*. Oxford University Press, 2014.

Thomas E. Mann and Norman J. Ornstein, *It's Even Worse Than It Looks: How the American Constitutional System Collided With the New Politics of Extremism*. Basic Books, 2012.

Daniel Okrent, *Last Call: The Rise and Fall of Prohibition*. New York: Scribner, 2010.

Other required readings will be posted on the course blackboard site. A few readings can be downloaded from public websites. If there is student interest, I will prepare a reader consisting of the readings of which I am author or co-author.

⁵ The number of pages of reading for some of the assignments about stories may seem rather high to students. I think they will not be as burdensome as that may sound because they are narratives, so much easier to read than most of the more academic material.

GRADED ASSIGNMENTS

*** You will be required to write three essays in which you analyze course material.**

The first two essays will each count for 24 percent of your grade. Each should be between 1500 and 2000 words long. The first will be due at the beginning of class on February 16th, and the second at the beginning of class on March 17th..

The final essay will count for 30 percent of your grade, and will take the place of a final exam. So it is due to me by 5:00 p.m. on April 28, the day on which this course's exam is scheduled. The essay should be between 2250 and 3000 words long.

*** In addition, each student will submit Reading Responses for two of the days which are marked by asterisks in the syllabus.** Each analysis should be between 300 and 500 words long. In it, you should do some combination of the following:

- 1) Respond to the issues to "think about" for that day on the syllabus.
- 2) Identify and explain two propositions about U.S. politics made in the reading. This includes saying why it is important and some comment about how well it is supported. If the reading is about the past, so the proposition is about the past, explain why you think it may or may not be true today.

You do not have to do both, but I do ask you to write 300 thoughtful words about either or both of these topics.

Each of these assignments will count for 6% of your grade. *They are due by e-mail to me at Noon on the day of the class.* That will enable me to review your comments so I can ask you about them in class. *I will then post a summary of each day's comments for the use of the rest of the class.*

I will arrange a process so that students can choose or be assigned their days by Saturday, January 23. Each student should have one day on or before February 23, and one day afterwards.

*** The final ten percent of your grade will be determined by class participation.** The participation portion of the grade is meant to reward contributions to discussion and encourage class attendance. "Contributions" can easily include good questions, not just answers. Nor are students expected to hit the mark in everything they say – that's my job, and even I may not manage it!

I understand that conflicts arise which may make it sensible not to attend class. You may have religious obligations, or have to travel for sports teams. There are occasional situations when a student needs to travel for research or a presentation, or for job interviews. I would not want to interfere with that kind of opportunity. Students who wish to miss class due to such conflicts should let me know, in writing, and with documentation where appropriate. I will normally approve, but reasons like "I'm behind in my other work" will not do. Managing your time so that doesn't happen is part of your job. Please also inform me if you are ill. If you are sick enough to have to inform me that you missed class due to illness

more than twice in a row, you should go to the health service, get looked at, and then bring me a note from them.

Although there are legitimate reasons to miss class, it's best to miss as little as possible. I will take attendance, and, if a student misses more than six sessions of class without proper explanation, that can be a reason to reduce the participation grade.

No person can lose points by participating in class – unless they are abusive or disruptive. The participation portion could only lower your grade, compared to your performance on written work, if your attendance is poor. If your participation is good, that can be a reason to raise your average from your written work a bit, and so (sometimes) over the borderline between two letter grades.

So, to summarize, your grade will be composed of:

24% First essay
6% First reading response
24% Second essay
6% Second reading response
30% Final essay
10% Participation

COURSE PROCEDURES AND EXPECTATIONS

All written assignments can be penalized half a grade for each day they are late. Students who have a reason for delay that could be anticipated in advance must inform me in advance, if they wish to seek an exception to the penalty. Students who face unanticipated emergencies must document the emergency and inform me as soon as possible, if they seek an exception. I will judge each case on its merits.

You must document all sources you use in writing your papers according to an accepted style guide. A good standard approach is in the Chicago Manual of Style (Chicago: University of Chicago Press, 1973), but any standard format will be fine for this class. Plagiarism of any form will be punished by referral to the appropriate university judicial proceedings, as well as by a failing grade in the assignment on which the plagiarism occurs. Plagiarism includes, according to the MLA Handbook (New York: MLA, 1988), two related activities: repeating “as your own someone else’s sentences, more or less verbatim,” and “paraphrasing another person’s argument as your own, and presenting another’s line of thinking as though it were your own.” Proper citation of sources will allow you to incorporate others’ analyses without committing plagiarism.

I have regular office hours but I am very willing to meet at other times. Please just contact me so we can schedule time, as you need it. Please also remember that this syllabus is supposed to be a resource to help you understand what I hope we accomplish with the course. As you do reading you should consider both the individual things to “think about” and the essay topics that you will be asked to answer based in part on each reading.

