

INTRODUCTION TO AMERICAN GOVERNMENT

FALL 2017

The University of Texas at Austin
Government 310L (Unique # 38565)
Meeting Times: MWF 10:00-11:00
Meeting Place: CAL 100

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Office hours:
M: 11-12:30; W: 8:15-
9:45 & by appointment

Focus: This course is an introduction to American government and politics. The primary focus will be an examination of the foundational principles undergirding American institutions and processes. To do this, we must first attain a firm grasp of the Constitution, as decisions made at the founding shape and constrain politics throughout history, even today. The goal of this course isn't to be overly beholden to the rules of the Constitution or the views of the framers in a blind or legalistic sense. Rather, we want to *think like* the framers, to take on a constitutional "frame of mind." This requires understanding the *reasons* for the institutional design choices made by the framers and the kind of politics our institutions are meant to foster and sustain. Understanding these reasons means we can better evaluate whether our government works as intended. Moreover, this approach to thinking about American government helps us evaluate modern innovations to our politics, such as political parties, the modern primary system, and the rise of mass media. Finally, analyzing the theoretical foundations and normative commitments of the American constitutional order provides strong tools for constitutional critique, as good critique requires dealing with the best arguments in favor of the government we've inherited. Consequently, this is not a course on current policy debates, current events, or even the difference between "liberals" and "conservatives." Rather, we will probe deeper into questions about the nature of American politics, the responsibility of governing institutions to citizens, and the responsibilities of citizens to each other in a republic. Pursuant to legislative requirements, this course will also include a focus on Texas government institutions.

Readings: The reading assignments are crucial for a complete understanding of the course material, and students are expected to keep pace with the syllabus. Required readings for this course are as follows:

- Lowi, Ginsberg, Shepsle, and Ansolabehere, *American Government: Power and Purpose*, Brief Fourteenth Edition. [hereafter "Textbook"]
- *The Federalist Papers*, Clinton Rossiter, ed.

Both of these required texts are for sale at the University Co-op. To preemptively answer a perennial question: The edition of the course textbook identified above is not an arbitrary decision. It is the version around which the course calendar is structured, to which reading assignments refer, and on which class lectures are based. Whether you purchase the assigned version or an earlier version is, of course, up to you. But if you purchase a version other than the Brief 14th ed. you do so at your own risk. *The Federalist Papers*, on the other hand, are easily accessible online or in a number of different edited volumes; if you would prefer to read them online or print them out, that is your prerogative. However, I recommend buying the assigned text as it is relatively inexpensive and will be more convenient for you during the semester.

All other readings listed on the syllabus are required and will be posted to Canvas in the "files" tab. Readings available on canvas will be marked with an asterisk (*) on the course calendar.

Note: Readings are often assigned by a series of dates, rather than according to each class day. At the end of every class I will let you know where we are and what you should be sure to read for the next class. This is to give you some flexibility in how you choose to do the readings, as well as to allow some flexibility in the course schedule.

Grading: The course is divided into three sections. At the end of each there will be a non-cumulative exam. (So each exam will cover only the material from that section of the course.) Regular class attendance is expected. Additionally, in-class quizzes will be used to reinforce the attendance expectation. I evaluate and incorporate participation in borderline cases.

The grading breakdown for the class is as follows:

- Exam 1:	25%
- Exam 2:	25%
- Exam 3:	25%
-Quiz average:	20%
-Participation:	5%

A – Demonstrates superior understanding of the topic; presents factors of central significance and explains them with substantial factual detail; clearly shows how these factors operate and interrelate; follows all instructions and guidelines; if written, done so in a clear and professional style, with correct grammar and spelling.

B – Demonstrates an accurate grasp of the topic; presents important factors and explains them with appropriate specifics; shows less detailed knowledge and less synthesis than A-quality work, but meets basic requirements of assignment; if written, done so in a style that is clear, correct, and professional.

C – Demonstrates an acceptable but commonplace or shallow understanding of the topic; presents important factors, but explains them with only the most obvious specifics; may omit some important factors or make factual errors; if written, done so in a style that may cause the reader minor distractions.

D – Demonstrates limited understanding, or partial misunderstanding, of the topic; may omit important aspects of a topic and make numerous factual errors; may omit some requirements of assignment; if written, done so in an unprofessional style that impedes the reader’s understanding.

F – Demonstrates little or no grasp of the topic; if written, done so in an unprofessional style that causes the reader significant difficulty.

