

POS 3064
time: M & W 3:30-4:45 p.m.
location: DM 110
Spring, 2003

Dr. Keith Dougherty
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Federalism and Intergovernmental Relations

In many ways this course should be titled “Federalism and the Provision of Public Goods.” It combines economic theory with the history of U.S. federalism and some of the most prolific debates in U.S. history. Although the course is directed toward the U.S. political system, our theories and discussions should help you understand federal structures throughout the world such as the United Nations, European Union, and the Commonwealth of Independent States.

The course is broken into four sections. The first section introduces public goods, free-riding, and how government might be designed to solve the problem of public good provision. The second section focuses on *confederations* and uses the Articles of Confederation as an exemplar of the confederative design. The third section presents the Constitution as the modern *federal* system and talks about the evolving strength of our national government relative to the states. Students are exposed to the rationale behind the federal system and various rationales for dividing power among nation and state.

We will also engage in two historic debates about the nature of the union. The first debate, the Federalist debates, questions whether the United States should be organized as a loose confederation of states or a centralized federal system. The second, the Webster-Hayne debate, questions which body should have the power of judicial review and whether states can end the social contract between them.

Grading

Your grade will consist of a homework assignment, a Federalist debate assignment, a mid-term exam, a Webster-Hayne debate assignment, and a final exam. I expect students to attend all classes and assume that you are mature enough to understand what happens when you miss a class. Ask another student for notes if you miss a class before asking me for help. All assignments will be put on-line. Please look at my web page if you miss the day I give out an assignment.

Although I generally think of 90-100 as an A, 80-90 as a B, etc., your overall grade for the course will be based upon the following scale:

	A	92 or above	A-	90-91.99
B+	B	82-87.99	B-	80-81.99
C+	C	72-77.99	C-	70-71.99
D+	D	62-67.99	D-	60-61.99
F		59.99 or below		

Home Work Assignment

You will be assigned one home work assignment worth 10% of your grade. This assignment will help you practice the analytic skills taught at the beginning of the course and prepare for the midterm exam.

Federalist Debates

Early in the course, you will be divided into groups of roughly 3 students and assigned to one of three debates. You and the members of your group will prepare to debate one side of a Federalist / Anti-Federalist issue. These debates will allow you to understand the philosophical theory behind the United States Constitution and issues central to federalism. You will be graded on a 4-5 page summary of your party's position on your issue, a presentation before the class, and your response to questions from the audience. These debates can be very entertaining, but they must be taken seriously as the assignment represents 20% of your grade.

Sectional Debates

Later in the course, you and your group will be assigned to one of three sectional debates between the north and south on the nature of the union. These debates were conducted in the U.S. Senate between 1830 and 1855. They addressed whether the states had the power of judicial review and whether the union could be dissolved. Your grade will be based on a 4-5 page summary of your party's position on your assigned issue, a classroom presentation, and your ability to respond to questions from the audience -- worth an additional 20% of your grade.

Exams

The final part of your grade comes from a mid-term exam and a final exam. Both exams may contain multiple choice, fill in the blank, problem solving, and essay type questions worth 25% of your grade each. The idea is to give you multiple types of questions to evaluate your understanding of the material, not your aptitude for a particular type of test question. Note: roughly 1/4 of the exam will come from the readings that are not covered in lecture. Please read.

Make-ups

Homework assignments require a fair amount of analysis time. Please plan ahead to avoid turning them in late. **Late assignments will be lowered one letter grade for every *working day* they are late.** If an assignment is late, it would be a good idea to stick it under my office door (DM 482B) as soon as possible to avoid any unnecessary late penalties. Grades are lowered for every *working day* they are late, not every class day they are late.

Students who are absent during one of their debates or enter the course after groups are formed will be required to turn in a 10 page paper on the philosophical traditions of the Federalist debates due the class immediately following their debate, worth 20% of their grade. These papers will be reduced one letter grade for every working day they are late after that day. Please plan ahead.

If you miss the midterm exam for a good reason, you will be allowed to complete a make-up midterm on Monday, March 10 at 8:00-9:15 p.m., meeting in DM 482B. **THERE WILL BE NO**

OTHER TIME TO MAKE UP THE MID-TERM EXAM AND NO MAKE-UP EXAM FOR THE FINAL. NO EXCUSES! It also should be noted that the make-up exam will be considerably more difficult than the regular mid-term exam and should be avoided. Please plan ahead.

	<u>Date</u>	<u>Percent of Grade</u>
HOMEWORK ASSIGNMENT	Jan 29	10%
FEDERALIST DEBATE	Feb 19 - Feb 26	20%
MIDTERM EXAM	Mar 5	25%
SECTIONAL DEBATE	Mar 31 - Apr 2	20%
FINAL EXAM	Apr 21	25%

Required Texts

We will read both theoretical and substantive works in this course which vary in length. Long assignments are generally more descriptive than short assignments and can be read fairly quickly. Short assignments are sometimes analytical and may require more reading time.