SCHEDULE OF READINGS AND ASSIGNMENTS

Part I: The Basics

- Jan 12 **Introduction to the class.**
Some of the perspectives I introduce can be reviewed in a manuscript posted on Blackboard, titled "Politics and Government." You should review this sometime before the first essay exam.
- Jan 14 **Two Views of Conflict**
E.E. Schattschneider, "Preface," and "The Contagiousness of Conflict." From *The Semi-Sovereign People: A Realist's View of Democracy in America* (1960) pp. vii-viii; 1-19.
John R. Hibbing and Elizabeth Theiss-Morse: "Conclusion: The people and their political system," from *Congress as Public Enemy: Public attitudes toward American political institutions* (New York: Cambridge University Press 1995), p. 145-162.
Think about: How do the views of conflict in these two pieces differ? Could both be true?
- Jan 19 **Original Tensions**
The Constitution of the United States of America
The Federalist Papers: Numbers 10, 51, 62, 63
Ellis, "The Generation," pp. 3-19.
Think about: What were the most important aspects of the constitutional design, according to its supporters? Were the reasons they use to justify it the same as the reasons they adopted it? What were the major unanswered questions?
- Jan 21 **Federalism**
Samuel H. Beer, "Federalism, Nationalism, and Democracy in America." *The American Political Science Review*, Vol. 72, No. 1 (March, 1978), pp. 9-21.
Frank Thompson and Joel C. Cantor, "Federalism and Health Care Policy," Chapter 6 in James A. Morone and Dan Ehlke eds., *Health Politics and Policy 5th ed.* (Cengage: 2014), pp. 94-115.
Think about: What, if anything, is the relationship between current practice and the fact that the United States was created as a union of states?
- Jan 26 **Bargaining and Contradictions ***
Ellis, "The Dinner," and "The Silence." Pp. 48-119.
Think about: How did the results of these stories shape subsequent events? To what extent do they shape or are they mirrored in current politics?
- Jan 28 **"Rights" and "Liberties" ***
Robert J. Spitzer, "The Second Amendment." Chapter 2 in *The Politics of Gun Control 5th ed.* (Boulder: Paradigm Publishers, 2012), pp. 19-46.
Thomas Jefferson, First Inaugural Address
Abraham Lincoln, First Inaugural Address, Second Inaugural Address

Think about: Does the Constitution establish “our rights and liberties?” If not, what does?

- Feb 2 **Drawing Lines and Taking Sides ***
Schattschneider, Chapter 4, “The Displacement of Conflicts,” from *The Semi-Sovereign People*, pp. 62-77.
Ellis, Chapter 5, "The Collaborators," pp. 162-205
Think about: What seems to have driven political conflict at the time of the nation’s founding? Do you think much is likely to have changed since then?

Part II: The Politics of Prohibition

- Feb 4 **Interest Group Politics as a Moral Crusade ***
Okrent, Prologue and Chapters 1-8, pp. 1-127, and notes.
Think about: What does this portion of the book tell you about political organization, majority rule, and the building of coalitions?
- Feb 9 **Government and Politics ***
Okrent, Chapters 9-16, pp. 128-266, and notes.
Think about: Was Prohibition failing because it was too hard for government to enforce it, or government was not trying hard enough?
- Feb 11 **The Rich to the Rescue? ***
Okrent, Chapters 17 – Epilogue, pp. 267-376, and notes.
Think about: Does Prohibition remind you of any current issues? Which ones, and how? Do you think it would have been repealed as quickly, or at all, without the Great Depression?
- Feb 16 **First Essay Due**
Topic: In your view, what does the Prohibition story tell us about how well the constitutional design fulfilled the goals that Madison describes in the Federalist Papers that we have read: and about the sources of power and influence in U.S. politics?

Part III: Institutions for Participation

- Feb 18 **Organized Interests ***
Joseph White, "Organized Interests Text"
Tom Wolfe, "Mau-Mauing the Flak Catchers."
Think about: How does the "Mau-Mauing" story fit into the discussion in my text? More generally, what does the material for today suggest about any biases in who benefits from the political process? Remember Schattschneider as you think about this.
- Feb 23 **The Two Party System ***
J. White, “Political Parties Text”

Matt Grossman and David A. Hopkins, "Ideological Republicans and Group Interest Democrats: The Asymmetry of American Party Politics," *Perspectives on Politics* Vol. 13, No. 1 (March, 2015) pp. 119 – 139.

Think about: What does the Grossman and Hopkins argument imply about whether the two parties' activists and representatives in the government will behave in similar ways? More generally, in what ways and how well do parties link (a) citizens to government decisions and (b) government decision-makers to each other?

Feb 25 **"Public Opinion," Ideologies, and Identities ***
Joseph White, "Opinions and Participation Text"
Selected data from polls.
Think about: How do you define yourself, politically? How do you get your opinions?

Mar 1 **The Parties in Their Own Words**
2012 Republican Party Platform, at <https://cdn.gop.com/docs/2012GOPPlatform.pdf>
2012 Democratic Party Platform, at http://www.presidency.ucsb.edu/papers_pdf/101962.pdf
Think about: The topic for the second essay (below)

Mar 3 **"The Media," or, "The Public Sphere" ***
Reading to be Determined
Think about: What are your sources of information about government and politics? When you disagree with other people, do you find yourselves referring to the same sources, or different ones?

