POLS BC 3337 Colloquium in Election Reform Barnard College, Milbank Hall 227 Spring 2015, Wednesday, 2:10-4:00

INSTRUCTOR: Michael G. Miller

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OFFICE HOURS

Always: Ot Mon 10:00-11:30 By

Weds 10:00-11:30

Other Times:
By Appointment

Nothing is more important to the legitimacy of a representative government than the integrity of elections. Throughout the history of the American republic, various actors have sought to shape electoral outcomes. Some have even done so legally! While contemporary citizens of the United States have tended to think of their elections as paragons of reliability, events in the last fifteen years or so have increasingly led to questions on this front. This course will examine issues of fairness, integrity, and security currently facing the American electoral system. In identifying ailments in American democracy, we will discuss both their causes and effects. Finally, we will examine potential reforms in an effort to determine to what extent American elections can be "fixed" (see what I did there?). This course will be particularly useful for students considering professional legal education as a next step.

### LEARNING OBJECTIVES:

This course will introduce students to the concepts, major themes, and debates in the study of American election reform, in both practical and academic contexts. Students who complete the class will learn how to:

- 1. Identify the key concepts, actors, and major debates in election law/administration at the federal and state levels.
- 2. Draw linkages between theoretical political science and practical politics in judging elections based on normative concepts such as "fairness."
- 3. Critically engage media coverage of the electoral system, political campaigns, and election reform.
- 4. Assess the theoretical and/or empirical quality of academic arguments about the necessity of election reform.
- 5. Use empirical evidence to present an effective argument, both written and verbal.
- 6. Produce a high-quality, original research paper that contributes to our understanding of the electoral environment.

### COURSE TEXTS

In nearly all cases, you'll be able to find the books for this course online, either new or used. I also recommend that you purchase recommended texts if they fall in a substantive area close to your project. Required texts will be placed on reserve at the Barnard Library.

### Required Text

Edwards, George III. 2011. Why the Electoral College is Bad for America. Yale University Press. 2nd Ed.

Gumbel, Andrew. 2005. Steal This Vote: Dirty Elections and the Rotten History of Democracy in America.

Hasen, Richard. 2014. The Voting Wars: From Florida 2000 to the Next Election Meltdown. Yale University Press.

Miller, Michael G. 2014. Subsidizing Democracy: How Public Funding Changes Elections, and How it Can Work in the Future. Cornell University Press.

## Other Readings

Many of the course readings may come from works not included above. Links to these will be provided most of the time via Courseworks. At other times, works may be placed on either electronic or paper reserve. In either case, students are responsible for obtaining readings via the library regardless of whether electronic links are provided.

### COURSE RULES, GUIDELINES, AND SUGGESTIONS

## GRADING BASIS:

There are 100 points in the class. Course grades will be based on students' case study presentations (10 pts), reaction memos (20), discussion questions (5), in-class participation (15), and major research papers (50).

### **ASSIGNMENTS:**

Case Study Presentation (10%):

Writing case studies requires practice, and each student will deliver one case presentation in class during the semester. In most cases, the student will perform this function alone, although it is possible for this presentation to be delivered in tandem with a classmate. The purpose of these presentations will be to link the theoretical or analytical concepts covered in course readings to real-world events. The student will prepare a presentation of roughly 20 minutes in length that will tell the story of the assigned case, linking it to the theoretical topic for that week's discussion, Partnered presentations should be longer and more in-depth. The presentation should pay particular attention to highlighting how that case exemplifies the week's course topic. Some questions the presentation might address include: What does the case tell us about the week's topic? What is the historic background in which the case occurred, and how has it affected subsequent events? Etc. The student's presentation should demonstrate command both of the week's readings and the particulars of the assigned case. It should spur a focused, practical discussion bridging the practical and theoretical, intended to begin discussion for that week.

### Reaction Memos (20%):

Active participation is a required component of the grade in this seminar, and it is impossible to contribute to a discussion if you arrive unprepared. Each student will therefore prepare 4 reaction memos during the semester, on dates of the student's choosing (after the first class). The purpose of these memos is to critically engage ALL of the week's readings in such a way as to provide a basis for discussion in class; good memos are generally between 2 and 4 pages in length. The memo should provide a critical response to each reading, and may connect the readings to other class content/applied politics, and/or incorporate outside research. Reaction memos are due two hours before the start of class and should be submitted to CourseWorks.

