

**Department of Political Science**  
**Political Science 2445: American Constitutional Democracy**

Instructor: Prof. Jennifer Selin

**Overview**

This course offers an introduction to the study of American constitutional democracy. The course has three aims. The first is to introduce important facts and fundamental principles of the American constitutional system in order to help students understand the institutions of American government. Some of the questions the course will address are:

- *Why doesn't Congress pass more laws?*
- *How powerful is the President of the United States?*
- *How effective is the Supreme Court in protecting civil liberties?*
- *Do our three branches of government actually interact with each other in ways contemplated by the Framers of the Constitution?*

A discussion of these topics and others will provide students with a solid understanding of the American constitutional system. This understanding will allow students to analyze, critique, and debate fundamental issues in American politics. As such, students will be expected to thoughtfully participate in class discussions by articulating their opinions and supporting those opinions with evidence.

The second goal of the course is to encourage students to think critically about the U.S. Constitution's role in American history and politics. In order to achieve this goal, students will be exposed to the conceptual material political scientists use to analyze constitutional issues. We will apply these concepts to frame our thinking about important issues in contemporary American democracy.

Finally, this course is designed to motivate further study of American politics and the institutions of the U.S. government. We will often reference current events in class in connection with assigned readings and students are encouraged to keep abreast of political news. Where appropriate, we will also use case studies to further illustrate theoretical concepts. Students are encouraged to read materials outside of those assigned for class and to approach me with questions.

**Required Texts**

All required reading is posted on Canvas in the "Files" section.

**Assessment**

Student assessment is targeted to help provide students with a background in the concepts and debates that are central to the study of the American constitutional democracy. Students will be assessed according to their knowledge of course material and their ability to analyze, explain, and apply that knowledge. Students are *expected to do more than just regurgitate or summarize assigned readings* – the most successful students will be able to synthesize material from lectures and readings and apply those concepts to analyze constitutional issues.

This is a demanding course that will require students to dedicate an appropriate amount of time to understanding covered material. I value student participation in lecture and this course

will rely heavily on class discussion. Students must be regularly prepared for class in order to participate meaningfully in that discussion.

Student assessment will be as follows:

- Quizzes (2): 20%
- Midterm: 30%
- Last Exam: 40%
- Participation: 10%

I recognize that serious illnesses and emergencies do occasionally arise. If you find yourself in such a situation, please notify me as soon as possible and stay in touch during your absence. In the interest of fairness, the opportunity to take a make-up quiz or exam will be limited to students who experience documented illnesses or family emergencies.

### *Quizzes*

The quizzes will assess students' knowledge of key readings, facts, and concepts. Students should use these quizzes to gauge their understanding of the course material and to help focus their studies for the midterm and last exam. The quizzes will be relatively short and consist of multiple choice and short answer questions.

### *Exams*

All exams will be in short answer and essay format. These exams are designed to give students the opportunity to apply the knowledge acquired from attending class and reading assigned material to current issues in the American constitutional democracy. The exams require students to illustrate mastery of course material, demonstrate original thinking, and develop coherent arguments.

Exam grades will reflect these three requirements. Exams in the A range will comprise work which goes well beyond class materials and discussions to demonstrate original thinking and thoughtful arguments that are expressed in clear, persuasive writing. Exams in the B range will exhibit mastery of course materials expressed in clear, error-free writing. Exams in the C range will demonstrate inadequate understanding or presentation of the course materials. Exams that score lower than a C will demonstrate an obvious lack of preparation and/or comprehension of class material.

### *Grading Scale*

The following scale will be used to convert numeric course grades into letter grades:

<b>F</b>	<b>D-</b>	<b>D</b>	<b>D+</b>	<b>C-</b>	<b>C</b>	<b>C+</b>	<b>B-</b>	<b>B</b>	<b>B+</b>	<b>A-</b>	<b>A</b>	<b>A+</b>
0-59	60-62	63-66	67-69	70-72	73-76	77-79	80-82	83-86	87-89	90-92	93-96	97-100

### *Participation*

A student's participation grade will reflect preparation for class and thoughtful contributions to class discussion. While I do not take attendance, *students can only participate if they actually attend class*. As such, it is in each student's best interest to attend class. It is my

experience that students who are prepared for class and actively participate in class discussion also earn higher grades on their exams.

I do not tolerate the use of cell phones in my classroom. Just as I respect my students enough not to text or use my phone during class, I expect the same respect from my students. **Any student caught using his/her phone during class will lose two percentage points on his/her final exam grade for each infraction.**

### *Academic Integrity*

University standards for academic integrity apply in this class. Put simply, **I do not tolerate cheating or plagiarism of any kind.** You are expected to know and understand the university's policies on this matter.

