

PSC 8286: AMERICAN POLITICAL INSTITUTIONS
Department of Political Science, George Washington University
Spring 2023; Tuesdays, 12:45-3:15

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Office hours: Thursdays, 1:30-3:00 or by appointment (Zoom or in person)

Course Description

Why and how do institutions (“rules of the game,” norms) matter in American politics? How are national institutions (Congress, the Supreme Court, and presidency) organized and structured to shape member behavior and decision making? This course, which is one of two “institutions core courses,” is a graduate survey of research on the structure and process of policymaking in political institutions. The course primarily focuses on contemporary research on national legislative, executive, and judicial institutions in the United States. We begin by considering various approaches to the study of institutions, followed by examinations of legislative, judicial, and executive politics in the separation-of-powers context. The course then examines institutional debates in judicial, legislative, and executive branch politics. The course focuses on theoretical and empirical debates in the political science literature.

Learning Objectives

Students will develop the knowledge and skills to achieve the following goals: (1) critically read research on political institutions, (2) write succinct evaluations of the strengths and limitations of this research, (3) participate in and lead discussions of this research, and (4) formulate and implement original research ideas and designs.

Course Readings

The readings, which consist of journal articles and portions of books, are available for free download via GW’s library subscriptions.

Responsibilities and Grading

1. **Seminar participation (20%):** I have very high expectations regarding seminar participation, which is a core component of the entire course. Participation is what makes a seminar a seminar. I expect students to come to class having carefully read and carefully thought about the assigned readings. For some weeks, we’ll split a subset of the readings between groups of students (denoted by “subset split” in the course schedule). For those weeks, there will be a subset of readings that will be required for everyone and then we’ll divide up the remaining readings between two groups of students.

Students should be prepared to engage in discussions of the readings. In the event of a lack of participation, I will call on students to discuss and critique the readings in order to stimulate a discussion. I encourage students to take risks with their class comments. Don’t hold back from participating because you think your comments may sound “dumb.” Take a chance and say what’s on your mind (as long as it relates to class, of course). Each and every student’s input and impressions are worthy of class discussion.

Also, oftentimes the knee-jerk reaction in seminars is to offer negative commentary about the readings. While we can certainly spend time offering critical commentary of the theoretical and empirical components of the work, let’s try hard to acknowledge explicitly the positive

aspects of the research as well. Remember, the research we'll read has been published, meaning that the people who decided to publish the work thought it had significant intellectual merit.

2. **Discussion questions/comments** (10%): Before each class, each student will submit a few (around 3 to 5) comments, impressions, and/or questions for class discussion and also at least one research question that you thought about in response to the work. These should be submitted in a Google document shared with the class. So that we can all have a chance to review these questions/comments before class, please submit by 10:30am on the day of class.
3. **Discussion leader** (10%): For each class, each student will take on the role of discussion leader for at least one reading (related to the subset split). We will divide these up the week before. The basic requirements include: (1) offering a very brief overview/framing of the readings; (2) suggesting both positive impressions and critical impressions of the theory, research design, and empirical findings; (3) posing questions and leading seminar discussion; and (4) answering questions from fellow students.
4. **Building a reading list** (10%): For scholars, grasping the literature (which facilitates contributing to the literature) around a research topic requires searching for readings (books and articles) *above and beyond* an initial set of readings (e.g., readings assigned in a Ph.D. seminar like this one). Scholars truly grasp the literature when they themselves initiate this process. To facilitate this practice, the class will collectively add to the assigned set of readings for the week. I will share a Google document with the class, which will allow for collective editing of the document. Before and/or one day after the week's class, each student is expected to add 2-4 readings (books or articles) to the reading list. We will talk about tools (that you already likely use, like Google Scholar) for searching for scholarly research.
5. **Final paper** (50%): Each student is required to complete a final paper. Students have three options for this paper. Each paper should be approximately 20-30 pages of text or approximately 8,500-10,000 words (which is the conventional length of a political science journal article).

Option 1: A full-fledged research paper reporting the results of original research. The paper should be written as if it were to be given at a professional conference or prepared for journal submission. It should include a clear explication of the importance of the research question, a characterization of the literature related to the research question, a theoretical framework, a clear explanation of the research design, and an empirical examination of the hypotheses (either quantitative or qualitative) and discussion of the results.

