

**Direct Legislation
Political Science 128
Fall 2008**

Class Time: 2:30 to 3:45, Tuesday and Thursday
Classroom: 14 Schaeffer
Instructor: Fred Boehmke
Office: 308 Schaeffer
Office Hours: Tuesday 4-5; Wednesday 3-4; or by appointment
Email: frederick-boehmke@uiowa.edu
Phone: 335-2342
AIM: ProfBoehmke
Web Page: ICON

Course description:

This course will introduce and explore the institution of direct democracy, which allows citizens to vote directly on legislation, and in some cases to propose and pass new laws without legislative action. In particular, we will focus on the initiative process as practiced in 24 U.S. states. Topics to be addressed include: origins and historical perspectives, differences in usage across polities, differences in regulations, positive perspectives on the consequences of direct democracy and normative concerns about equality of access and the possibility of tyranny by the majority. While the focus will be on the United States, other countries with direct democracy institutions may also be studied, time permitting.

The format of the class will include lectures and student presentations, but will also include time for discussion and questions about major themes covered in the readings. The readings will serve as an introduction and supplement to the topics addresses in class, so students are expected to be familiar with the reading before class. Classes will introduce materials not covered in the reading, so on-time attendance is highly recommended. Note that class participation is a large part of the final grade. Late assignments will be penalized 5% of the total value for each day they are late (including weekends), unless prior arrangements are made.

Final grades will be determined by performance on the research paper, regular quizzes, class participation and the short research assignments, outlined below. I do not plan to give a final exam, but reserve the right to change my mind.

Books:

There are five books for the class, which should be available at Iowa Book and Supply:

Baldassare, Mark and Cheryl Katz. 2007. *The Coming Age of Direct Democracy: California's Recall and Beyond*. Rowman & Littlefield Publishers, Inc.

Chavez, Lydia. 1998. *The Color Bind: The Campaign to End Affirmative Action*. University of California Press.

Ellis, Richard. 2002. *Democratic Delusions: The Initiative Process in America*. Lawrence: University of Kansas Press.

Matsusaka, John G. 2004. *For the Many or the Few: The Initiative Process, Public Policy, and American Democracy*. Chicago: Chicago University Press.

Smith, Daniel A. and Caroline J. Tolbert. 2004. *Educated by Initiative: The Effects of Direct Democracy on Citizens and Political Organizations in the American States*. Ann Arbor: University of Michigan Press.

Course Requirements:

Your grade will be based on four components.

1. (30%) Class participation. This consists of three equally weighted parts. First, students are expected to participate in the discussion periods conducted by student leaders. To encourage preparation and discussion, questions will be circulated in advance. I will call on students randomly to answer questions if discussion is lagging. Second, we will have a roundtable discussion on four books (Baldassare and Katz; Chavez; Matsusaka; Smith and Tolbert), devoting one entire class to each book. Depending on enrollment, I may divide the class into 2 discussion sections that meet on separate days. Third, students will write short response papers (350-500 words) for each of the discussion books. These are not intended to be summaries of the reading; rather, I want you to explore some issue in the book relating to direct legislation and ideas covered in class. Papers will be due at the beginning of the discussion session.
2. (5%) Discussion leaders. Students will each have the opportunity to help lead discussion, in groups of four or five (for a total of 8 to 10 classes). Students may choose from the list of topics below and will prepare a summary of the related readings (some additional reading may be assigned for leaders) and a list of discussion questions that they will use to lead the class in discussing the topic. Questions should seek to 1) explore the main themes in the topic; 2) compare the ideas and findings across the readings; 3) link the readings to the broader literature on the initiative process; and 4) link them to political science in general. Groups will use ICON to submit their discussion questions to the class (at least ten questions; questions like “what was the reading about” do not count) by 5 p.m. the day before discussion.
3. (20%) A research project that will entail writing up an eight to ten page review of an issue that has been the subject of at least one recent statewide initiative, including discussion of the issue at stake, the interests involved, campaigning, public opinion, and legislative activity. You should use a number of independent sources in addition to visiting the web sites of the

state's election web page and those of the groups involved. Midway through the semester you will be expected to summarize your issue in class.

