American Democracy and the Policymaking Process  
 Prof. Steve Jackson  
 Syllabus  
 January 9, 2012

This is a course on the policy making processes in the United States Government. It will serve as a window through which to view basic issues in American democracy from macro-explanatory questions (such as, What are the factors which cause issues to arise on the institutional agendas of Congress, executive Agencies, and the Supreme Court?) to micro-normative questions (such as, What ought to be the limits on the behavior and obligations for action of legislators, regulators, lobbyists and other participants in the policy-making process?). Policymaking proceeds through predictable stages starting with agenda-setting, proceeding through legitimation, moving to implementation, entering into evaluation, and culminating in a possible return to agenda-setting.

In general, we will proceed through the stages of the policymaking process, asking three questions at each stage: What happens? Why does it happen? And what should happen? In addressing each of these questions, we will be setting contemporary answers to these questions in historical context, and examining systematic differences across policy types.

In elaborating these questions and searching for answers, we will develop two fundamental themes:

1) “Where you stand depends on where you sit.” Credited to Robert McNamara who, as Defense Secretary during the Cuban Missile Crisis, sought to make sense of the different views brought to the table by the EXCOM assembled by the President to manage the crisis. In the context of understanding the policy process, there are two dimensions of location whose impact on perspective we will explore. On the one hand, participants in the process in Washington, DC systematically differ in their descriptions, explanations, and normative evaluations from scholars studying the process, and of course, different kinds of participants differ from other kinds (e.g., legislators from lobbyists). On the other hand, scholars from different disciplines also differ systematically in their descriptions and explanations and, usually implicitly, in their normative evaluations (political scientists vs. economists vs legal analysts).

2) “The devil is in the details.” Originating, perhaps, in Flaubert’s “The good God is in the details.” the Satanic variant suggests the possibility of a fundamental misunderstanding if details are not scrutinized sufficiently. We will examine details in the policy-making process in three ways which will distinguish this course from a typical public policy course. a) First, we will recognize that the final product of the policy-making process is often a written document, whether it is a law, a regulation, an Executive Order, or a decision of the Court. We will take the words in those documents seriously, relating them to the process which produced the document. b) Second, by taking the question of normative evaluations as the third, rather than the first, question, we will find that the normative questions – both systemic and individual – are more complicated than often portrayed. And c) Third, students interning within or near the world of policy will bring their own observations as participants to the discussion, as well. As we probe the details of those views, we will find utility in drawing upon multiple perspectives in understanding the process.
The textbook: read for important background information, not for every date and detail;

Readings providing theoretical, analytical, or empirical research on aspects of the process; read for main arguments and results;

Illustrative material – histories or cases: read for main line of story and for consistency or inconsistency with expectations based on scholarly research.

Session 1: The Puzzling Path from Issue to Law: Health Care Reform as Illustration


Session 2: Values, Historical Lessons and the Creation of the American System

James Madison, The Federalist Papers, #51 (#10 is optional),

Alexis de Tocqueville, Democracy in America, Chapter XIV: What The Real Advantages Are Which American Society Derives From The Government Of The Democracy,

Letter from Thomas Jefferson to George Washington on the Unconstitutionality of a National Bank, FOCUS on Highlighted Portions

Letter from Alexander Hamilton to George Washington on the Constitutionality of a National Bank, FOCUS on Highlighted Portions

Session 3: Systemic Agenda Setting and Issue Types


Session 4: Institutions in the Policy Process


Mr. Smith Goes to Washington (1939) [Watch in Class]


Session 5: Institutional Agenda-Setting

Session 6: Lobbying, Media and Public Opinion

Session 7: Congress: Committees, Voting, and Representation
Session 8: Budget Politics

Session 9: The Supreme Court

Session 10: Foreign Policy and National Security Processes

Session 11: Bureaucracy, Regulation and Implementation

Session 12: Federalism, Urban Issues, and Washington, DC
http://www.urban.org/uploadedpdf/412385-movin-out.pdf
+++“Challenges and Policy Options for Creating and Preserving Affordable Housing near Transit and in Other Location-Efficient Areas,” the Urban Institute:
Session 13: Evaluation of Process and Product

Session 14: Constraints on and Obligations of Participants
How will we organize and conduct the course?
1) By dividing each class into two segments. In the first segment, I will lecture (with some discussion) on the main points in the reading, on history, on context, on generalizing and linking issues. In the second segment, I will ask students to relate issues from the readings to a law or regulation on which they will focus their research for the semester, and/or to their internship experience.
2) By requiring each student to pick a federal law or regulation or policy decision passed within the last five years (approximately), and, focusing in on particular provisions as the semester progresses, to write a research paper on the policy process which produced that legislation or regulation. The paper will be completed in parts, with writing assignments during the semester which ask the student to apply the facts, ideas, concepts which we are discussing in class to the particular law or regulation.

Requirements of the course:
A) completion of all reading assignments prior to the class for which they are assigned;  
B) active participation in class discussions;  
C) a final exam on the lectures and readings for the course;  
D) completion of:  
i) a one page writing assignment describing a piece of law or regulation or policy decision on which the student wishes to focus;  
ii) three four-five page writing assignments (agenda-setting, formulation, and legitimation), applying the concepts and findings we have discussed in class to their own topic and drawing upon the material in the relevant chapter in the Peters text; and  
iii) one final paper, consisting of an edited compilation of the four prior writing assignments, and an additional eight-ten pages of evaluation and assessment of both the process and the resulting law or regulation.

More specifically, elements in the final evaluation will be:
**Class participation, Law Students (35 points)**  
**Class participation, Undergraduates (20 points)**  
**Final Exam (15 points, Undergraduates only)**
**Choice of a Law or Regulation (0 points) Due by time of class, Session 3 (1-2 pages)**  
**Agenda-Setting (10 points) Due by time of class, Session 6 (4-5 pages)**  
**Policy Formulation (10 points) Due by time of class, Session 9 (4-5 pages)**  
**Legitimation (10 points) Due by time of class, Session 12 (4-5 pages)**  
**Final Paper (35 points) Due by April 20th  
(8 – 10 pages of new material; 13 – 17 pages of revised material)**