Option 2: Students can also write a *replication paper*. This will also be a full-fledged paper that reanalyzes an already-published article in a peer-reviewed academic journal. Most journals now require authors to post their data on a public website before their article is published. Many journals post these replication archives on the Harvard Dataverse. Many authors make their data available via Harvard Dataverse as well. In the replication paper, you should think about how you want to reanalyze the paper, what additional analyses you think should be conducted, and how such analyses might make a substantive

contribution. While you should seek to replicate what the authors actually did, I want you to go beyond what the authors did and produce additional analyses that you believe are substantively important and interesting and capable of being published on a peer-reviewed journal.

Option 3: Students can write a “critical review” of a particular literature. This review should characterize the general debates in the literature, clarify concepts, and describe theories and empirical approaches. Importantly, the review should emphasize *both* constructively criticize the literature, pointing out the contributions as well as the gaps in the literature that need improvement. Examples in *Annual Review of Political Science*.

For each option, students must submit a preliminary proposal of their research topic (similar to a conference proposal) by Friday, March 24.

The final paper will be due at the end of finals week (TBA).

Time Budgeting

Students are expected to spend a minimum of 100 minutes of out-of-class work for every 50 minutes of direct instruction. There are 110 minutes of direct instruction and a minimum of 220 hours of independent learning or 5.5 hours per week.

Piazza Discussion Forum

We will be using Piazza for additional class discussion. The system is highly catered to discussions of content, clearing up any confusion about readings, and posing questions and commentary in advance of or proceeding class discussion. I encourage you to post questions and comments on Piazza for all to see. Another useful feature of Piazza is to post your thoughts and ideas regarding your final paper. Piazza is a great venue for getting peer feedback. Click [HERE](#) to sign up on our Piazza course page.

Course Schedule:

1. Tues., Jan. 17: The Study of Institutions I
 - Hall, Peter A., and Rosemary C. R. Taylor. 1996. "Political Science and the Three New Institutionalisms." *Political Studies* 44(5): 936–57.
2. Tues., Jan. 24: The Study of Institutions II
 - Moe, Terry M. 2005. "Power and Political Institutions." *Perspectives on Politics* 3(2): 215–33.
 - March, James and Johan Olsen, 2008. "Elaborating the 'New Institutionalism'" in Binder, Rhodes, and Rockman, *Oxford Handbook of Political Institutions*.
 - Shepsle, Kenneth A. 1989. "Studying Institutions: Some Lessons from the Rational Choice Approach." *Journal of Theoretical Politics* 1(2): 131–47.
 - Pierson, Paul. 2000. "Increasing Returns, Path Dependence, and the Study of Politics." *American Political Science Review* 94(2): 251–67.
3. Tues., Jan. 31: Legislative Politics in Context I: Gridlock and Separation of Powers [subset split]
 - Krehbiel, Keith. 1998. *Pivotal Politics*. Chicago, IL: University of Chicago Press.
 - Mayhew, David. 2005. *Divided We Govern, 2nd Edition*. New Haven, CT: Yale University Press.
4. Tues., Feb. 7: Legislative Politics in Context II: Gridlock and Polarization [subset split]
 - Binder, Sarah A. 2003. *Stalemate: Causes and Consequences of Legislative Gridlock*. Washington, DC: Brookings Institution Press.
 - Curry, James M., and Frances E. Lee. 2020. *The Limits of Party: Congress and Lawmaking in a Polarized Era*. Chicago, IL: University of Chicago Press.
5. Tues., Feb. 14: Judicial Politics in Context: The Supreme Court in the Separation of Powers
 - Eskridge, William N., Jr. 1991. "Reneging on History? Playing the Court/Congress/President Civil Rights Game." *California Law Review* 79(3): 613–84.
 - Clark, Tom S. 2009. "The Separation of Powers, Court Curbing, and Judicial Legitimacy." *American Journal of Political Science* 53(4): 971–89.
 - Segal, Jeffrey A., Chad Westerland, and Stefanie A. Lindquist. 2011. "Congress, the Supreme Court, and Judicial Review: Testing a Constitutional Separation of Powers Model." *American Journal of Political Science* 55(1): 89–104.
 - Epstein, Lee, Jack Knight, and Andrew D. Martin. 2001. "The Supreme Court as a Strategic National Policymaker." *Emory Law Journal* 50(2): 583–611.
6. Tues., Feb. 21: Executive Branch Politics in Context: Presidential Power and Policymaking
 - Howell, William G., and Terry M. Moe. 2016. *Relic: How Our Constitution Undermines Effective Government, and Why We Need a More Powerful Presidency*. New York, NY: Basic Books.
 - Portions of: Cameron, Charles M. 2000. *Veto Bargaining: Presidents and the Politics of Negative Power*. New York, NY: Cambridge University Press.

