Election Reform in America

Professor Barry C. Burden
Spring Semester 2012
Tuesdays 2:30-4:30pm
Education Building L173

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About

“The truth of the matter is that the whole administration—organizations, laws, methods and procedures, and records—are, for most states, quite obsolete. The whole system, including the election laws, requires a thorough revision and improvement.”

- Joseph Harris (1934)

Election administration is one area of public policy where ideas for reform are everywhere. From the campaign finance to legislative districting to voter identification, there is no shortage of proposals for improvement. And whether it is politicians, administrators, journalists, scholars, or the public, everyone seems to have opinions about what is wrong with elections and how to fix them. But the motivations for these reforms are varied and their consequences are often unknown. It is not always clear what problem a particular proposal is supposed to cure or what side effects it might have. Often the discussion devolves into a debate between liberals favoring greater accommodations for voters and conservatives favoring tighter security. We can do better. This seminar immerses students in these debates and provides tools for evaluating the claims made by advocates on each side.

Requirements

You will get the most from this course (actually, any course) if you are curious and open-minded. It is especially helpful in this setting because our attitudes toward election practices tend to be colored by our partisan and ideological commitments. I ask for your willingness to be wrong, to challenge your own assumptions. This means considering empirical evidence and legal arguments fairly, even if they challenge your views. If you are unwilling to change your positions, the course will not be of much value. Which one of your opinions will be turned upside down by the end of the semester?
I expect you to come to our weekly class meetings having done all of the reading and given them some thought. Because we operate as a seminar, your participation is crucial. Expect to talk every week.

The “required” readings are comprised of one central textbook (Matthew J. Streb. *Rethinking American Electoral Democracy*. 2nd ed. 2011 Routledge) and many varied readings from academic journals, book chapters, and media reporting. All of the latter will be available as PDFs on the Learn@UW web site for the course. Bring the readings with you to class meetings so that they can be referenced during our discussions. “Recommended” readings are optional. I might reference them and they could be useful for your final paper, but they need not be read for class.

Expect to submit response papers every other week. At the first class meeting you will be assigned responsibility seven of the 14 weeks. For these weeks summarize each of the week’s readings in separate paragraphs. Summarize them briefly and offer a synthesis. How do the readings speak to one another? Are they convincing? What questions are not answered? Responses should be left in the Dropbox application on Learn@UW by Noon on the Monday before class.

The course culminates in a final research project. The details will be provided separately, but the basic idea is to prepare a policy report to legislators in which you provide a change in some aspect of election administration. You will specify the proposed change, discuss what existing research has to say about it, identify any holes in existing research, assess the benefits and risks of the change, offer a plan for transitioning to the new rules, and provide a conclusion for why the change ought to be made. A paper proposal, about which details will be provided later, will be due in class on Tuesday, April 17. I would also like to speak with each of you individually. The final paper will be due on Monday, May 14 at 4pm.

**Evaluation**

Attendance and participation account for 30% of the final grade. For each class, students who participate activity will receive an A. Those who speak minimally will earn a B, those who are present but not participating will receive a C. Students absent without my permission will receive an F.

Response papers will also account for another 30% of the grade. These will be graded based on the degree to which they engage the readings on their own terms and offer thoughtful insights about them.

The final research paper is worth 40% of the grade.

The final grading scale is based on the following thresholds: A (90%), AB (87.5%), B (82.5%), BC (77.5%), C (67.5%), and D (60%). Assignments delivered late without my approval are penalized half a letter grade for each day.
**Other Considerations**

If you have a disability and need accommodation, please contact me immediately. I will work through the McBurney Disability Resource Center (www.mcburney.wisc.edu) to identify the best way to achieve this accommodation and facilitate equal opportunity for all students.

Academic dishonesty will not be tolerated. This includes using someone else’s words or ideas without proper attribution. I will report any cases of academic dishonesty to the Assistant Dean for Academic Integrity.

I reserve the right to modify the syllabus timeline or specific readings as needed.

Please only use electronic devices in class for referencing course materials, taking notes, and occasionally tracking down online items that are necessary for our discussions.

There will be at least two elections in Wisconsin during the semester. Please consider enlisting as a pollworker (election inspector) or acting as an election observer on one or both dates.
January 24: **Introduction**

**Required**

Streb - chapter 1

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January 31: **The History of Voting Rights**

**Required**

The U.S. Constitution

Voting Rights Act of 1965


Jeff Manza and Christopher Uggen. “Punishment and Democracy: Disenfranchisement of Nonincarcerated Felons in the United States” (2004 *Perspectives on Politics*)

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February 7: **The Progressive Era Reforms**

**Required**


**Recommended**


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February 14: **Recent Federal Fixes**

**Required**

Help America Vote Act of 2002

National Voter Registration Act of 1993


Recommended

February 21: **Voter Registration, Voter ID, and Fraud**

Required

Recommended
Peverill Squire et al. “Residential Mobility and Voter Turnout” (1987 American Political Science Review)
Symposium on Voter ID (2009 PS: Political Science & Politics)

February 28: **Same Day Registration, Absentee, and Early Voting**

Required
Streb - chapter 2

Recommended
Barry C. Burden et al. “Election Laws, Mobilization, and Turnout: The Unanticipated Consequences of Election Reform” (available at electionadmin.wisc.edu)
March 6: Ballots and Voting Technology

Streb - chapter 6
Charles Stewart III. “Voting Technologies” (2011 Annual Review of Political Science)
Recommended
Jay Weiner. This is Not Florida. (2010 University of Minnesota Press)

March 13: Ballot Access and Third Parties

Required
Streb - chapter 5
Recommended

March 20: Party Nominations

Required
Streb - chapter 8


Recommended


March 27: **Redistricting**

**Required**

Streb - chapter 7


**Recommended**


Frances E. Lee and Bruce I. Oppenheimer. *Sizing up the Senate: The Unequal Consequences of Equal Representation* (1999 University of Chicago Press)


April 3: **Spring Break**

April 10: **The Electoral College**

**Required**

Streb - chapter 9
Recommended
George C. Edwards III. Why the Electoral College is Bad for America. 2nd ed. (2001 Yale University Press)

April 17: Direct Democracy

Required
Streb - chapter 4
Recommended
Thad Kousser. Term Limits and the Dismantling of State Legislative Professionalism (2005 Cambridge University Press)

April 24: Campaign Finance

Streb - chapter 10
Eliza Newlim Carney. “The Deregulated Campaign” (September 19, 2011 CQ Weekly)
Recommended
Michael G. Miller. “After the GAO Report; What Do We Know About Public Election Funding?” (2011 *Election Law Journal*)

May 1: Judicial Elections

**Required**
Streb - chapter 3
Chris W. Bonneau and Melinda Gann Hall. *In Defense of Judicial Elections.* (2009 Routledge) - chapters 1, 5, & 6

May 8: What To Do

**Required**
Streb – chapter 11