## Weekly Discussion Questions (5%)

All students must submit three discussion questions two hours before the beginning of each class. I will use the questions to help structure our class discussion. Students who submit all of their questions on time will receive the full 5%. Grade reductions will be the result of missing/late questions and questions that demonstrate no evidence of critical, complete reading. Questions should be submitted without a preamble, and should be devoid of bullets or number formatting.

### Class Participation (15%)

"Participation" is not the same thing as "attendance." The former is crucially important in a seminar course. While in class, students will be expected to contribute to discussion, and to have demonstrated an attempt both to understand the readings and to place them in a broader thematic context.

## Research Paper (50%)

The primary assignment for this course is a major research paper of approximately 25 to 30 pages in length. The research paper will make an <u>original</u> contribution. While your work on the paper is worth 50 points on the whole, you will earn points on the research paper throughout the term, via several smaller assignments with their own deadlines. Regardless of the track you choose (see below), in your research paper you will have four essential tasks:

Objective 1: Explain the problem, question, or focus to a sophisticated audience.

Objective 2: Discuss how existing findings in political science can inform our understanding of the topic.

Objective 3: Describe how you plan to engage the question.

Objective 4: Answer the question and make a conclusion.

To accomplish these four objectives you will need to examine and review the existing research on the topic and conduct your own research, be it in the form of empirical data analysis or case study. The goal for the literature review is to explain to the reader what the world already knows about the topic. To do this, you will want to examine the research in academic journals as well as that produced by think tanks, companies, governments, and in many cases, the research done by newspapers and reputable websites. We will discuss additional information on how to write successful literature reviews. In total, your paper should be well-grounded in theory, and should contribute to a larger thematic argument about elections, voting behavior, and/or public policy.

## Paper Tracks:

Given the breadth of the subject matter, there are a number of angles that might be pursued. Broadly:

### **Empirical Assessment**

You might take the approach of engaging an empirical question relating to the class. For instance, you might evaluate the effectiveness of an election reform, or undertake some similar analysis. The possibilities here are quite broad, assuming you can pose an answerable question, can obtain the necessary data to answer it, and possess the tools to conduct the analysis. To that end, students who pursue this track should have an understanding of statistical analysis, demonstrated by previous successful completion of a statistics course. The Empirical Reasoning Lab will no doubt prove to be a valuable resource for students in this track.

Students pursuing the Empirical Assessment track have three tasks at hand:

- 1. Pose a testable, theoretically motivated hypothesis. Your theory should tell a story about what you think is going on in the world. The theory should be guided by existing research findings, and should spawn at least one falsifiable hypothesis. Ideally, your paper will take on a question that has either not been explicitly answered, or one that has not been answered adequately (for reasons that you explain). However, in some cases it will be useful to re-examine old findings with new data. This is doubly true in elections, which are always occurring, and which offer a good chance to examine variation across states and through time.
- 2. Define variables and research method, and collect sufficient data. The concepts in your theory must be validly and reliably represented in data that you can access (from an Internet source, library archive, etc.). Based on the structure of these data, you will pre-define your analytical strategy, which in most cases will exist in the framework of an empirical method such as means testing or (better) multivariate regression.
- 3. Test the hypothesis and make a conclusion. Based on your analysis, is your hypothesis supported? What does that say for your theory, and/or for the existing studies you cited earlier in the paper? Are there policy implications from your research? Etc.

## Case Study

You may take the approach of doing an in-depth case study. The case study must be original, and cannot include the one on which you present during the term. The case should focus on a particular reform movement that seeks to improve some aspect of American elections. You may choose either policies that have been enacted, or proposals that have yet to be implemented. In either instance, the case study should examine the root reasons for the necessary reform, the political battle that ensued (who was active and why), the details of the reform itself, and if applicable, the results of the reform. The goal of the case study is to help you to better understand the real-life politics of a major political reform, including strategic choices, costs, Constitutional issues, and effectiveness. Case study research should not be based on other, previously completed case studies, and your research is to be carried out by you alone. However, note here that there are three primary steps in conducting a case study:

1. Case selection. This is the identification of the case or the cases—e.g. identifying the proposed reform and the actors surrounding it. The best way to find cases is to find newspaper or other media articles that describe them. For this research, avoid the cases that we will be looking at in class—even if another student presented them—unless you feel you can expand on them on your own and obtain pre-clearance from me first.

