

PSCI 263: Democracy and Authoritarianism in the United States

University of Rochester
Spring 2022
MW 12:30am–1:45pm

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Course overview. By some definitions, the United States was the world's first modern democracy because of its written constitution, early adoption of elections, strong legislative constraints on the executive, and relatively large franchise. Yet in other ways the United States has been notably undemocratic, in particular when compared to contemporary advanced democracies: persistent countermajoritarian institutions, partisan manipulation of vague rules, and racial tensions accompanied by disputes over the basic right to vote. This course examines democratic and authoritarian elements of U.S. political institutions over time. We begin by covering the origins of U.S. political institutions in the colonial period and Constitutional Convention of 1787. We then examine expansions and contractions of the franchise through 1965. Next we discuss sources of bias in U.S. federal institutions and how they directly and indirectly distort democratic competition. We conclude by discussing the electoral college, the 2020 election, and implications for future elections.

The IRL classroom is Goergen 109. At the beginning of the semester, we will use my zoom link for lecture and office hours: <https://rochester.zoom.us/j/3175074346>.

Grading

- The final grade is based on a midterm (Feb. 14 and 16 in class) and a final (university-scheduled final exam bloc; date TBD). Each will consist of two essays, for a total of four essays.
- Each essay will be graded on the GPA scale: 4.0 for an A, 3.7 for an A-, etc. Each essay is worth 25% of your final grade (except for W students, see below). Your final grade consists of the letter grade to which your average essay grade is closest. For example, the cutoff between an A and an A- is 3.85 (midpoint of 3.7 and 4). Therefore, if the average of your four essays is 3.9, you will receive an A, and if it is 3.8, you will receive an A-.
- If your final grade is exactly (or nearly exactly) between the threshold for two grades, I will use my discretion based on your attendance and participation in class (neither of which are formally part of the grade) and the overall quality of the essays. For example, students that contribute to discussions in class will generally get bumped up, as will students whose essays are on the higher end of a letter grade (such as an essay that received an A-, but was closer to an A than a B+). I will, of course, carefully review all close cases at the end of the semester.

- For W students, the W component is 30% of the grade, and each essay is worth 17.5% of your grade. The final W paper is approximately 15 pages, with instructions provided at the end of the syllabus. The due dates for a draft and for the final paper are listed below. The grade for the draft is essentially pass/not pass (it is mainly a chance to get feedback, although you must complete the assignment on time), with most of the grade coming from the final paper.
- The essay questions will be closely related to topics discussed in class and in the readings. Essays must demonstrate substantial use of the assigned readings to earn better than a C. Every essay will be completed on a computer and are open book (the only stipulation is that you cannot communicate with anyone while completing the essays).
- Students in the W section that do not complete the W paper will fail the course. Hopefully this is an irrelevant stipulation.

Reading. Much of the lecture material is based off the readings for that week. Students are expected to spend several hours with the readings prior to the first lecture for which it is assigned, and after lecture to review the material and complete the reading. Although this is a lecture course, I encourage students to ask questions. If possible, we will have broader class discussions. Acquaintance with the material prior to lecture will facilitate better questions and discussions during class. Also, in my experience, essays score significantly better when they extensively reference details from the assigned material.

How to read productively? Don't lose the forest for the trees when reading academic pieces. What is the main argument? What are the main pieces of supporting evidence? Reading notes that summarize the main takeaway points in a few sentences will prove useful for the essays. You may also find it helpful to revise your notes after lecture.

There are no assigned books for the course. All readings are available on the course's Blackboard page or otherwise marked below with Internet links. I will attempt to upload all the readings as soon as possible, although the unexpected switch to online for the beginning of the semester will pose some impediments.

Submitting assignments. Students will email every assignment directly to me at jackpaine@rochester.edu. Please put your name in the title of the document to make it easy to identify you when I download your essay. To ensure fairness, every student must complete each essay during the designated periods.

Academic honesty. Tempted to cheat? Don't do it. Fortunately, there are few possible opportunities for cheating in this course. Students are encouraged to communicate with each other about the readings outside of class, and are encouraged to use their notes when writing the essays. The only exception is that students are NOT ALLOWED to communicate with each other or with anyone else while writing the essays. If I learn that students collaborated or otherwise received help on an essay, then they will receive no credit for that essay and there may be further repercussions. The university's academic honesty policy can be found at:
<http://www.rochester.edu/college/honesty>.

