

GOV2002: Judicial Politics
Spring 2018
Sills Hall 117
T/Th 1.05 – 2.25

Professor Maron W. Sorenson
Office: 301B Dudley Coe
Office Hours: T/Th 2.35-3.35; W 10.00-11.00
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I. COURSE DESCRIPTION

The principal purpose of this course is to introduce you to judicial politics. Specifically, we will examine how judges and justices make decisions and the political, legal, and ideological influences on those decisions. Most of our focus will be on the U.S. Supreme Court. This course, unlike the constitutional law classes, does not study legal doctrine; rather, it examines how judges and justices make decisions and how those decisions impact the broader political landscape in the United States.

II. REQUIRED BOOKS & READINGS

1. Hume, Robert J. 2018. *Judicial Behavior and Policymaking: An Introduction*. Rowman & Littlefield Publishers.
2. Epstein, Lee and Jack Knight. 1998. *The Choices Justices Make*. CQ Press.
3. Epstein, Lee and Jeffrey A. Segal. 2007. *Advice and Consent: The Politics of Judicial Appointments*. Oxford University Press.
4. One of eight possible Supreme Court biographies.
5. Additional Readings available on Black Board (BB).

III. COURSE REQUIREMENTS AND GRADES

GRADING SCALE. The course will follow a standard grading scale:

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

Two Exams: 50%. Students will take a midterm (25%) and a semi-cumulative final exam (25%) that assess your knowledge of material contained in the assigned readings, lecture, and course discussions. The exams will consist of short answer and essay questions.

Final Paper: 20% in 2 assignments. Students will read one of 8 Supreme Court biographies (list and details to come). Using their chosen biography, students will write a 3000-word final research paper. You will receive more information on the specific topic after Spring Break.

Concept Application Assignments: 20% in two assignments. These two assignments (10% each) will be structured case studies that help students prepare for applying concepts in the final paper. There will be one before and one after the midterm. More information will be circulated in class.

Class Participation: 10%. Presence in class is a minimum requirement. You are expected to read and understand the assignments and contribute to class discussions. For some, constructive participation will mean speaking more than you are naturally inclined to do. For others constructive participation may mean speaking a bit less than usual and encouraging others to contribute. Please remember that the purpose of a good discussion is not personal victory, but understanding. You should use our conversations to speculate about, explore, refine, and qualify your ideas and even to change your

mind! Class is not a time for you to sit passively, waiting for a brilliant comment to spring into your mind. Treat discussion as group work on a rough draft—get all the ideas out, see where they lead.

Specific Opportunities for Classroom Participation: because some students are less willing to speak up during normal lecture/discussion, I have planned two types of discussion-based activities:

1. Class Participation Days: Two entire class meetings (2/22 & 4/12) have been set aside for structured discussion based upon a reading or short assignment.
2. This Week @ SCOTUS: It is important that you keep current on what the Supreme Court is doing this semester. In small groups, you will choose an article for the class to read, and facilitate a discussion on that article. Articles and discussion questions must be emailed to the class (including me) by noon Sunday. More information will be circulated in class.

IV. CLASS EXPECTATIONS

Use Staples. I know this seems like an odd one, but staples are required in multi-page assignments. Any multi-page document that is not stapled with an actual staple will be treated like several assignments: I will grade only one.

Be Punctual. I delay the start of class by 5 minutes so everyone can be here on time, so please be here on time.

Practice Engagement. Come to class ready to discuss readings and engage in discussion. Since good discussions require a variety of voices, I expect all to be present both physically and mentally.

Because of this, the use of electronic devices will not be allowed during lectures. Students should turn off and put away all electronic devices, including cell phones, tablets, and laptops.

Have Integrity. One of the great goals of education is to learn to conduct oneself honorably in intellectual affairs. This means you are responsible for understanding and following Bowdoin's Academic Honor Code. Plagiarism, the unacknowledged appropriation of another person's words or ideas, is a serious academic offense. It is imperative that you hand in work that is your own, and that you cite or give credit to others whenever you draw from their work. If you have questions concerning plagiarism please ask me or consult [Bowdoin's Academic Honor Code](#).