- 2. Case examination. This is the actual research: the investigation into what happened, why it happened, and whether the events are consistent with existing political science research. There are a lot of different tactics for carrying out a case study. Perhaps the most basic approach is to piece together newspaper reports and government documents (for instance, campaign finance disclosures) into a story that describes the case. A more advanced approach would involve conducting interviews with people who were actually involved with the case. Activists, government officials, and voters are obvious potential sources here. The inclusion of interviews and the analysis of primary documents takes the research to a higher level.
- 3. Case discussion. Case discussion is the analytical consideration of the implications of the case study. For this track, the discussion will bring the case back to the second and third paper objectives: underlying political themes and the success of the reform.

## Research Paper Assignments and Deadlines:

Before you hand in your final paper, you will have five other deadlines. Each deadline involves the submission of a related assignment or the presentation of your research to the class. Most of the assignments are graded. Note also that between Deadline 2 and 3, students must meet with the political science librarian, who will help guide them in their research. All of these transactions will occur via CourseWorks.

Deadline 1: February 6: Topic Submission.

A 1-2 paragraph discussion of why you are choosing the track/topic, what you know about it already, and any ideas you have for research (including potential case studies, data sources, or interview subjects). This assignment is ungraded but failure to complete it will result in a reduced final grade on your paper.

Deadline 2: February 20: Research Report 1 (plus preliminary annotated bibliography).

A 500-word (minimum) report on the status of your research. This report should include a synopsis of your focus and rationale for doing the research, a summary of information/findings have found so far, your remaining research goals, and a discussion of the challenges you are still facing. You must also include an annotated bibliography that contains the citations for at least 20 sources you will use in the paper, as applicable. Each citation should contain a 3-4 sentence summary of the source, including a synopsis of the major findings, data source, and method of analysis. This assignment is graded and worth 4 points

Deadline 3: March 13: Research Report 2 (with updated bibliography).

A minimum 1,000-word (minimum) report on the status of your research. This research report should include a summary of your research so far (including advancements you have made since the last report), remaining research goals, and a discussion of both the challenges your are facing and how you will deal with them. The report must also include an updated non-annotated bibliography (that does not count toward your word minimum). Students who already have a working draft may submit it in lieu of the summary but must also include a statement of remaining research goals, and a discussion of the challenges you are facing and how you will deal with them. This assignment is graded and worth 4 points.

Deadline 4: April 17: Draft 1.

Provide a relatively complete first draft of the paper. All drafts  $\underline{\text{must}}$  contain a complete literature review. This assignment is graded and worth 4 points.

Deadline 5: April 22 and April 29: Research Presentation

Our last two classes of the semester are devoted to your research presentations. Presentation details (including length and format) will be provided to you ahead of time. Your presentation is worth 5 points.

Deadline 6: May 8: Final Paper.

Worth 33 points.

## For Seniors:

All Seniors who have designated this course as the colloquium to fulfill their Senior Capstone requirement must also complete the following:

- 1. Provide constructive criticism and feedback to your designated peer partner(s). You and your partner should hold meetings, in consultation with the instructor, to discuss your assignments, e.g. research proposals, research methods, rough drafts.
- 2. If not already required by the syllabus, present your main findings in class at the end of the semester. A portion of the Class participation grade will reflect the quality of your mentoring and final presentation.
- 3. Attend at least one of the Senior overviews of the library and online resources hosted by the instructor or another member of the Political Science Department.
- 4. Generate a poster that summarizes your research question, argument, and findings. The poster should accompany your class presentation and will be displayed at the Senior end-of-year Departmental party in May 2014. The poster will not be graded, but is required to receive a "Pass" for your Senior requirement and will factor into Departmental considerations for Senior Project Distinction.

### DUE DATES AND SUBMISSION

I will only accept work submitted via CourseWorks, which saves you the trouble of printing and aids organization on my end. Submitted files must include the student's name, both in the document and the final name. With the exception of memos and questions (see above), work is due before midnight on the date due. Late work will not be accepted for credit. That said, if you need an extension, ask. I will make reasonable accommodations for what I feel are good reasons. But try to avoid making these requests the day before an assignment is due, and have a well-documented rationale for doing so.