Academic disabilities. If you have a disability for which you may request an academic accommodation, you are encouraged to contact me and the access coordinator for your school to establish eligibility for academic accommodations (please see <https://www.rochester.edu/disability/students.html>).

If any of these policies are unclear or if there are other relevant details for your situation, please contact me sooner rather than later. I hope that this course will be an enjoyable and intellectually engaging experience for everyone.

Schedule of lectures

January 12. Overview of American democracy

No reading.

January 17. No class, MLK day

January 19, 24, 26. Theoretical perspectives on elites and democracy

Reading questions: Why would economic elites fear democracy? How do institutions affect elites' attitudes toward democracy? How can economic elites remain competitive under mass competition?

- Acemoglu, Daron and James A. Robinson. 2006. *Economic Origins of Dictatorship and Democracy*. Cambridge University Press. Ch. 2 (only pgs. 15–40).
- Ansell, Ben W. and David J. Samuels. 2014. *Inequality and Democratization*. Cambridge University Press. Ch. 1. (only pgs. 1–13).
- Albertus, Michael and Victor Menaldo. 2018. *Authoritarianism and the Elite Origins of Democracy*. Ch. 1 (only pgs. 1–21).
- Alberts, Susan, Chris Warshaw, and Barry R. Weingast 2012. “Democratization and Countermajoritarian Institutions: The Role of Power and Constitutional Design In Self-Enforcing Democracy.” Only pgs. 1–10.
- Hacker, Jacob S. and Paul Pierson. 2020. *Let them Eat Tweets: How the Right Rules in an Age of Extreme Inequality*. Ch. 1 “The Conservative Dilemma” (available on [Google Books](#))

January 31 and February 2. Colonial foundations

Reading questions: Which colonial experiences were beneficial for establishing democracy in the United States? Which experiences were harmful?

- Lee, Alexander and Jack Paine. 2022. *Colonial Origins of Democracy and Dictatorship*. Introduction chapter.
- Keyssar, Alexander. 2000. *The Right to Vote: The Contested History of Democracy in the United States*. Ch. 1.
- Bateman, David. 2018. *Disenfranchising Democracy: Constructing the Electorate in the United States, the United Kingdom, and France*. Ch. 2.

February 7 and 9. Early American institutions

Reading questions: What aspects of the original U.S. Constitution were notably democratic? Which aspects were undemocratic? How did suffrage later become universal among white males?

- Amar, Akhil. 2006. *America's Constitution: A Biography*. Ch. 1 (only pgs. 5–21) and Ch. 2 (only pgs. 64–98).
- Dahl, Robert A. 2003. *How Democratic is the American Constitution?* Chs. 2 and 3.
- Keyssar, Alexander. 2000. *The Right to Vote: The Contested History of Democracy in the United States*. Ch. 2.

February 14. Midterm part 1 (Essay #1 in class)

February 16. Midterm part 2 (Essay #2 in class)

February 21. No class

February 23, 28; March 2. Voting rights through 1965

Reading questions: What factors explain why previously excluded groups gain the right to vote? How did these factors differ across demographic groups? How did Southern states establish authoritarian rule in the late 19th century? What factors contributed to the authoritarian turn?

- Teele, Dawn. 2018. *Forging the Franchise: The Political Origins of the Women's Vote*. Ch. 4.
- Valelly, Richard M. 2004. *The Two Reconstructions: The Struggle for Black Enfranchisement*. Chs. 2, 9, 10 (read the last two chapters after the other readings; they are last chronologically).
- Gibson, Edward L. 2013. *Boundary Control: Subnational Authoritarianism in Federal Democracies*. Ch. 3.
- Paine, Jack. 2019. “Democratic Contradictions in European Settler Colonies.” *World Politics*.

March 7 and 9. No class. Enjoy spring break!

March 18. Draft of W papers due by midnight

March 14, 16, 21, 23. Consequences of biased institutions

Reading questions: How do gerrymandering and malapportionment skew the relationship between votes and legislative seats? What about presidential elections via the electoral college? Why do these factors benefit contemporary Republicans over Democrats? What are possible justifications for anti-majoritarian distortions?