4. (20%) Short assignments (probably five total). Students will be asked to conduct short research/opinion projects on specific topics. These will generally involve a small amount of research (usually web-based) and a two to three page write-up of the findings/conclusions.
5. (25%) Short in-class quizzes. There will be about 6 short quizzes given at the beginning of class over the course of the semester. These will cover the topics addressed since the last quiz the lectures and readings. I will announce these in advance and post the announcement on the website. Quizzes cannot be made up; rather each student will be allowed to drop one quiz grade at the end of the semester. If you miss a quiz for personal reasons, you must provide official documentation – I prefer advance notice as well. These should not be very difficult if you show up to class and do the reading.
6. A short-answer and/or short essay final examination. I reserve the right to give a final exam if I feel that students have not been prepared for discussion classes. If people do the reading and participate, I will not assign a final exam. If I do choose to give an exam, it will count for 25% of the final grade and the other categories will be adjusted appropriately (i.e., the current percentages will be multiplied by 0.75). I may allow students to take the exam to improve their discussion grades if they desire. More on this during the semester.

Final grades are adjusted (when necessary) so that the average grade in the class is right between a B and a B-. Of course, this depends on the overall performance of the class and may be higher or lower in a given semester as warranted.

General Topics to be Covered:

1. Course Introduction and Summary.
2. Overview of Direct Legislation.
3. Types of Direct Legislation.
4. Rules and Regulations for Usage.
5. History of Direct Legislation in the United States.
6. Variations in Usage Across States and Over Time.
7. Who Uses Direct Legislation?
8. Direct Legislation Campaigns.
9. Are Voters Informed Enough?
10. Effects on Voters: Participation and Knowledge.
11. Effects on Interest Groups: Mobilization and Lobbying.
12. Effects on Policy: Representation and Policy Adoption.
13. Direct Legislation and Minority Interests.
14. Reform and the Initiative Process.
15. Direct Legislation Abroad.

Policy on Late Assignments:

Homework write-ups, papers and exams are all due at the time specified. Any late homework or paper will have points deducted at the rate 10% of the total available points per week unless arrangements are made *prior* to the due date. Exams will also not be excused or rescheduled without prior arrangements. If you have a legitimate, personal reason for missing a scheduled assignment and can not notify me in advance, please come talk to me afterwards and provide documentation.

Policy on Classroom Etiquette:

1. During class discussion, please be respectful of other students' opinions and phrase your contributions in a constructive manner.
2. Turn off all cell phones, pagers and other noise-emitting devices.
3. No texting, Internet use, etc. during class.
4. Please show up to class on time.

Discussion Topics, Readings, and Assignments

Week 1 (Aug 26): Course Introduction.

1. [I&R Institute Fact Sheet: What is I&R?](#)
2. [I&R Institute Fact Sheet: I&R History in U.S.](#)
3. [Overview of I&R in U.S.](#)

Assignment: I will assign each of you an initiative on the 2008 ballot. Research the issue and players involved in it. Prepare a short (2-3 minute) presentation for class the following Tuesday.

Week 2 (Sep 2): Overview of Direct Legislation.

Presentation of first assignment.

1. Ellis, Chapters 1-2.

Week 3 (Sep 9): Signature Gathering and Other Regulations.

Discussion Leaders: Vistain, Kenkel, Opstad, Anson

1. Ellis, Chapter 3.
2. Lowenstein, Daniel Hays and Robert M. Stern. 1989. "The First Amendment and Paid Initiative Petition Circulators: A Dissenting View and a Proposal." *Hastings Constitutional Law Quarterly* 17: 175-224.

For Thursday:

3. Boehmke, Frederick J. and R. Michael Alvarez. 2008. "Where the Good Signatures Are: Variation in the Number and Validity of Initiative Petition Signatures Across California Counties." Typescript, University of Iowa.

Week 4 (Sep 16): Discussion: *The Color Bind*.

1. Chavez, *The Color Bind*.

Week 5 (Sep 23): Who Uses Direct Legislation and When?

Discussion Leaders: Tweedy, Smith, Friedman, Farrey

1. Ellis, Chapter 4.
2. Sabato, Ernst and Larson, Chapter 1.
For Thursday:
3. Boehmke, Frederick J. 2005. "Sources of Variation in Statewide Use of the Initiative Process: The Role of Interest Group Populations." *Political Research Quarterly* 58: 575-585.

Week 6 (Sep 30): Money and Initiative Campaigns

Discussion Leaders: Mundy, Swanson, Melhus, Michael

1. Sabato, Ernst and Larson, Chapter 4.
2. Magleby, David B. and Kelly D. Patterson. 1998. "Consultants and Direct Democracy." *PS: Politics and Science* 31:160-165.
3. Stratmann, Thomas. 2005. "The Effectiveness of Money in Ballot Measure Campaigns." *Southern California Law Review* 78: 101–124.