Communicate Clearly. Class announcements may be sent out via email, and you are therefore expected to use your Bowdoin email account, or to have email from that account forwarded to the account that you use on a regular basis. Also make sure to check the BB site on a regular basis in case of changes. I can be reached via email or during office hours and generally check my email three times a day: morning, early afternoon, and evening. I will do my best to respond to emails within 24 hours on weekdays and 36 hours on weekends. If I do not respond in that time period, please resend your email as it might have been inadvertently missed.

Read Actively. All of the readings listed in this syllabus are required. The assigned reading is fair game for the examinations, whether discussed in class or not. A few recommendations for how to go about reading the material for this course – be an active reader. Take notes, jot down questions that occur to you as you are reading, and highlight passages that you find particularly interesting/troubling/ surprising/hard to swallow. Note similarities or inconsistencies across the various readings. Think about the implications of the readings for understanding judicial politics. Always bring the readings to class with you along with any notes you may have taken while reading them.

Be Open to Changes. I reserve the right to make reasonable alterations to the syllabus and the class policies during the semester. I will email you an updated syllabus as appropriate.

VI. SCHEDULE OF TOPICS AND READING ASSIGNMENTS

Date		Class Topic	Readings and Due	Group
1/23	T	Introduction		
1/25	Th	Introduction to Court Power: Judicial Review & Policymaking	Federalist 78, BB Slotnick pp. 30-45, BB	
1/30	T	The History of Court Power	Hume Chapter 1, BB	
2/1	Th	The Attitudinal Model	Hume Chapter 2, BB	
2/6	T	The Legal Model	Hume Chapter 3	1
2/8	Th	The Strategic Model I	Hume Chapter 4	
2/13	T	The Strategic Model II	Epstein & Knight Chapters 1 & 2	2
2/15	Th	Judicial Selection: Retirements and Nomination	Epstein & Segal Chapters 1 & 2 Application Assignment #1 Due	
2/20	T	Judicial Selection: Confirmation	Epstein and Segal Chapters 3 & 4	3
2/22	Th	Class Participation Day: Nominations/Confirmations	Gorsuch Questionnaire, BB Activity Responses Due	
2/27	T	Interest Groups	Collins 2012, BB Hansford 2004, BB	4
3/1	Th	Agenda Setting	Baum Chapter 3, BB	
3/6	T	Agenda Setting	Epstein & Knight pp 56-65; 79-95; 112-125	5
3/8	Th	MIDTERM		
3/13-22		NO CLASS: SPRING BREAK		
3/27	T	Lawyers and the Solicitor General	Black and Owens 2009, BB Part 1 of Final Paper Due	6
3/29	Th	Oral Arguments	Johnson 2001, BB Rehnquist 1985, BB	
4/3	T	Collegial Interaction: Conference and Opinion Assignment	Johnson, et al 2005, BB Maltzman & Wahlbeck 2004, BB	7
4/5	Th	NO CLASS		
4/10	T	Collegial Interaction: Bargaining	Epstein and Knight, pp 65-79; 95-107 Smaltzbeck 1998, BB	8
4/12	Th	Class Participation Day: Bargaining	Activity Responses Due	
4/17	T	The Court and Congress	Epstein and Knight pp 138-157 Bailey and Maltzman 2012, BB	9
4/19	Th	The Court and Public Opinion	Hume Chapter 6	
4/24	T	<i>Mohammed Ali's Greatest Fight</i>		10
4/26	Th	<i>Mohammed Ali's Greatest Fight</i>		
5/1	T	The Court and Precedent	Readings TDB, BB Application Assignment #2 Due	11
5/3	Th	The Court and the Lower Courts	Readings TDB, BB	
5/8	T	The Court and Implementation	Hume Chapter 7	12
5/14		Final Exam: 9.00-12.00		