7. Tues., Feb. 28: Judicial Politics I: Foundations, Judicial Power and Judicial Selection [subset split]
- Friedman, Barry. 2005. "The Myths of *Marbury*." In *Arguing Marbury v. Madison*, ed. Mark Tushnet. Stanford, CA: Stanford University Press.
 - Whittington, Keith E. 2005. "'Interpose Your Friendly Hand': Political Supports for the Exercise of Judicial Review by the United States Supreme Court." *American Political Science Review* 99(4): 583–96.
 - Cameron, Charles M., and Jonathan P. Kastellec. 2016. "Are Supreme Court Nominations a Move-the-Median Game?" *American Political Science Review* 110(4): 778-797.
 - Cameron, Charles M., Jonathan P. Kastellec, and Jee-Kwang Park. 2013. "Voting for Justices: Change and Continuity in Confirmation Voting." *Journal of Politics* 75(2): 283-299.
 - Scherer, Nancy, Brandon L. Bartels, and Amy Steigerwalt. 2008. "Sounding the Fire Alarm: The Role of Interest Groups in the Lower Federal Court Confirmation Process." *Journal of Politics* 70(4): 1026-1039.
 - Hall, Melinda Gann. 2001. "State Supreme Courts in American Democracy: Probing the Myths of Judicial Reform." *American Political Science Review* 95(2): 315-330.
 - Canes-Wrone, Brandice, Tom Clark S., and Jee-Kwang Park. 2010. "Judicial Independence and Retention Elections." *Journal of Law, Economics, and Organization* 28(2): 211-234.
8. Tues., March 7: Judicial Politics II: Judicial Decision Making [subset split]
- Portions of: Segal, Jeffrey A., and Harold J. Spaeth. 2002. *The Supreme Court and the Attitudinal Model Revisited*. New York, NY: Cambridge University Press.
 - Portions of: Epstein, Lee, and Jack Knight. 1998. *The Choices Justices Make*. CQ Press.
 - Hettinger, Virginia A., Stefanie A. Lindquist, and Wendy L. Martinek. 2004. "Comparing Attitudinal and Strategic Accounts of Dissenting Behavior on the U.S. Courts of Appeals." *American Journal of Political Science* 48(1): 123-137.
 - Kastellec, Jonathan P. 2011. "Hierarchical and Collegial Politics on the U.S. Courts of Appeals." *Journal of Politics* 73(2): 345-361.
 - Lax, Jeffrey R., and Kelly Rader. 2015. "Bargaining Power in the Supreme Court: Evidence from Opinion Assignment and Vote Switching." *Journal of Politics* 77(3): 648-663.
 - Richards, Mark J., and Herbert M. Kritzer. 2002. "Jurisprudential Regimes in Supreme Court Decision Making." *American Political Science Review* 96(2): 305-320.
 - Bartels, Brandon L., and Andrew J. O'Geen. 2015. "The Nature of Legal Change on the U.S. Supreme Court: Jurisprudential Regimes Theory and Its Alternatives." *American Journal of Political Science* 59(4): 880-895.
 - Boyd, Christina L., Lee Epstein, and Andrew D. Martin. 2010. "Untangling the Causal Effects of Sex on Judging." *American Journal of Political Science* 54(2): 389-411.
 - Kastellec, Jonathan P. 2013. "Racial Diversity and Judicial Influence on Appellate Courts." *American Journal of Political Science* 57(1): 167-183.