- Rodden, Jonathan A. 2019. *Why Cities Lose: The Deep Roots of the Urban-Rural Political Divide*. Introduction and Chs. 5 and 6.
- Madison, James. *Federalist 62 and 63*. Available at <https://guides.loc.gov/federalist-papers/text-61-70>.
- Levinson, Sanford. 2006. *Our Undemocratic Constitution*. 2006. Selections from ch. 2.
- Edwards, George C. 2011. *Why the Electoral College is Bad for America*. Chs. 3 and 6.
- Recent commentary in popular media:
 - Bronner, Laura and Nathaniel Rakich. 2021. “Advantage, GOP: Why Democrats

- have to win large majorities in order to govern while Republicans don't need majorities at all" *FiveThirtyEight*. Available at <https://fivethirtyeight.com/features/advantage-gop/>.
- Ladd, Jonathan M. 2019. "The Senate is a much bigger problem than the Electoral College." *Vox*. Available at <https://www.vox.com/mischiefs-of-faction/2019/4/9/18300749/senate-problem-electoral-college>.
 - Inhofe, Jim and Trent England. 2021. "The Uniquely Dangerous Movement to End the Electoral College." *National Review*. Available at <https://www.nationalreview.com/2021/12/the-uniquely-dangerous-movement-to-end-the-electoral-college/>
 - York, John. 2019. "Electoral College Encourages Candidates to Get to Know All Kinds of Americans." *The Daily Signal*. Available at <https://www.dailysignal.com/2019/09/20/electoral-college-encourages-candidates-to-get-to-know-all-kinds-of-americans/>

March 28 and 30. Do countermajoritarian institutions stabilize?

Reading questions: Do countermajoritarian institutions stabilize democracy by promoting buy-in among conservatives? Or do they create incentives for further anti-democratic distortions?

- Mittal, Sonia, and Barry R. Weingast. 2011. "Self-Enforcing Constitutions: With an Application to Democratic Stability in America's First Century." *Journal of Law, Economics, & Organization*.
- Helmke, Gretchen and Jack Paine. 2022. "Countermajoritarian Institutions and Self-Subverting Democracy."
- Hacker, Jacob S. and Paul Pierson. 2020. *Let Them Eat Tweets: How the Right Rules in an Age of Extreme Inequality*. Chs. 2, 4, 5.

April 4, 6, 11. Constitutional hardball

Reading questions: What is constitutional hardball? Why have hardball tactics become prevalent in contemporary American politics?

- Levitsky, Steven and Daniel Ziblatt. 2017. *How Democracies Die*. Chs. 6 and 7.
- Helmke, Gretchen, Mary Kroeger, and Jack Paine. 2021. "Democracy by Deterrence: Norms, Constitutions, and Electoral Tilting." *American Journal of Political Science*.
- Lee, Frances E. 2016. *Insecure Majorities: Congress and the Perpetual Campaign*. Chs. 2 and 3.
- Grumbach, Jacob M. 2021. "Laboratories of Democratic Backsliding."
- Stewart, Mark Joseph. 2019. "The Constitution Isn't the Obstacle to D.C. Statehood; Republicans Are." *Slate*. Available at <https://slate.com/news-and-politics/2019/09/dc-statehood-hearing-constitution-republicans.html>.
- Selections from the *Wall Street Journal* editorial board.

Optional additional reading. There is an intriguing recent debate among legal scholars, published in the *Columbia Law Review*, about partisanship and constitutional hardball. I will incorporate some of this material into the lecture slides. However, I do not expect students to know any details outside of what we cover in class because, collectively, the following articles constitute a substantial amount of reading.