Students wishing to reschedule an assignment due to "academic burden" such as exams for other classes occurring within a certain period of time must show an approved petition from Barnard or Columbia administration—note that these are generally only obtainable for final exams. Finally, a grade of *Incomplete* will be assigned only in well-documented and exceptional circumstances, such as a Texas-sized meteor impacting Earth, the Minnesota Vikings winning the Super Bowl, or a zombie apocalypse.

### RULES FOR STYLE

Use a standard Times font in 12-point size, double-spaced with one-inch margins. Please number and staple your pages. Papers should include a title page. Please proofread and spell-check all drafts before bringing them to class. I prefer citation style recommended by the American Political Science Association, but you should use any style with which you are comfortable, so long as you are consistent throughout. That said, no end notes are allowed.

#### ASSISTANCE AND ACCOMMODATIONS

I respect and uphold applicable college/university policies pertaining to the observation of religious holidays; assistance available to the physically disabled, visually and/or hearing impaired students, and students with documented learning disabilities; discrimination based on age, race, ethnic origin, gender, sexual orientation, political affiliation, or religion; and all forms of harassment. I am willing to audio-record and share class sessions for students missing class due to religious holidays or for some other acceptable reason, provided sufficient advance notice. In compliance with Barnard/Columbia policy and equal access laws, I am available to discuss appropriate academic accommodations that may be required for students with disabilities. The Office of Disability Services (008 Milbank) is a useful resource for students who need assistance. Students who need accommodations must coordinate through ODS, and I ask that you inform me early in the semester. Finally, I reserve the right-at my discretion-to make accommodations for students who are parents of young children, or who are active-duty members of the United States Armed Forces, as necessary. Regardless of reason, students should not hesitate to contact me to discuss any special accommodations they may need.

## ACADEMIC HONESTY

Students have the responsibility of fulfilling their academic obligations in a fair and honest manner. This includes avoiding plagiarism, cheating, collusion or other inappropriate activities. Examples of "plagiarism" include, but are not limited to: copying word-for-word or altering small components of a text, with or without attribution, or borrowing core ideas from others without citing. Ignorance of these rules does not excuse a failure to comply with them, and I will strictly enforce the Barnard Honor Code (BHC) in all appropriate areas. Students engaging in these or any other intellectually dishonest activities will receive no credit for the applicable assignment, and may face additional disciplinary sanctions (such as probation, suspension, etc.) per the BHC, after referral to applicable administrative units. The responsibility for understanding the BHC lies with the student. The plagiarism policy is available at http://firstyear.barnard.edu/firstyear/plagiarism/introduction

### COMMUNICATION AND AVAILABILITY:

If you want to communicate with me, email is by far the most efficient method–certainly more so than my office phone. Student correspondence is my top email priority, and I will almost always reply within 6 hours. Note however that I will generally not reply to email after 11 PM, because I am an old man with no life and often cannot stay awake past 10:30. When communicating via email, I remind students that email should generally be composed with a professional tone, especially if we do not know each other well. This is good practice as you transition to the workplace.

It is the student's responsibility to ensure enrollment in CourseWorks and to check Barnard/Columbia email, preferably daily, since this is how I will communicate with you outside of class. If you prefer another email address, set up forwarding from your Barnard/Columbia address.

As to availability, I am here to help you and am generally at your service. I am happy to meet with students outside of my normal office hours, either in person or via Skype. If you cannot make office hours but require additional assistance, do not hesitate to let me know and I will make every reasonable effort to accommodate you.

### RULES FOR SEMINAR DISCUSSION

Politics can be a tricky topic. Open and free discussion is encouraged in our class, and all viewpoints are welcome in my classroom. Please be respectful of your fellow students and your instructor. With regard to the latter, I ask that you do not pack your things before class is over. If someone is still speaking, we should all still be listening.

Much of what we will discuss in this class is subjective. The strength of class sessions will therefore depend on students' willingness and ability to argue. However, it is important that you argue well. The binding rule for discussion in this class is *The Fairness in Conversation Act* (FICA), which exists by my dictatorial authority. Per FICA, the use of what I call "Jedi logic" (making unfounded assertions with the wave of a hand) is illegal and punishable by public challenge. FICA is intended to foster evidence-based critical argument. I will say more about this in class.

