

# THE JUDICIARY

---

POLITICAL SCIENCE 248\_01

DICKINSON COLLEGE

SPRING 2003-2004

MR. SWEET

OFFICE: 105 DENNY HALL

TELEPHONE: 717.245.1388

311 DENNY

12:30 – 1:20 MWF

[sweetm@dickinson.edu](mailto:sweetm@dickinson.edu)

[www.dickinson.edu/~sweetm](http://www.dickinson.edu/~sweetm)

OFFICE HOURS: R 10:00 A.M. TO 1:00 P.M. AND BY APPOINTMENT

---

## COURSE DESCRIPTION

This course is an upper-level political science course examining the structure and processes of the American judiciary, with special attention given to the United States Supreme Court. We will assess the extent to which the United States Supreme Court is a political court, both broadly and narrowly defined. We will examine the Court's role as a co-equal branch of government throughout America history, including how the elected branches of government relate to the Supreme Court. The purpose of this course is to provide a detailed introduction to the judiciary's institutions and actors (courts, judges, and lawyers), and to explore how political scientists approach the study of the judiciary. Topics will include how politics influences the Court's nominations and confirmations, agenda-setting, and decision-making. Building off of Mark Graber's plea for matching the scholarly study of the Supreme Court to the teaching of constitutionalism, this course will "help students evaluate theories of what courts should do in light of political science research on what courts have done and are capable of doing."

## REQUIRED BOOKS

- Baum, Lawrence. 2004. *The Supreme Court* (8th ed.). Washington: CQ Press.
- McCloskey, Robert G. 2000. *The American Supreme Court* (3rd ed., S. Levinson, ed.). Chicago: University of Chicago Press.
- O'Brien, David M. 2003. *Storm Center: The Supreme Court in American Politics* (6th ed.). New York: WW Norton.
- Perry, H.W., Jr. 1991. *Deciding to Decide: Agenda Setting in the United States Supreme Court*. Cambridge, MA: Harvard University Press.
- Segal, Jeffrey A. and Harold J. Spaeth. 2002. *The Supreme Court and the Attitudinal Model Revisited*. Cambridge: Cambridge University Press.
- Watson, George and John A. Stookey. 1995. *Shaping America: The Politics of Supreme Court Appointments*. New York: HarperCollins.

## GRADING

- |                                       |        |
|---------------------------------------|--------|
| •Midterm I, Friday, February 27, 2004 | = 30 % |
| •Midterm II, Monday, April 19, 2004   | = 30 % |
| •Pop Quizzes                          | = 10 % |
| •Final Exam, Tuesday, May 11, 2004    | = 30 % |

## ACADEMIC INTEGRITY

A detailed listing of my policies is contained in the College's Student Code of Conduct and Disciplinary System.

Date			Topic	Reading
Mon.	January	26	Introduction	
Wed.		28	Courts and Politics	Baum, <i>The Supreme Court</i> , Chapter 1, pp. 1-26
Fri.		30		O'Brien, Chapter 1, pp. 1-31
Mon.	February	2	The Supreme Court in	McCloskey, Chapters 1-2, pp. 1-34
Wed.		4	a Historical Perspective	McCloskey, Chapters 3-4, pp. 35-66
Fri.		6		McCloskey, Chapter 5, pp. 67-90
Mon.		9		McCloskey, Chapter 6, pp. 91-120
Wed.		11		McCloskey, Chapter 7, pp. 121-147
Fri.		13		McCloskey, Chapter 8, pp. 148-173
Mon.		16	The Justices	Baum, <i>The Supreme Court</i> , Chapter 2, 27-51
Wed.		18		O'Brien, Chapter 2, pp. 32-55
Fri.		20		Baum, <i>The Supreme Court</i> , Chapter 2, 51-71
Mon.		23		O'Brien, Chapter 2, pp. 55-84
Wed.		25		O'Brien, Chapter 2, pp. 84-104
Fri.		27		<b>**Midterm I**</b>
Mon.	March	1	Advice and Consent	Watson & Stookey, Chapter 1, pp. 1-22
Wed.		3		Watson & Stookey, Chapter 2, pp. 23-56
Fri.		5		Watson & Stookey, Chapter 3, pp. 57-94
Mon.		8		Watson & Stookey, Chapter 4, pp. 95-130
Wed.		10		Watson & Stookey, Chapter 5, pp. 131-170
Fri.		12		Watson & Stookey, Chapter 6, pp. 171-206
		15-19		<i>Spring break</i>
Mon.		22	Judicial Administration	O'Brien, Chapter 3, pp. 105-163
Wed.		24	and Agenda Setting	Baum, <i>The Supreme Court</i> , Chapter 3, 73-110
Fri.		26		O'Brien, Chapter 4, pp. 164-233
Mon.		29		Perry, Chapter 2, pp. 22-40
Wed.		31		Perry, Chapter 3, pp. 41-91
Fri.	April	2		Perry, Chapter 4, pp. 92-112
Mon.		5		Perry, Chapter 5, pp. 113-139
Wed.		7		Perry, Chapter 6, pp. 140-197
Fri.		9		Perry, Chapter 7, pp. 198-215
Mon.		12		Perry, Chapter 8, pp. 216-270
Wed.		14		Perry, Chapters 9-10, pp. 271-292
Fri.		16		Epp, "External Pressure and the Supreme Court Agenda's," pp. 255-280 [pdf]
Mon.		19		<b>**Midterm II**</b>
Wed.		21	Judicial Decision-Making	O'Brien, Chapter 5, 234-312
Fri.		23		Baum, <i>The Supreme Court</i> , Chapter 4, 111-160
Mon.		26		Segal and Spaeth, Chapter 2, pp. 32-73
Wed.		28		Segal and Spaeth, Chapter 6, pp. 208-260
Fri.		30		Segal and Spaeth, Chapter 8, pp. 299-332
Mon.	May	3		Baum, <i>The Puzzle of Judicial Behavior</i> , pp. 89-124 [pdf]
Wed.		5		Gillman, "The Court as an Idea, Not a Building (or a Game)," pp. 65-87 [pdf]
Fri.		7		Segal and Spaeth, Chapter 10, pp. 356-36
				<i>Study Period</i>
Tue.		11		<b>**Final Exam 2:00 P.M.**</b>