SPRING BREAK

Mar 15 **Elections: Who Decides What?**
Reading to be Determined
Data about 2012 and 2014 elections
Think about: If you have ever voted, have you voted more "for" or "against." If the latter, is that so bad?

Mar 17 **Second Essay Due**
Topic: Describe and explain what you consider to be the main differences between the Democratic and Republican parties. Then discuss whether and to what extent, in your view, the two-party system can effectively represent Americans.

Part IV: Processes for Decisions

Mar 22 **The Congress We Deserve? ***
Joseph White, "Congress Text."
Think about: How does the argument that Congress, in order to make informed decisions, must divide its labor extensively, fit with Madison's expectation that involving lots of people in choices will prevent domination by minorities? Also, does party governance of Congress seem more like a good or a bad idea?

- Mar 24 **The Heroic Version of the Presidency ***
 Robert Caro, excerpts from *The Years of Lyndon Johnson: Book 4, The Passage of Power* on passing the Civil Rights Act of 1964 (Alfred A. Knopf: 2012).
 Think about: If LBJ had not been working to pass legislation that almost everyone now views as necessary and good, would you find this story a little scary? To what extent does this story seem to involve peculiar personal talents and relationships?
- Mar 29 **A Presidency of Limits ***
 David Remnick, "Going the Distance: On and Off the Road With Barack Obama." *The New Yorker* (January 27, 2014) pp. 41-61.
 Joseph White, "Presidency Text"
 Think about: Is Obama right in believing nobody could be Lyndon Johnson today? If he is right in saying thing that presidents rarely get to be heroic, dominant leaders, then (a) why is that, and (b) is it a good thing?
- Mar 31 **Oy Vey, The Budget....!**
 Center on Budget and Policy Priorities, "Policy Basics: Introduction to the Federal Budget Process." At <http://www.cbpp.org/research/policy-basics-introduction-to-the->
 J. White, "Presidents, Congress, and Budget Decisions," Chapter 9 in James A. Thurber ed., *Rivals for Power: Presidential-Congressional Relations 5th ed.*
 Think about: Does my argument that federal budgeting is overwhelmed by blame seem plausible? And who – the president or members of Congress – deserves more blame when things go "wrong"?
- Apr 5 **Congress and The Court ***
 Katzmann, *Judging Statutes*, Preface and Chapters 1-4 (and notes)
 Timothy S. Jost, blog post about *King v. Burwell*
<http://healthaffairs.org/blog/2015/06/25/implementing-health-reform-the-supreme-court-upholds-tax-credits-in-the-federal-exchange/>
 Think about: What is Judge Katzmann telling us about Congress? Does it fit our other course material? And in the *King v. Burwell* case, what are the arguments against the decision the Court made?
- Apr 7 **What is the Judicial Power and How Does It Work? ***
 Joseph White, "Judicial Branch Text"
 Think about: Why is judicial independence of the executive branch important? Does that mean we can trust the judiciary to do what's right? And is there any good alternative to the ancient role of judges that I describe?
- Apr 12 **Judging in Action**
 Katzmann, *Judging Statutes*, Chapters 5-7 (and notes)
 Think about: What attributes are needed to be a good judge? What qualities are needed to be a successful legislator? Are the two types bound to misunderstand each other?

- Apr 14 **Government Within Politics ***
Joseph White, "Agencies Text"
Think about: James Q. Wilson's two 2 X 2 matrices. What are they meant to explain, and what are their core claims about politics and government in the United States?
- Apr 19 **Polarized Politics, Then and Now (Part 1)**
Ellis, Chapter 4, "The Farewell," pp. 120-161.
Mann and Ornstein. "Introduction," and "The New Politics of Hostage Taking," pp. ix-xiv, 3-30, plus notes.
Think about: How does Mann and Ornstein's account of budget politics fit with White's? Under what circumstances could the hostage-taking be justified? And if Washington were president instead of Obama, do you think he might have been subjected to similar criticisms?
- Apr 21 **Polarized Politics, Then and Now (Part II)**
Ellis, Chapter 6, "The Friendship," pp. 206-248.
Mann and Ornstein, "Beyond the Debt Ceiling Fiasco," pp. 81-103, plus notes.
Think about: In my discussion of parties I argued that the Democrats are clearly the heirs of Jefferson, and the Republicans of Adams. Does that seem plausible after reading this material? How, and how not?

Final Essay, due 5 p.m. on April 28
(See Next Page!)

Assignment: Read the rest of *It's Even Worse Than It Looks*. In your essay, discuss Mann and Ornstein's diagnosis, explanation, and advice about possible reforms. Analyze how their arguments fits with material in the rest of the course, or use the rest of the course to help you assess their arguments. Conclude by discussing what the course and their critique tell you about what we should expect from our political system in the future.