

PLSC 305-2 Winter 2016

MW 11:00-12:15

Pray-Harrold 420

[CRN: 24783]

[Credit Hours: 3]

Law & Policy in a Constitutional Democracy

Dr. Henschen

601 Q Pray-Harrold

Hours: MW 12:30-1:30 (office)/by email/and by appointment

E-mail: bhenschen@emich.edu

Phone: 734.487.3113; 734.487.1398

In this course we will study lawmaking in the United States. While giving special emphasis to Congress and the Supreme Court, we will also examine the important roles that the president and administrative agencies play in shaping law and policy. The impact of federalism on lawmaking and the evolution of constitutional principles and powers will also be considered. As we focus on the actors who are engaged in making the laws that govern American society as well as the institutional contexts in which that lawmaking takes place, a recurring theme will be the complexity that characterizes public policymaking in a constitutional democracy.

Books: REQUIRED

Baum, Lawrence. 2013. *The Supreme Court* (11e). Thousand Oaks, CA: Sage/CQ Press.

Loomis, Burdett A. and Wendy J. Schiller. 2016. *The Contemporary Congress* (6e). Lanham, MD: Rowman & Littlefield.

Reading Schedule and Assignments:

January

6/Wednesday	Thinking About Democracy
11/Monday	Compromises and Choices: The Constitutional Context
13/Wednesday	The Congressional Design [Loomis & Schiller, 2]
18/Monday	Martin Luther King, Jr. Day—No Class
20/Wednesday	Congressional Evolution [Loomis & Schiller, 8]
25/Monday	The Institutionalization of the Federal Judiciary/The Supreme Court and Policy Over Time [Baum, 1]
27/Wednesday	Congressional Elections [Loomis & Schiller, 6]

February

1/Monday	Judicial Selection [Baum, 2]
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3/Wednesday	*In-Class Writing Exercise / Elections and Selections Matter: the Affordable Care Act (ACA)	30 points
8/Monday	Agenda Setting in Congress: Interest Groups [Loomis & Schiller, 3]	
10/Wednesday	The President as Chief Legislator [Loomis & Schiller, 5]	
15/Monday	Reaching the Court [Baum, 3]	
17/Wednesday	Deciding What to Hear [Baum, 3]	
22/Monday-26/Friday Winter Recess		
29/Monday	Issue Identification and Agenda Setting: the ACA	
March		
2/Wednesday	Exam I	100 points
7/Monday	Congressional Policymaking: Parties and Leaders [Loomis & Schiller, 4]	
9/Wednesday	Congressional Policymaking: In Committees, on the Floor [Loomis & Schiller, 7]	
14/Monday	Representational Pressure [Loomis & Schiller, 1] / **MC Discussion and Writing Assignment	25 points
16/Wednesday	The Process of Supreme Court Decision Making [Baum, 4]	
21/Monday	Influences on Judicial Decisions [Baum, 4]	
23/Wednesday	Supreme Court Policies [Baum, 5]	
28/Monday	Policy Choices: the ACA	
30/Wednesday	Judicial Impact and Implementation [Baum, 6]	
April		
4/Monday	The Court, Congress, and the President [Baum, 6]	
6/Wednesday	Catch up on your reading/work on your journal/take a virtual tour of the Supreme Court and Congress	
11/Monday	Congress and the President [Loomis & Schiller, 9]	

13/Wednesday	The Court and Congress in Presidential Elections / ***Journal: Election Coverage, Candidate Statements, and Policy Positions (in-class discussion is a component of the assignment)		45 points
18/Monday	The Complexity of Policymaking in a Constitutional Democracy		
20/Wednesday	Study Day		
25/Monday	Final Exam	9:30-11:00	100 points

Overview of Assignments:

