George Mason University Course Approval Form
Office of the Registrar
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Department: Public and International Affairs          Course Abbrev/Number__GOVT 811

Prepared by: Julianne Mahler, Dept. Public & International Affairs  Ext: 3-1414

Full Course Title: Advanced Seminar in American Institutions
(Content will vary. This example: Advanced Seminar in American Institutions: Politics of the Judiciary)

Abbreviated Course Title (Inventory will only accommodate 24 characters):
Adv Sem American Inst

Term First (new courses): F 2006  Course Level: GA  UL=Undergrad lower
UU=Undergrad upper
GF=Grad lower (500-600)
GA= Grad upper (700+)

Credit Hours: (Fixed)___3__ (Var.)______  Catalog Format : (3:3:0)

Previous Course ID :_________________ Last Term Course will be Offered:____________

Repeatable for Credit:  T, 9  D=Yes, but not within same term (indicate max hrs) Up to:
T=Yes, within same term (indicate max hrs) (Maximum hours)
N=Cannot be repeated for credit

Activity Code 1: Sem LEC=Lecture  LAB=Lab Maximum Enrollment:
RCT=Recitation  SEM=Seminar
STU=Studio  INT=Internship
IND=Independent Study

Prereq: GOVT 510

Approval:
Department or Program:______________________________ Date:_______________

(Signature)

College Council:______________________________________ Date:_______________

(Signature- if applicable)

Graduate Council:*______________________________________ Date:_______________

(*Signature - Provost or Graduate Council Representative)

*All courses numbered 500 or above must be forwarded to Graduate Council once approved at the departmental or college level. OtR 11/99
Course Description: This is an advanced elective for those with a major in the American politics field. This course will engage students in the recent controversies in research and theory regarding the courts, particularly the US Supreme Court as a political institution. The course will also examine and critique different approaches to conducting research on the courts. Students should leave this course with an appreciation for the major works and debates in the politics of the judiciary, and an appreciation for the theoretical, methodological and substantive concerns of research in judicial politics.

Class Sessions: Classes will follow a seminar format. The quality of class discussions will be critical to the success of this seminar. Everyone should come to class having read the book and/or articles assigned for the day, having thought about connections with other readings for that day or for previous classes, having identified interesting themes or findings, and raised questions of particular interest. For most class sessions students will be responsible for leading the discussion of the articles. Articles will be assigned by the second class session.

Course Requirements: Students will be required to write two short papers (3-4 pages), analyzing specific readings, and a significant research paper (25 pages) on a topic of interest. A one-page research paper proposal is required. Students will also be required to lead or help lead discussion on specific readings during the semester.

Course Evaluation: The final grade for the course will be based on class participation (20%), two short papers on readings (15% each), the presentation on a specific reading (10%), and the research paper (40%).

Books: The following books are required and are available at the Campus Bookstore:


Benjamin N. Cardozo, *The Nature of the Judicial Process* (Yale University Press, 1921)


Barbara Hinkson Craig and David M. O’Brien, *Abortion and American Politics* (Chatham House, 1993)


Doris Marie Provine, *Case Selection in the US Supreme Court* (University of Chicago Press, 1980)


Additional articles are available through JSTOR.

**Course Outline**

**The Third Branch of Government**

Week 1  Introduction to Course and Review of Goals and Syllabus

Week 2  The Courts as a Branch of Government

  Hamilton, *Federalist Papers # 78*

  Cardozo, *The Nature of the Judicial Process*

Week 3  The Politics of the Appointment Process

  Silverstein, *Judicious Choices*

**Inside the Court**

Week 4  Judicial Decision-making – Early Theories

  Carter, *Reason in Law*


Week 5  Judicial Decision-making – Strategic Theories

Epstein and Knight, *The Choices Justices Make*


Week 6  Judicial Decision-making – Strategic Theories Part II

Maltzman et. al., *Crafting Law on the Supreme Court*

Week 7  Case Selection – An In-depth Examination of Decision-making

Provine, *Case Selection in the US Supreme Court*

Week 8  The Role of the Chief Justice


Week 9  Opinion Writing


Week 10  Impact of Court Decisions

Courts as Political and Policymaking Institutions

Week 11  Civil Rights: Courts as Policy Making Institutions
Abraham, *Freedom and the Court*

Week 12  Abortion: Testing the Legitimacy of Courts as Policy Making Institutions
Craig and O’Brien, *Abortion and American Politics*

Week 13  Environmental Policy: Courts and Bureaucracies
Melnick, *Regulation and the Courts*

Week 14  Role of the Courts in the 21st Century