Readings will come from six sources, the first five are available at the campus book store:

1. Dougherty, Keith (2001) *Collective Action under the Articles of Confederation*. New York: Cambridge University Press.
2. Rossiter, Clinton ed. (1991) *The Federalist Papers*. New York: Mentor Books.
3. Ketcham, Ralph ed. (1986) *The Anti-Federalist Papers and the Constitutional Convention Debates*. New York: Mentor Books.
4. McDonald, Forrest (2000) *States' Rights and the Union: Imperium in Imperio*. Lawrence, KA: University of Kansas Press.
5. Belz, Herman ed. (2000) *The Webster-Hayne Debate on the Nature of the Union*. Indianapolis: Liberty Fund (*recommended*).
6. Course Packet -- pick-up at the University Copy Center. The University Copy Center is two doors down from the campus bookstore in the student union, University Park campus. Readings from the course packet are marked with a "CP" below.

Schedule of Topics and Readings

A. The Logic of Collective Action

Jan 8 1. Introduction

- Jan 13 2. The Logic of Collective Action
 *Olson, *Logic of Collective Action*, ch. 1 and 2, **CP**.
- Jan 15 - 3. Federalism and the Provision of Public Goods
 22
 *Dougherty, *Collective Action under the Articles of Confederation*, appendix
 (p. 183-192).
 *Frohlich and Oppenheimer, *Modern Political Economy* (optional) – on
 reserve at Green Library.
- Jan 20 NO CLASS: MLK Day!**
- Jan 27 - 4. State Sovereignty
 29
 *Bodin, *On Sovereignty*, p. xii-45, **CP**
 *McDonald, *States Rights and the Union*, prologue, p. 1-6.

B. The American Confederation

- Feb 3- 1. Creating the Articles of Confederation
 5
 *Montesquieu, *The Spirit of the Laws*, book 3, ch 3 (p. 22-25) & book 8, ch
 16 (p. 124), **CP**.
 *Dougherty, *Collective Action under the Articles of Confederation*, ch 1 &
 ch 2.
- Feb 10 2. Collective Action among the States
 *Dougherty, *Collective Action under the Articles of Confederation*, ch 3 &
 ch 4.
- Feb 12 - 3. The Push for Reform
 17
 *Dougherty, *Collective Action under the Articles of Confederation*, ch 7 &
 ch 8.
 *Recommended: Herbert Storing, “What the Anti-Federalists were for,
 Volume 1 of *The Complete Anti-Federalist* (on reserve in Green
 Library under Dougherty, POS 2442, sec 04).
- Jan 17: Bring your copy of Ketcham, *The Anti-Federalist Papers* to class (or another
 book that contains a copy of the Constitution).

Feb 19 - THE FEDERALIST DEBATES: SEE HANDOUT FOR READINGS
26

C. Early Federalism and the Antebellum Period

Mar 3 1. The Federalist Era

*McDonald, *States Rights and the Union*, ch 2.

Mar 5 MIDTERM EXAM

Mar 10 2. The Jeffersonians

*McDonald, *States Rights and the Union*, ch 3.

*Thomas Jefferson, "The Kentucky Resolution," p. 1-14, **CP**.

Mar 12 3. The Era of Mixed Feelings

*McDonald, *States Rights and the Union*, ch 4 (full) & ch 5 (97-110 only).

* John Calhoun, "South Carolina Exposition and Protest" p. 443-471, 535-539, **CP**.

Mar 17 - NO CLASS!: SPRING BREAK
19

Mar 24 4. Dissolving the Union

*McDonald, *States Rights and the Union*, ch 8.

Mar 26 5. The New Deal

*Wallis and Oats, "The Impact of the New Deal on American Federalism"
(p. 155-180), **CP**.

Mar 31 - SECTIONAL DEBATES: SEE HANDOUT FOR READINGS
Apr 2

D. Modern Federalism

Apr 7 1. Voting With Your Feet

*Tiebout, “A Pure Theory of Local Expenditures,” (p. 416-424), **CP**.

Nov 9 -
Dec 14 2. Devolution and Welfare Reform

*Rom, Peterson, and Scheve, “Interstate Competition and Welfare Policy,”
(read p. 17-27, skim p. 28-32, skip p. 32-34, read p. 35-37), **CP**.

*Schram and Soss, “Making Something Out of Nothing: Welfare Reform and
a New Race to the Bottom” (p. 67-88), **CP**.

Apr 16 Catch-Up and Review

Apr 21 FINAL EXAM: 3:30 - 6:15 PM (SAME LOCATION).