February 3/Wednesday	*In-Class Writing Exercise		30 points
March 2/Wednesday	Exam I		100 points
March 14/Monday	**MC Discussion and Writing Assignment		25 points
April 13/Wednesday	***Journal: Election Coverage, Candidate Statements, and Policy Positions (in-class discussion is a component of the assignment)		45 points
April 25/Monday	Final Exam	9:30-11:00	100 points

Grading scale:

282-300 points	A	94-100%
270-281	A-	90-93
261-269	B+	87-89
249-260	B	83-86
240-248	B-	80-82
231-239	C+	77-79
219-230	C	73-76
210-218	C-	70-72
201-209	D+	67-69
189-200	D	63-66
180-188	D-	60-62
Below 180	F	Below 60%

*The topic of the in-class writing exercise will be announced in class at some point before the scheduled exercise.

**MC Discussion and Writing Assignment

We expect our members of Congress to serve a variety of representative functions, e.g., taking positions on issues, engaging in symbolic activities, helping with specific constituent matters, and reflecting the views of their parties.

Go to GovTrack.us and find your member of the House of Representatives. Where does he or she fall on the leadership and ideology chart? Now go to your representative's website. What issues does he or she emphasize? What committees and subcommittees does he or she serve on? Has your representative made any specific references to health care or the Affordable Care Act?

In a carefully crafted essay, discuss the ways in which your own member of the House of Representatives performs his or her representative functions. Given what you are able to learn about your member in the House and what you are able to glean about your congressional district, how well is your representative reflecting the views of the constituency? How well is he or she "representing" *you* in Congress?

About 3-5 pages, typed (double-spaced), with appropriate citations where relevant.

***Journal: Election Coverage, Candidate Statements, and Policy Positions (in-class discussion is a component of the assignment)

Throughout the semester, make regular entries (once or twice a week) in a journal of statements made about policy and policymaking by the 2016 presidential candidates. In particular, note what they have to say about health care and the Affordable Care Act. References to presidential policymaking, congressional decision making, and/or judicial selection and Supreme Court policymaking should also be a focus. During the class discussion, you will be asked to share a number of these statements and identify the ones that you found most thoughtful, most simplistic, most sophisticated, most bombastic, etc. You may type or hand write your entries; the important point is to pay attention to the race for the 2016 presidential nominations and the way in which the candidates address policymaking in a constitutional democracy. Debate performances, speeches, candidate websites, media coverage—all will serve as sources. Provide citations where appropriate.

Ballotpedia (at ballotpedia.org) is an excellent site for information about the candidates and their

positions on policy issues, among other useful material.

FactCheck.org is a project of the Annenberg Public Policy Center of the University of Pennsylvania that monitors the factual accuracy of what is said by candidates and other major players in American politics.

Television and newspaper coverage:

CNN MSNBC FOX News ABC NBC CBS

New York Times *Washington Post* *Wall Street Journal*

Des Moines Register *Union Leader* (New Hampshire)

You can also enter the candidates' names in a search engine to access relevant newspaper and magazine articles, as well as clips from television. Social media sites are also worth exploring.

Preliminary Debate Schedule

Jan. 14, 2016/Republican debate – Fox Business/Location – North Charleston Coliseum and Performing Arts Center, North Charleston, South Carolina

Jan. 17, 2016/Democratic debate – NBC/Congressional Black Caucus Institute/Location – Charleston, South Carolina

Jan. 28, 2016/Republican debate – Fox News/Location – Iowa Events Center, Des Moines, Iowa

Feb. 6, 2016/Republican debate – ABC News/IJReview/Location – St. Anselm College, Manchester, New Hampshire

Feb. 11, 2016/Democratic debate – PBS/Location – Wisconsin

Feb. 13, 2016/Republican debate – CBS News/Time – 9 p.m. ET/Location – South Carolina

Feb. 26, 2016/Republican debate – NBC/Telemundo/National Review/Location – Houston, Texas

March 9, 2016/Democratic debate – Univision/The Washington Post/Location – Miami, Florida

March 10, 2016/Republican debate – CNN/Salem Radio/Location – Florida

March 2016/Republican debate – Fox News (pending)

Caucus and Primary Dates Will Be Highlighted in Class

Check your university e-mail frequently for announcements related to class.