Pursuant to University policies, the following grading rubric will be used:

A	“superior”	93-100	4.000
A-		90-93	3.67
B+		87-90	3.33
B	“good”	83-87	3.00
B-		80-83	2.67
C+		77-80	2.33
C	“average”	73-77	2.00
C-		70-73	1.67
D+	“poor”	65-70	1.33
D		60-65	1.000
F	“failure”	below 60	0.000

Please keep in mind that I take these standards seriously. I believe most of you are capable of doing “good” work. I expect all of you to strive for a professional quality in your work. I reserve the “A” for exemplary work – work that is of truly superior quality, surpassing expectations and exceeding basic standards. Simple regurgitation does not qualify as “exemplary.” Work that is barely adequate, that demonstrates lack of preparation and care, and that fails to meet what I consider to be acceptable university-level standards will be evaluated accordingly. Finally, be aware that simply logging in a certain number of hours of study does not constitute meritorious performance.

Note: without exception, we will round up scores of 0.5 or higher and round down scores of less than 0.5. Therefore, an 89.5 will round up to a 90, but an 89.49 will round down to an 89.

Exams: Exams are in-class and cover only the material for that specific section of the course. They are composed of a series of multiple-choice questions and an essay. My primary goal in using in-class essay exams is to train you in the skill of understanding, constructing, and reconstructing arguments. I expect more than simple regurgitation of facts and hapless scribbling of dimly-recalled catch-phrases. You should strive to be both precise and concise – and to be able to understand the basic premises that make up a logical argument.

Quizzes: I administer a series of pop quizzes during the course of the semester. I throw out the lowest three quiz grades, and the remainder comprise 20 percent of your final grade. All quizzes are open-book and based solely on the text of the Constitution, including amendments. A copy can be found in the appendix to your textbook, but you are free to bring another version. Quizzes are short – five questions, mostly one-word or one-phrase answers – and limited to 7-8 minutes. Thus, it is incumbent upon you to be very familiar with this document.

Participation: I expect all students to come to class prepared to discuss the assigned readings. You should bring readings to class. I also encourage student-initiated discussion.

Classroom Policies: I strongly discourage the use of laptops or other electronic devices as these more often than not serve as distractions. If you must use a laptop, you may do so provided that you sit in the back two rows of the class. Cell phones should be silenced and put away prior to class and not used again until the class has concluded. Continued violation of the policy will result in you being asked to leave the classroom.

Communication: I encourage students to come by my office. Students should *not* use e-mail as a way of having a conversation with me about substantive issues; that is what office hours and class discussion are for. E-mail may be used for administrative reasons, but when possible, I prefer that you speak to me rather than e-mail me. I like getting to know you.

Academic Integrity: All students are expected to adhere to the University of Texas Honor Code and Standards of Conduct. Violations of these guidelines will result in appropriate disciplinary penalties. The penalty for cheating on an exam will be swift and certain: automatic failure of that exam and referral to the University for further penalties and sanctions.

Make-up Policy: All exams and quizzes must be taken on the day scheduled. Makeup exams will only be offered when extreme circumstances keep a student from being able to take the exam on the scheduled date, and such exceptions are made at my discretion. If at all possible, such circumstances should be communicated to me before scheduled exams. Quizzes cannot be made up because I drop three quiz grades.

Accommodations for Religious Holidays: By UT Austin policy, you must notify me of your pending absence at least fourteen days prior to the date of observance of a religious holy day. If you must miss a class, exam, or assignment in order to observe a religious holy day, you will be given an opportunity to complete the missed work within a reasonable time after the absence.

Students with Disabilities: Students for whom it is applicable may request appropriate academic accommodations from the Division of Diversity and Community Engagement, Services for Students with Disabilities (512-471-6259, <http://diversity.utexas.edu/disability/>). Students who receive accommodations must notify me and supply the relevant documentation in a timely manner, no less than one week before the first exam.

COURSE OUTLINE AND ASSIGNMENTS

I. Foundations

- Aug 30: Course introduction
- Sept 1-8: Philosophical Foundations – Regime Design, Republicanism, Constitutionalism
*John Locke: *Second Treatise*, ch. IX
*Aristotle: *Politics*, Book III, ch. vi-xi
*St. Thomas Aquinas: *Summa Theologica*, I-II, Question 105, Article 1, extract
U.S. Constitution
- Sept 4: Labor Day
- Sept 11-13: Political Culture – Natural Law, Ideology, Moral Psychology
*Declaration of Independence
*John Locke: *Second Treatise*, ch. VIII, paras 95-99
- Sept 15-27: Founding and Governmental Structure – Articles of Confederation, Constitutional Convention, Representation, Separation of Powers, Federalism
The Federalist Papers, #15, 10, 47-48, 51, 39
Textbook: ch. 2-3, pp. 22-82
- Sept 29: Catch up and review
- Oct 2: **Exam 1**