For Thursday:

4. "The Influence of Money on California's Initiative Process." 2008. Ch. 8 in "Democracy by Initiative: Shaping California's Fourth Branch of Government (Second Edition)," published by Center for Governmental Studies (Los Angeles, Calif.). Focus on "Recommendations" Section, pp. 305-316

Assignment: how do initiative campaigns spend their money? Find an initiative on a recent ballot for which you can identify spending data. The data will be assembled into an excel spreadsheet for discussion.

Week 7 (Oct 7): History of Direct Legislation

Presentation of third assignment.

1. Smith, Daniel A. 1998. *Tax Crusaders* Ch 4.
2. Goebel, Thomas. 2002. *A Government by the People* Chs. 2 and 4.
3. Ellis, Chapter 7.

4. Smith, Daniel A. and Dustin Fridkin. 2008. "Delegating Direct Democracy: Interparty Legislative Competition and the Adoption of the Initiative in the American States," *American Political Science Review* 102 (in press).

Week 8 (Oct 14): Discussion: *Educated by Initiative*

1. Smith and Tolbert, *Educated by Initiative*.

Week 9 (Oct 21): Effects on Voters: The 2004 Anti-Gay Marriage Initiatives

Assignment: did the anti-gay marriage initiatives affect the 2004 Presidential election? We will discuss this on Tuesday and develop a research design to test whether they mattered. Students will collect the relevant information and we will analyze it over the following weeks.

Week 10 (Oct 28): Are Voters Informed Enough?

Discussion Leaders: Vanorny, Shafer, Weiser, Kinkade

1. Mendehlson and Parkin, Chapter 9.
2. Cronin, Chapter 4.
3. Bowler and Donovan, EJPR.

Week 11 (Nov 4): Direct Legislation and Minority Interests.

Presentation of fourth assignment.

Discussion Leaders: Stickley, Kaufman, Howard, Fagan

1. Gamble, Barbara. 1997. "Putting Civil Rights to a Popular Vote." *American Journal of Political Science* 41(1): 245–269.
2. Hajnal, Zoltan and Hugh Louch. 2001. *Are There Winners and Losers? Race, Ethnicity, and California's Initiative Process*. San Francisco: Public Policy Institute of California.
3. Effects of anti-gay marriage initiatives.

Week 12 (Nov 11): Discussion: *For the Many or the Few?*

1. Matsusaka, *For the Many or the Few?*

Week 13 (Nov 18): Representation and Policy Adoption

Discussion Leaders: Skinner, Bushnell, Shelton, Kreinert, Tweedy

1. Gerber, Elisabeth R. 1996. "Legislative response to the threat of popular initiatives." *American Journal of Political Science* 40:99-128.
2. Smith, Daniel A. 2001. "Homeward Bound?: Micro-Level Legislative Responsiveness to Ballot Initiatives." *State Politics and Policy Quarterly* 1(1): 50-61.
3. Edward Lascher, Michael Hagen, and Steven Rochlin. 1996. "Gun Behind the Door? Ballot Initiatives, State Policies and Public Opinion." *Journal of Politics* 58: 760-75.

Week 14 (Nov 25): Thanksgiving Break

Week 15 (Dec 2): The California Recall

1. Baldassare and Katz, *The Coming Age of Direct Democracy*.

Week 16 (Dec 9): Effects on Interest Groups.

Discussion Leaders: Hulen, Johnson, Gutman, Diamond

1. Boehmke, Frederick J. 2005. *The Indirect Effect of Direct Legislation: How Institutions Shape Interest Group Systems*. Columbus: The Ohio State University Press. Chapters 3, 5, and 7.
2. Boehmke, Frederick J. 2008. "The Initiative Process and the Dynamics of State Interest Group Populations." *State Politics and Policy Quarterly* 8 (4): 362-383.

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Other Information:

Please visit the Political Science Department's Website at <http://www.uiowa.edu/~polisci>. It is frequently updated regarding events and procedures in our department, changes in the Schedule of Courses, plus TA and faculty hours when available. You may also find current information on pre-advising, and registration. Our Vernon Van Dyke Computing Facility (Political Science ITC) is located in Room 21 Schaeffer Hall. Available hours are listed at our website and also posted outside Room 21 Schaeffer.