Class attendance, good note taking, and careful reading are essential to doing well in this course. It is also important for you to be *present*—to be fully engaged during lectures and in class discussions. Laptops closed, phones put away...

Additional information regarding classroom matters will be discussed in class.

In addition to the articulated course specific policies and expectations, students are responsible for understanding all applicable University guidelines, policies, and procedures. The EMU Student Handbook is the primary resource provided to students to ensure that they have access to all University policies, support resources, and students' rights and responsibilities. Changes may be made to the EMU Student Handbook whenever necessary, and shall be effective immediately, and/or as of the date on which a policy is formally adopted, and/or on the date specified in the amendment. **Please note:** Electing not to access the link provided below does not absolve a student of responsibility. For questions about any university policy, procedure, practice, or resource, please contact the Office of the Ombuds: 248 Student Center, 734.487.0074, emu_ombuds@emich.edu, or visit the website: www.emich.edu/ombuds

UNIVERSITY WRITING CENTER

115 Halle Library

734-487-0694

<http://www.emich.edu/uwc>

WINTER 2016 SYLLABUS TEXT

The **University Writing Center** (115 Halle Library; 487-0694) offers one-to-one writing consulting for both undergraduate and graduate students. Students can make appointments or drop in between the hours of **10 a.m. and 6 p.m. Mondays through Thursdays and from 11 a.m. to 4 p.m. on Fridays**. The UWC opens for the Winter 2016 semester on **Monday, January 11** and will close on **Tuesday, April 19**. Students are encouraged to come to the UWC at any stage of the writing process.

The UWC also has several satellite locations across campus (in Owen, Marshall, Pray-Harrold, and Mark Jefferson). These satellites provide drop-in writing support to students in various colleges and programs. **Satellite locations and hours can be found on the UWC web site: <http://www.emich.edu/uwc>.**

UWC writing consultants also work in the **Academic Projects Center** (116 Halle Library), which offers drop-in consulting for students on writing, research, and technology-related issues. The APC is open **11 a.m. to 5 p.m. Mondays through Thursdays**. Additional information about the APC can be found at <http://www.emich.edu/apc>.

Students seeking writing support at any location of the University Writing Center should bring a draft of their writing (along with any relevant instructions or rubrics) to work on during the consultation. Go to <http://www.emich.edu/uwc> for information about the university writing center.

Key Dates:

January 6: classes begin

January 12: last day to add a class on line (after that until March 7 requires department permission)

January 15: deadline to submit proposals to be included in the April 1 Undergraduate Symposium

January 18: MLK Holiday (campus events; no classes)

February 22-28: winter break (no classes)

March 23: last day to withdraw from a class with a "W" grade

March 25-27: spring recess (university closed)

April 19: last day of classes

April 21-26: final exams

April 24: commencement

Deadlines

1/12/16 Last date to add courses via the web (a)

3/7/16 Last date to add courses with departmental authorization

1/15/16 Last date for 100% tuition refund (individual or total withdraw from term)

3/23/16 Last date for individual class withdrawal (with W grades) - No Refund

2/2/16 (b) Last date for 50% tuition refund (total withdrawal only) with W grades

3/7/16 (b) Last date for 25% tuition refund (total withdrawal only) with W grades

4/19/16 (b) Last date for total withdrawal from term (with W grades) - No Refund

1/15/16 Last date to declare pass/fail grading option or select to audit a course

4/19/16 Last date to remove pass/fail grading option and receive letter grade

Codes

(a) Initial registration occurring on or after the Part of Term start date will incur a one-time \$140 late registration fee

(b) Date applicable only if student's classes are ALL within the same Part of Term and/or a later starting Part of Term (**). A written request must be faxed to the Office of Records and Registration at 734.487.6808 before midnight.