II. Institutions

- Oct 4-11: Congress – House, Senate, Organization & Procedures
The Federalist Papers, #52-53, 55-58, 62-63
Textbook: ch. 5, pp. 130-168
- Oct 13: Texas Legislature
- Oct 16-18: Presidency – Head of State vs. Head of Government, Unity, Duration, Re-eligibility
The Federalist Papers, #70-72
Textbook: ch. 6, pp. 170-205
- Oct 20: Texas Executive Branch
- Oct 23-25: Interbranch Relations – Vetoes, Treaty-making, Impeachment
The Federalist Papers, #64, 65, 73, 75
*Jeffrey K. Tulis, “Impeachment in the Constitutional Order”
- Oct 27-30: Judiciary – Tenure, Legal system, Judicial review, Limitations
The Federalist Papers, #78
*Marbry v. Madison
*McCulloch v. Maryland
*Roe v. Wade
Textbook: ch. 8, pp. 240-274
- Nov 1: Texas Judiciary
- Nov 3-6: Bill of Rights
Bill of Rights, Fourteenth Amendment
*James Madison: Memorial and Remonstrance against Religious Assessments
Textbook: ch. 4, pp. 84-129
- Nov 8: Catch up and review
- Nov 10: Exam 2**

III. Elections and Processes

- Nov 13-20: Public Opinion, News Media, and Interest Groups
*Thomas E. Patterson, “The Miscast Institution,” in *Out of Order*, pp. 28-52
Textbook: ch. 9 & 12, pp. 276-312, 398-426
- Nov 22-24: Thanksgiving Holiday

Nov 27-Dec 4: Parties and elections – Functions of Parties, Two-Party System, Electoral College

*Anthony Downs: *An Economic Theory of Democracy*, pp. 114-122

The Federalist Papers, #68

* James W. Ceaser: “The Nomination Game,” pp. 45-49

*Herbert Storing: In Defense of the Electoral College

Textbook: ch. 10-11, pp. 314-397

Dec 6-8: Elections Exercise

Dec 11: Course conclusion and evaluations

Dec 15: **Exam 3** (2:00-5:00, administered during the course final exam time)

Puzzling Terms in the Constitution

Writs of habeas corpus. In Latin, “habeas corpus” means “you have the body.” In English, the phrase refers to a judge’s written command that some imprisoned person be brought to the court so that the court can determine whether his imprisonment is lawful. The Constitution says that the citizens’ rights to obtain such writs must not be suspended except in cases of invasion or rebellion.

Titles of nobility. A nobility is an aristocracy. A title of nobility is a hereditary rank, honor, privilege, or office which gives a person the right to be called by a name like “baron,” “count,” or “duke.” The Constitution says, first, that the U.S. government is not to issue such titles itself, and second, that nobody holding U.S. office may accept such a title from another government without the consent of Congress.

Bills of attainder. A bill is a legislative proposal that becomes law if it is passed. Attainder is the loss of civil rights, inflicted on an individual as penalty for a crime. When the Constitution says that Congress shall pass no bill of attainder, it doesn’t mean that Congress may not declare attainder as the punishment for particular kinds of crime; rather it means that Congress may not take over the job of the courts, deciding who is guilty and *inflicting* the punishment.

Corruption of blood. One extreme kind of attainder is taking away the right to inherit, keep, or hand down the estate and other family things. This injures individuals in the line of descent; metaphorically, it “corrupts the blood.” What the Constitution says here is that although Congress may go right on up to attainder in declaring the punishment for treason, this extreme kind of attainder is going too far.

Ex post facto laws. As the Latin suggests, an *ex post facto* law is a law passed “afterward” – one that takes place retroactively. All such laws are prohibited by our Constitution. For example, Congress is not allowed to penalize acts that have already been done and that were perfectly legal at the time they were committed.

Letters of marque and reprisal. “Marque” is confiscation; reprisal is retaliation. Suppose some enemy has been harassing American ships, but the government is not prepared for military action. Letters of marque and reprisal would authorize particular private individuals to go into the piracy business against enemy ships. The Constitution says that Congress may issue such letters, but state governments may not.

Duties. These are taxes, either on imports, exports, manufacture, or consumption of goods. To know which of these is meant you must look at the context in which the term is used.

Republican form of government. The Constitution declares that the U.S. government must guarantee each state a republican form of government. Think of republican government as government without a king, structured in such a way that “the last word” always rests, directly or indirectly, with the whole body of eligible citizens.