**The Political Science Department of The University of Iowa
Professor Tom W. Rice, Chair, 341 Schaeffer Hall, 335-2358**

STUDENTS WITH DISABILITIES

Website: <http://www.uiowa.edu/~sds/> Instructors will make reasonable accommodations for students with physical, mental or learning disabilities. Students with disabilities which may require some modification of seating, testing, or other class requirements are to inform the instructor (after class or during the instructor's office hours) so that appropriate arrangements may be made. It is the student's responsibility to contact Student Disability Services, 133 Burge Hall (335-1462) and obtain a Student Academic Accommodation Request form (SAAR). The form will specify what course accommodations are judged reasonable for that student. An instructor who cannot provide the accommodations specified, or has concerns about the accommodations, must contact the Student Disability Services counselor who signed the request form within 48 hours of receiving the form from the student.

DEPARTMENTAL/COLLEGIATE COMPLAINT PROCEDURES

Website: http://www.clas.uiowa.edu/students/academic_handbook/ix.shtml#5 (See "Student Complaints") A student who has a complaint against any member of the college's teaching staff is responsible for following the procedures described in the Student Academic Handbook, which is available on the web site of the College of Liberal Arts and Sciences: http://www.clas.uiowa.edu/students/academic_handbook/ix.shtml/ The student should attempt to resolve the issue with the faculty member or teaching assistant involved. Lacking a satisfactory outcome, the student can turn to the department chair, whose name is listed above along with contact information. (If the complaint concerns a teaching assistant, the student should contact the supervising faculty member first.) If a satisfactory outcome still is not obtained, the student can turn to the College of Liberal Arts and Sciences. Complaints may concern inappropriate faculty conduct (including inappropriate course materials), incompetence in oral communication, inequities in assignments, scheduling of examinations at other than authorized and published times, failure to provide disability accommodations, or grading grievances. In complaints involving the assignment of grades, it is college policy that grades cannot be changed without the permission of the department concerned.

PLAGIARISM AND CHEATING

See Academic Fraud at http://www.clas.uiowa.edu/students/academic_handbook/ix.shtml for the complete policy. You are expected to be honest and honorable in your fulfillment of assignments and in test-taking situations. Plagiarism and cheating are serious forms of academic misconduct. Examples of them are given in the Student Academic Handbook: www.clas.uiowa.edu/students/academic_handbook/ix.shtml/ The Department of Political Science works with individual instructors to detect plagiarism and cheating and to ensure that appropriately serious punishments are applied. An instructor who suspects a student of plagiarism or cheating must inform the student (preferably in writing) as soon as possible after the incident has been observed or discovered. Instructors who detect cheating or plagiarism may decide, in consultation with the departmental executive officer, to reduce the student's grade on the assignment or the course, even to assign an F. The instructor writes an account of the chronology of the plagiarism or cheating incident for the departmental executive officer who

sends an endorsement of the written report of the case to Associate Dean of the College of Liberal Arts and Sciences. A copy of the report will be sent to the student.

SEXUAL HARASSMENT You should familiarize yourself with the following web site link from the College of Liberal Arts: <http://www.sexualharassment.uiowa.edu/policy.php>

YOUR RESPONSIBILITIES

Your responsibilities to this class-and to your education as a whole-include attendance and participation. This syllabus details specific expectations the instructor may have about attendance and participation. You have a responsibility to help create a classroom environment where all may learn. At the most basic level, this means you will respect the other members of the class and the instructor and treat them with the courtesy you hope to receive in return.

ENROLLED COURSES OUTSIDE YOUR COLLEGE

Taking a course outside the College of Liberal Arts and Sciences means that class policies on matters such as requirements, grading, and sanctions for academic dishonesty are governed by the College where the course resides. Students wishing to add or drop this course after the official deadline must receive the approval of the Dean of that College. Details of the University policy of cross enrollments may be found at:

<http://www.uiowa.edu/~provost/deos/crossenroll.doc/> Deadlines: See Registrar's Office web site: <http://www.registrar.uiowa.edu/>

PLUS-MINUS GRADING

All the department's instructors can append plus or minus grades to the letter grades they assign for the course. If the instructor does not specifically indicate in the syllabus that he or she will not assign plusses or minuses, students should assume that this form of grading will be used.

HOMEWORK EXPECTATION

For each semester hour of credit that a Political Science course carries, students should expect to spend approximately two hours per week outside of class preparing for class sessions. That is, in a three-credit-hour course, instructors design course assignments on the assumption that students will spend six hours per week in out-of-class preparation.

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