- Carrubba, Cliff, Barry Friedman, Andrew D. Martin, and Georg Vanberg. 2012. “Who Controls the Content of Supreme Court Opinions?” *American Journal of Political Science* 56(2): 400-412.
- Beim, Deborah, Alexander V. Hirsch, and Jonathan P. Kastellec. 2016. “Signaling and Counter-Signaling in the Judicial Hierarchy: An Empirical Analysis of En Banc Review.” *American Journal of Political Science* 60(2): 490-508.

*** No class Tues., March 14: Spring Break ***

9. Tues., March 21: Judicial Politics III: Courts and the Public [subset split]
 - McGuire, Kevin T., and James A. Stimson. 2004. “The Least Dangerous Branch Revisited: New Evidence on Supreme Court Responsiveness to Public Preferences.” *Journal of Politics* 66(4): 1018-1035.
 - Hall, Matthew E. K. 2014. “The Semiconstrained Court: Public Opinion, the Separation of Powers, and the U.S. Supreme Court’s Fear of Nonimplementation.” *American Journal of Political Science* 58(2): 352-366.
 - Bartels, Brandon L., and Christopher D. Johnston. 2013. “On the Ideological Foundations of Supreme Court Legitimacy in the American Public.” *American Journal of Political Science* 57(1): 184-199
 - Gibson, James L., and Michael J. Nelson. 2015. “Is the U.S. Supreme Court’s Legitimacy Grounded in Performance Satisfaction and Ideology?” *American Journal of Political Science* 59(1): 162-174.
 - Nicholson, Stephen P., and Thomas G. Hansford. 2014. “Partisans in Robes: Party Cues and Public Acceptance of Supreme Court Decisions.” *American Journal of Political Science* 58(3): 620-636.
 - Christenson, Dino P., and David M. Glick. 2015. “Chief Justice Roberts’s Health Care Decision Disrobed: The Microfoundations of the Supreme Court’s Legitimacy.” *American Journal of Political Science* 59(2): 403-418.
 - Portions of: Bartels, Brandon L., and Christopher D. Johnston. 2020. *Curbing the Court: Why the Public Constrains Judicial Independence*. New York, NY: Cambridge University Press.
10. Tues., March 28: Legislative Politics I: Committees, Procedure, and Representation [subset split]
 - Portions of: Binder, Sarah A., and Steven S. Smith. 1997. *Politics or Principle? Filibustering in the United States Senate*. Brookings Institution Press.
 - Howard, Nicholas O., and Mark E. Owens. 2020. “Circumventing Legislative Committees: The US Senate.” *Legislative Studies Quarterly* 45(3): 495–526.
 - O’Brian, Neil A. 2019. “One-Party States and Legislator Extremism in the US House, 1876–2012.” *The Journal of Politics* 81(4): 1223–39.
 - Bussing, Austin. 2021. “Majority Party Strategy and Suspension of the Rules in the House.” *Legislative Studies Quarterly* 46(4): 921–59.
 - Ban, Pamela, Ju Yeon Park, and Hye Young You. 2022. “How Are Politicians Informed? Witnesses and Information Provision in Congress.” *American Political Science Review*: 1–18.

- Lowande, Kenneth, Melinda Ritchie, and Erinn Lauterbach. 2019. “Descriptive and Substantive Representation in Congress: Evidence from 80,000 Congressional Inquiries.” *American Journal of Political Science* 63(3): 644–59.
- Hertel-Fernandez, Alexander, Matto Mildemberger, and Leah C. Stokes. 2019. “Legislative Staff and Representation in Congress.” *American Political Science Review* 113(1): 1–18.
- Curry, James M. 2019. “Knowledge, Expertise, and Committee Power in the Contemporary Congress.” *Legislative Studies Quarterly* 44(2): 203–37.