## LAPTOPS, TABLETS, AND CELL PHONES

Inappropriate use of electronic devices during class time provides a distraction for instructor and student alike. There is a recent group of studies suggesting that use of laptops for note-taking in university classes reduces students' final grades by roughly one mark. Moreover, the same studies suggest the existence of a "secondhand smoke" effect as students near the laptop user are distracted by its screen. I believe that everyone has the right to make their own choices, but consider this clause your "surgeon general's warning" and understand that, guided by social science, I am taking steps to protect those around you. So, if you are not taking notes on your device, please leave it at home. If you use a device for note-taking during class, you must sit in the designated seats for device-users, and know that I will probably call on you first. Finally, please know that one of my personal foibles is that I find student texting in-class to be very distracting. As such, I do not want to see your phones in class, nor are you allowed to text under the table. Phones should be silenced or powered down. If you use any device in a distracting fashion and/or one that is not related to the class (including texting), I reserve the right to ask you to leave. So to be clear: If the usage of your phone is more important than engaging with the course, you are welcome to not attend. In the event of an emergency, please step out to use your phone.

### SYLLABUS CHANGES

Changes in the syllabus may be made from time to time in order to correct errors, adjust the schedule, fine tune course details, or to address unforeseen issues. Changes will be discussed and announced in class. It is the student's responsibility to attend class to be aware of any syllabus changes. The official syllabus will always be available in CourseWorks.

 $<sup>^1\</sup>mathrm{I}$  have unapologetically re-purposed this idea from Paul Allen, Minneapolis sports talk radio personality.

#### COURSE CALENDAR

## January 21: Introduction and Fundamentals

Required Reading:

Hasen, Richard L. The Voting Wars. Yale University Press. Ch. 1, Ch. 5

## January 28: Party Nominations and Electoral College

Case Study: Presidential Election of 1824. (Miller)

Required Reading:

Streb, Matthew. 2011. Rethinking American Electoral Democracy. Routledge. Ch. 8.

Edwards, George C. Why the Electoral College is Bad for America. Yale University Press. Entire Book.

## February 4: Incumbency, Redistricting, and Term Limits

Case Study: The Voting Rights Act and Shaw vs. Reno (Up to 2 students)

Required Reading:

Streb, Matthew. 2011. Rethinking American Electoral Democracy. Routledge. Ch. 7.

Bowser, Jennie Drage, and Gary Moncrief. 2007. "Term Limits in State Legislatures." In *The Case of Term Limits*, Kurtz, Karl T., Bruce Cain, and Richard Niemi, eds. University of Michigan Press.

Powell, Lynda, Richard Niemi, and Michael Smith. 2007. "Constituent Attention and Interest Representation." In *The Case of Term Limits*, Kurtz, Karl T., Bruce Cain, and Richard Niemi, eds. University of Michigan Press.

Carey, John M., Richard Niemi, and Lynda W. Powell. 2000. Term Limits in the State Legislatures. University of Michigan Press. Ch. 2.

## February 11: Turnout and Participation

Case Study: Alvin Greene for U.S. Senate, South Carolina, 2010.

Required Reading:

McDonald, Michael P., and Samuel Popkin. 2001. "The Myth of the Vanishing Voter." American Political Science Review 95(4): 963-974.

Gomez, Brad T., Thomas G. Hansford, and George A. Krause, 2007. "The Republicans Should Pray for Rain: Weather, Turnout, and Voting in U.S. Presidential Elections." *Journal of Politics* 69(3): 649-663.

Gerber, Alan S., Gregory A. Huber, David Doherty, Conor M. Dowling, and Seth J. Hill. 2013. "Do Perceptions of Ballot Secrecy Influence Turnout? Results from a Field Experiment." *American Journal of Political Science* 57: 537-551.

Nickerson, David. 2014. "Do Voter Registration Drives Increase Participation? For Whom and When?" Typescript.

### February 18: Campaign Tone

Case study: Rhetoric in Presidential Elections: 1800, 1828, 1884, and 1988. (Up to Three Students).

## Required Reading:

Maisel, L. Sandy, Darrell M. West, and Brett M. Clifton. 2007. Evaluating Campaign Quality: Can the Electoral Process be Improved? Cambridge University Press. Ch. 5

Mark, David. 2006. Going Dirty: The Art of Negative Campaigning. Rowman and Littlefield. Ch 1-2.