- Fishkin, Joseph and David E. Pozen. “Asymmetric Constitutional Hardball.” Available at <https://columbialawreview.org/content/asymmetric-constitutional-hardball/>.
- Bernstein, David E. “Constitutional Hardball Yes, Asymmetric Not So Much.” Available at <https://columbialawreview.org/content/constitutional-hardball-yes-asymmetric-not-so-much/>.
- Shugerman, Jed Handelsman. “Constitutional Hardball vs. Beanball: Identifying Fundamentally Antidemocratic Tactics.” Available at <https://columbialawreview.org/content/hardball-vs-beanball-identifying-fundamentally-antidemocratic-tactics/>.
- Fishkin, Joseph and David E. Pozen. “Evaluating Constitutional Hardball: Two Fallacies and a Research Agenda.” Available at <https://columbialawreview.org/content/evaluating-constitutional-hardball-two-fallacies-and-a-research-agenda/>.

April 22. Final W papers due by midnight

April 13, 18, 20, 25. Electoral college failures, the 2020 election, and beyond

Reading questions: Why was the Electoral College created and why does it still exist? What specific flaws in the Electoral College have contributed to near meltdowns in the past? Why are these still concerns at present?

- Edwards, George C. 2011. *Why the Electoral College is Bad for America*. Chs. 1, 2, 5.
- Keyssar, Alexander. 2020. *Why Do We Still Have the Electoral College?* Introduction and Conclusion.
- Foley, Edward B. 2016. *Ballot Battles: The History of Disputed Elections in the United States*. Chs. 5 and 11.
- Levitsky, Steven and Daniel Ziblatt. 2021. “The Biggest Threat to Democracy Is the GOP Stealing the Next Election.” *The Atlantic*.
- Other recent media pieces TBD.

Final exam: Essays #3 and #4 during university-scheduled final exam bloc, date TBD

W assignment

Students enrolled in the W section of the course will complete the following assignment. You will choose one U.S. state (or a territory or D.C.) to study. The goal is to document and analyze important reforms that made political competition in the state either more or less democratic. The focus should be on political institutions at the state level, rather than how politicians from your state affected federal institutions.

The final paper should be about 15 pages. The paper should engage with core themes from the course. You are required to check in with me early in the semester to approve your choice of state, ideally in a short zoom meeting after class one day with every W student. Afterwards, you are encouraged to meet with me if you have any questions about finding sources, developing your argument, etc. Every paper should cite approximately 5–10 academic sources, and include inline citations throughout and a works cited page at the end. Some sources will be specialized on your

specific state, whereas others may be broader histories that include shorter discussions of your state.

A draft of the paper is due March 18. I will provide detailed feedback on this draft, but only on this draft (although I am happy to talk generally about the papers in office hours). The more effort you put into the draft, the better feedback I can provide. You should then incorporate this feedback into the final paper, which is due April 22.

The following suggestions should prove helpful:

- You should choose a state for which scholars have conducted extensive research. My guess is that the major early northern states (Massachusetts and New York), any southern state that seceded (especially those among the original 13 states), California, D.C., or Puerto Rico would make for the most engaging papers. Whether you choose one of these or another state, before I approve your choice, we will jointly come up with a list of initial sources to consult.
- You are not restricted to focus solely on voting rights (restrictions on the franchise, access to voting), but I assume this will be the primary focus of most papers. This is both a core component of democracy, and one that is extensively researched.
- The paper should both *describe* important events that happened and attempt to *explain* these outcomes. I imagine most papers will have more description than explanation, but make sure to incorporate themes from the course to offer (at least a tentative) argument for *why* political actors took the actions they did to produce these outcomes.
- I would suggest putting a timeline up front of the events you will focus on in the paper. This will clearly characterize the outcomes you seek to explain.
- You can choose the temporal scope of your study. For example, if you choose North Carolina, you could analyze events between the end of the Civil War and the consolidation of an authoritarian regime in the early 20th century. Alternatively, you could start with North Carolina's "Solid South" regime and discuss any reforms that occurred during the Jim Crow era, or contemporary struggles over democratic competition in North Carolina. I'm not opposed in principle to the idea of a paper that covers a very long time period, such as 1865 to the present. However, my concern is that there would be so many events to describe that you would not have adequate space to try to explain why actors took the actions they did to produce these outcomes. Conversely, I want the paper to focus on a broader time period (e.g., 1865 to 1900) rather than a specific event (e.g., the Wilmington Insurrection of 1898). This enables you to situate specific important events within a broader context. If you are unsure about whether your plan will yield a high-quality paper, I will provide comments on the paper draft, and you can consult with me in office hours.