### *Disability Resources and Educational Services*

To ensure that disability-related concerns are properly addressed from the first day of class, I ask that students with disabilities who require assistance to participate in this class contact me as soon as possible. To obtain disability-related academic adjustments and/or auxiliary aids, students with disabilities should both contact me and the Disability Center as soon as possible. To contact the Disability Center, you may call 573-882-4696, email [disabilitycenter@missouri.edu](mailto:disabilitycenter@missouri.edu), or visit the Center's website: <http://disabilitycenter.missouri.edu>.

### **Class Schedule**

The schedule for the course is provided below. Readings are posted under "Files" on Canvas. Students are responsible for all readings listed prior to the class period in which they are discussed.

### Organizing Ideas and Concepts

Selections from Kernell, Samuel, Gary C. Jacobson, Thad Kousser, and Lynn Vavreck. 2018. *The Logic of American Politics*, 8<sup>th</sup> Ed. Washington, DC: CQ Press (pg 1-31).

Ostrom, Elinor. 1998. "A Behavioral Approach to the Rational Choice Theory of Collective Action: Presidential Address, American Political Science Association, 1997." *American Political Science Review* 92(1):1-22.

Articles of Confederation.

Selections from Milkis, Sidney M. and Michael Nelson. 2020. *The American Presidency: Origins and Development*, 8<sup>th</sup> Ed. Washington, DC: CQ Press (pg 2-31).

### **Quiz # 1**

### Historical Development and Case Study of Legislative Branch

Binder, Sarah A. 1995. "Partisanship and Procedural Choice: Institutional Change in the Early Congress, 1789-1823." *Journal of Politics* 57(4):1093-1118.

Carson, Jamie L. and Jeffery A. Jenkins. 2011. "Examining the Electoral Connection Across Time." *Annual Review of Political Science* 14:25-46.

Selections from Sinclair, Barbara. 2007. *Unorthodox Lawmaking: New Legislative Processes in the U.S. Congress*, 3<sup>rd</sup> Ed. Washington, DC: CQ Press (pg 108-138; 268-288).

Posner, Eric A. and Adrian Vermeule. 2009. "Crisis Governance in the Administrative State: 9/11 and the Financial Meltdown of 2008." *University of Chicago Law Review* 76(4):1613-1682.

## **Midterm**

### Historical Development and Case Study of Executive Branch

Selections from Milkis, Sidney M. and Michael Nelson. 2020. *The American Presidency: Origins and Development*, 8<sup>th</sup> Ed. Washington, DC: CQ Press (pg 33-82).

Selections from Milkis, Sidney M. and Michael Nelson. 2020. *The American Presidency: Origins and Development*, 8<sup>th</sup> Ed. Washington, DC: CQ Press (pg 83-119).

Selections from Gerhardt, Michael J. 2018. *Impeachment: What Everyone Needs to Know*. New York, NY: Oxford University Press (pg 6-40).

Selections from Rhenquist, William H. 1992. *Grand Inquests: The Historic Impeachments of Justice Samuel Chase and President Andrew Johnson*. New York, NY: Morrow (pg 199-248).

Selections from "A Referral to the United States House of Representatives Filed in Conformity with the Requirements of Title 28, United States Code, Section 595(c)." 1998. Communication from Kenneth W. Starr, Independent Counsel, U.S. House of Representatives. H. Doc. 105-310 (pg 1-129).

## **Quiz # 2**

### Historical Development and Case Study of Judicial Branch

Cox, Archibald. 1996. "The Independence of the Judiciary: History and Purposes." *University of Dayton Law Review* 21(3):565-584.

Selections from Ragsdale, Bruce A., ed.. 2013. *Debates on the Federal Judiciary: A Documentary History (Vol. 1: 1787-1875)*. Washington, DC: Federal Judicial Center. (pg 25-52).

Balkin, Jack M. 2012. "The First Amendment is an Information Policy." *Hofstra Law Review* 41(1):1-30.

Altschuler, Bruce E. 2015. "Is the Pentagon Papers Case Relevant in the Age of WikiLeaks?"  
*Political Science Quarterly* 130(3):401-423.

New York Times v. United States, 403 U.S. 713 (1971)

Rubin, Richard Alan. 1972. "Foreign Policy, Secrecy, and the First Amendment: The Pentagon Papers in Retrospect." *Howard Law Journal* 17(3):579-613.

Modern Governance in Separation of Powers System

Rasul v. Bush, 542 U.S. 466 (2004)

Hamdi v. Rumsfeld, 542 U.S. 507 (2004)

Hamdan v. Rumsfeld, 548 U.S. 557 (2006)

Boumediene v. Bush, 553 U.S. 723 (2008)

**Last Exam (May 7)**