11. Tues., April 4: Legislative Politics II: Networks and Influence [subset split]

- Fong, Christian. 2020. “Expertise, Networks, and Interpersonal Influence in Congress.” *The Journal of Politics* 82(1): 269–84.
- Volden, Craig, Alan E. Wiseman, and Dana E. Wittmer. 2013. “When Are Women More Effective Lawmakers Than Men?” *American Journal of Political Science* 57(2): 326–41.
- Gailmard, Sean, and Jeffery A. Jenkins. 2007. “Negative Agenda Control in the Senate and House: Fingerprints of Majority Party Power.” *The Journal of Politics* 69(3): 689–700.
- Box-Steffensmeier, Janet M., Benjamin W. Campbell, Andrew W. Podob, and Seth J. Walker. 2020. “I Get By with a Little Help from My Friends: Leveraging Campaign Resources to Maximize Congressional Power.” *American Journal of Political Science* 64(4): 1017–33.
- Battaglini, Marco, Valerio Leone Sciabolazza, and Eleonora Patacchini. 2020. “Effectiveness of Connected Legislators.” *American Journal of Political Science* 64(4): 739–56.
- Box-Steffensmeier, Janet M., Dino P. Christenson, and Alison W. Craig. 2019. “Cue-Taking in Congress: Interest Group Signals from Dear Colleague Letters.” *American Journal of Political Science* 63(1): 163–80.

12. Tues., April 11: Executive Branch Politics I: Executive Branch Preferences and Representative Bureaucracy [subset split]

- Nixon, David C. 2004. “Separation of Powers and Appointee Ideology.” *The Journal of Law, Economics, and Organization* 20(2): 438–57.
- Clinton, Joshua D., and David E. Lewis. 2008. “Expert Opinion, Agency Characteristics, and Agency Preferences.” *Political Analysis* 16(1): 3–20.
- Clinton, Joshua D. et al. 2012. “Separated Powers in the United States: The Ideology of Agencies, Presidents, and Congress.” *American Journal of Political Science* 56(2): 341–54.
- Meier, Kenneth J., and Jill Nicholson-Crotty. 2006. “Gender, Representative Bureaucracy, and Law Enforcement: The Case of Sexual Assault.” *Public Administration Review* 66(6): 850–60.
- Einstein, Katherine Levine, and David M. Glick. 2017. “Does Race Affect Access to Government Services? An Experiment Exploring Street-Level Bureaucrats and Access to Public Housing.” *American Journal of Political Science* 61(1): 100–116.
- Lowande, Kenneth, and Andrew Proctor. 2020. “Bureaucratic Responsiveness to LGBT Americans.” *American Journal of Political Science* 64(3): 664–81.

- Vinopal, Katie. 2020. “Socioeconomic Representation: Expanding the Theory of Representative Bureaucracy.” *Journal of Public Administration Research and Theory* 30(2): 187–201.

13. Tues., April 18: Executive Branch Politics II: Policymaking [subset split]

- Gordon, Sanford C., and Steven D. Rashin. 2021. “Stakeholder Participation in Policy Making: Evidence from Medicare Fee Schedule Revisions.” *The Journal of Politics* 83(1): 409–14.
- Yackee, Susan Webb. 2020. “Hidden Politics? Assessing Lobbying Success During US Agency Guidance Development.” *Journal of Public Administration Research and Theory* 30(4): 548–62.
- Haeder, Simon F., and Susan Webb Yackee. 2015. “Influence and the Administrative Process: Lobbying the U.S. President’s Office of Management and Budget.” *American Political Science Review* 109(3): 507–22.
- Hollibaugh Jr., Gary E., and Lawrence S. Rothenberg. 2018. “The Who, When, and Where of Executive Nominations: Integrating Agency Independence and Appointee Ideology.” *American Journal of Political Science* 62(2): 296–311.
- Bolton, Alexander, and Sharece Thrower. 2016. “Legislative Capacity and Executive Unilateralism.” *American Journal of Political Science* 60(3): 649–63.
- Bertelli, Anthony M., and Christian R. Grose. 2009. “Secretaries of Pork? A New Theory of Distributive Public Policy.” *The Journal of Politics* 71(3): 926–45.