Lau, Richard R., Lee Sigelman, and Ivy Brown Rovner. "The Effects of Negative Political Campaigns: A Meta-Analytic Reassessment." *Journal of Politics* 69(4): 1176-1209.

### February 25: Campaign Finance: Fundamentals

Case Study: Implementation of the Bipartisan Campaign Reform Act (Dual Presentation).

### Required Reading:

La Raja, Raymond. 2008. Small Change: Money, Political Parties, and Campaign Finance Reform. University of Michigan Press. Ch. 3-4.

Dowling, Conor M., and Michael G. Miller. 2014. Super PAC! Money, Elections, and Voters after Citizens United. Ch. 1-2.

Baumgartner, Peter L., and Francia. 2010. Conventional Wisdom and American Elections. Rowman and Littlefield. Ch. 4

## March 4: Campaign Finance: Outside Groups and Super PACs

Case Study: Money in the 2012 Election (Dual Presentation)

### Required Reading:

Dowling, Conor M., and Michael G. Miller. 2014. Super PAC! Money, Elections, and Voters after Citizens United. Routledge. Ch. 3-5.

Dowling, Conor M., and Amber Wichowsky. 2013. "Does it Matter Who's Behind the Curtain? Anonymity in Political Advertising and the Effects of Campaign Finance Disclosure." American Politics Research 41: 965-996.

Hamm, Keith E., et al. 2014. "Independent Spending in State Elections, 2006–2010: Vertically Networked Political Parties Were the Real Story, Not Business." *The Forum*.

Franz, Michael T. 2010. "The Citizens United Election? Or Same As It Ever Was?" The Forum 8(4).

### March 11: Campaign Finance Reform 1

Case Study: Implementation of Clean Elections in Connecticut, 2006-2008 (Dual Presentation).

## Required Reading:

Miller, Michael G. 2014. Subsidizing Democracy: How Public Funding Changes Elections, and How it Can Work in the Future. Cornell University Press. Introduction-Ch. 7.

## March 25: Campaign Finance Reform 2

Case Study: New York City Municipal Elections of 2013.

## Required Reading:

Miller, Michael G. 2014. Subsidizing Democracy: How Public Funding Changes Elections, and How it Can Work in the Future. Cornell University Press. Conclusion.

Malbin, Michael J., Peter W. Brusoe, and Brendan Galvin. 2012. "Small Donors, Big Democracy: New York City's Matching Funds as a Model for the Nation and States." *Election Law Journal* 11(1): 3-20.

Fair Elections Now Act.

Kraus, Jeffrey. 2011. "Campaign Finance Reform Reconsidered: New York City's Public Finance Program at Twenty." In *Public Financing in American Elections*, Costas Panagopoulos, ed. Temple University Press.

### **April 1: Fraud Basics**

Case Study: Presidential Election of 1876

Required Reading:

Hasen. Ch. 3

Bensel, Richard. 2004. The American Ballot Box in the Mid-Nineteenth Century. Cambridge University Press. Pages 30-35, 57-85.

Gumbel. Ch 3-8

## April 8: Ballot Design and Technology

Case Study: Presidential Election of 2000 (Dual Presentation).

Required Reading:

Hasen Ch. 6

Gumbel Ch. 9-10

Herrnson and Niemi. 2003. "Beyond the Butterfly: The Complexity of U.S. Ballots." *Perspectives on Politics* 1(2): 317-326

Mebane, Walter. 2004. "The Wrong Man is President! Overvotes in the 2000 Presidential Election in Florida." *Perspectives on Politics* 2(3): 525-535

# April 15: Voter ID

Case Study: North Carolina U.S. Senate Election, 2014.

Required Reading:

Hasen Ch. 2

Minnite, Lorraine. 2012. Voter Identification Laws: The Controversy over Voter Fraud." In *Law and Election Politics*. Matthew Streb, ed. Routledge. 2nd ed.

Cobb, Rachael V., D. James Greiner, and Kevin M. Quinn. 2012. "Can Voter ID Laws Be Administered in a Race-Neutral Manner? Evidence from the City of Boston in 2008." *Quarterly Journal of Political Science* 7(1): 1-33.

# **April 22: Research Presentations**

# April 29: Research Presentations