14. Tues., April 25: Executive Branch Politics III: Policymaking and Strategy [subset split]

- Lowande, Kenneth. 2019. “Politicization and Responsiveness in Executive Agencies.” *The Journal of Politics* 81(1): 33–48.
- Bolton, Alexander, Rachel Augustine Potter, and Sharece Thrower. 2016. “Organizational Capacity, Regulatory Review, and the Limits of Political Control.” *The Journal of Law, Economics, and Organization* 32(2): 242–71.
- Hamilton, James T., and Christopher H. Schroeder. 1994. “Strategic Regulators and the Choice of Rulemaking Procedures: The Selection of Formal vs. Informal Rules in Regulating Hazardous Waste.” *Law and Contemporary Problems* 57(2): 111–60.
- Carpenter, Daniel, Jacqueline Chattopadhyay, Susan Moffitt, and Clayton Nall. 2012. “The Complications of Controlling Agency Time Discretion: FDA Review Deadlines and Postmarket Drug Safety.” *American Journal of Political Science* 56(1): 98–114.
- Hyttinen, Ari et al. 2018. “Public Employees as Politicians: Evidence from Close Elections.” *American Political Science Review* 112(1): 68–81.
- Dwidar, Maraam A. 2022. “Coalitional Lobbying and Intersectional Representation in American Rulemaking.” *American Political Science Review* 116(1): 301–21.

UNIVERSITY POLICIES

Academic Integrity Code

Academic integrity is an essential part of the educational process, and all members of the GW community take these matters very seriously. As the instructor of record for this course, my role is to provide clear expectations and uphold them in all assessments. Violations of academic integrity occur when students fail to cite research sources properly, engage in unauthorized collaboration, falsify data, and otherwise violate the [Code of Academic Integrity](#). If you have any questions about whether or not particular academic practices or resources are permitted, you should ask me for clarification. If you are reported for an academic integrity violation, you should contact the Office of Student Rights and Responsibilities (SRR) to learn more about your rights and options in the process. Consequences can range from failure of assignment to expulsion from the university and may include a transcript notation. For more information, please refer to the SRR website (<https://studentconduct.gwu.edu/academic-integrity>), email rights@gwu.edu, or call 202-994-6757.

University policy on observance of religious holidays

Students must notify faculty during the first week of the semester in which they are enrolled in the course, or as early as possible, but no later than three weeks prior to the absence, of their intention to be absent from class on their day(s) of religious observance. If the holiday falls within the first three weeks of class, the student must inform faculty in the first week of the semester. For details and policy, see “Religious Holidays” at provost.gwu.edu/policies-procedures-and-guidelines.

Use of Electronic Course Materials and Class Recordings

Students are encouraged to use electronic course materials, including recorded class sessions, for private personal use in connection with their academic program of study. Electronic course materials and recorded class sessions should not be shared or used for non-course related purposes unless express permission has been granted by the instructor. Students who impermissibly share any electronic course materials are subject to discipline under the Student Code of Conduct. Please contact the instructor if you have questions regarding what constitutes permissible or impermissible use of electronic course materials and/or recorded class sessions. Please contact Disability Support Services at disabilitysupport.gwu.edu if you have questions or need assistance in accessing electronic course materials.

Academic support

Writing Center

GW’s Writing Center cultivates confident writers in the University community by facilitating collaborative, critical, and inclusive conversations at all stages of the writing process. Working alongside peer mentors, writers develop strategies to write independently in academic and public settings. Appointments can be booked online at gwu.mywconline.

Academic Commons

Academic Commons provides tutoring and other academic support resources to students in many courses. Students can schedule virtual one-on-one appointments or attend virtual drop-in sessions. Students may schedule an appointment, review the tutoring schedule, access other academic support resources, or obtain assistance at academiccommons.gwu.edu.

Support for students outside the classroom

Disability Support Services (DSS) 202-994-8250

Any student who may need an accommodation based on the potential impact of a disability should contact Disability Support Services at disabilitysupport.gwu.edu to establish eligibility and to coordinate reasonable accommodations..

Counseling and Psychological Services 202-994-5300

GW's Colonial Health Center offers counseling and psychological services, supporting mental health and personal development by collaborating directly with students to overcome challenges and difficulties that may interfere with academic, emotional, and personal success. healthcenter.gwu.edu/counseling-and-psychological-services.

Safety and Security

- In an emergency: call GWPD 202-994-6111 or 911
 - For situation-specific actions: review the Emergency Response Handbook at: safety.gwu.edu/emergency-response-handbook
 - In an active violence situation: Get Out, Hide Out, or Take Out. See go.gwu.edu/shooterpret
 - Stay informed: safety.gwu.edu/stay-informed