

Syllabus

The Law and Ethics of Politics

Spring, 2006

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Office Hours: By appointment

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Required Texts:

We will read selections from the following books, which are available from Amazon.com and other bookstores.

The Prince, by Niccolo Machiavelli (any edition, although the Cambridge edition by Russell and Quentin Skinner is recommended)

Plunkitt of Tammany Hall, by William Riordon

Rules for Radicals, by Saul Alinsky

Honest Graft, by Brooks Jackson

Other assigned readings will be handed out or emailed to you.

Course Goals:

The purpose of this class is to provide a practical grounding in the laws and ethical practices that govern politics in Washington, DC. Most GSPM students, at various times in their careers, will serve as campaign staff, Hill staff, political appointees in Executive branch departments and agencies, lobbyists, and perhaps White House staff and officeholders.

The first half of the class is primarily concerned with the various laws and regulations that govern campaigns and governance. The second half focuses on the ethics of campaigns and governance. However, both law and ethics will be interwoven in each class session.

With respect to the various laws and regulations, the goal is to provide sufficient background so that you will be able to ask the right questions when the situation arises. While you are not expected to become an expert in the various laws, you need to understand the reasons and the logic that undergird them.

Most issues that arise in campaign ethics are not governed by law, but are decided by the parties involved. As such, each student must develop his or her own code of professional conduct. The purpose of this class is to assist in the formation of those codes, without “happy talk” or anodyne solutions.

OUTLINE OF CLASS SESSIONS

Session 1

January 23, 2006

Introduction & General Themes

Session 2

January 30, 2006

Topic: Niccolo Machiavelli's Philosophy and Practical Advice

Readings:

The Prince, by Niccolo Machiavelli

The *Ricordi*, by Francesco Guicciardini

Session 3

February 6, 2006

Topic: Federal Campaign Finance – Basic FECA and BCRA

Readings: Handouts

Tony Corrado

Session 4

February 13, 2006

Topic: Advanced Federal Campaign Finance – McConnell, the New Regs, 527s

Readings:

Al May, "Swift Boats...."

Additional Handouts

HOLIDAY – Spring Break, no class on Monday, February 20th

Session 5

February 27, 2006

Topic: House and Senate Gift and Ethics Rules, Lobbying Laws, Reporting & Foreign Agents

This session will cover the 1995 Lobby Disclosure Act, the Foreign Agents Registration Act (FARA), and the proposed reform legislation

Handouts:

Session 6

March 6, 2006

Topic: The Ethics Laws that Constraint Administration Officials

This session will cover Executive branch rules regarding honoraria, conflict of interest, and questions to expect in a Senate confirmation, a Presidential appointment, and when applying for a security clearance.

Readings: Handouts

Session 7

March 20, 2006

Practical Ethics from the Perspective of a Former Hill Staffer

Readings:

Session 8

March 27, 2006

Campaign Ethics for Political Operatives

Readings,

“Dirty Money: Campaign Contributions and Fitness for Office,” GSPM Case Study 91-2, by Greg Lebel

“End Run: The Ocean Spray PAC and the Food and Drug Administration,” GSPM Case Study 89-7, by Greg Lebel

Readings

Session 9

March 29, 2006

Topic: Campaign Ethics in an Age of Extreme Partisanship

AAPC Code of Conduct

Shades of Gray, Chapters 1 and 2 on Campaign Ethics, and Chapters 5 and 6 on Political Consultants

The New Yorker piece on Karl Rove

Washington Post Sunday Magazine piece on Lee Atwater

Session 10

April 17, 2006

Topic: The Practical Ethics of Lobbying: How One Lobbyist Sorts It Out

Readings

Session 11

April 12, 2006

Campaign Ethics: What’s Fair Game, What’s Out of Bounds & Who Decides

This session will address controversial campaign commercials from the infamous “Daisy” commercial in the Johnson-Goldwater campaign, to the “Willie Horton” commercial in the Bush-Dukakis campaign to the “Hand” commercial in the Helms-Gantt campaign.

Session 12

April 19, 2006

Plunkitt of Tammany Hall and Honest Graft

Readings:

Plunkitt of Tammany Hall, by William Riordan

Honest Graft, by Brooks Jackson

Session 13

April 26, 2006

Bringing It All Together

GRADING

Your final grade will be computed as follows:

35% - First Paper

40% - Final Paper

25% - Class Attendance and Participation

Class sessions will start on time and punctuality is expected. We will have a guest speaker in most of the sessions. Please notify me in advance if you are not able to attend class. You may miss one class without its counting against your final grade. Any additional absences, without an extremely good excuse, given in advance if practicable, will result in a lowered grade.

Shades of Gray: Perspectives on Campaign Ethics, by Candice Nelson, David A. Dulio, and Stephen K. Medvic

The Little Book of Campaign Etiquette, by Stephen Hess

The New Primacy of Non-Party Political Organizations – The Practical Application and Ethical Implications of the New Laws

Readings

“Putting Teeth into Ethical Practices,” by Carole Schweitzer, ASAE Magazine, January, 2003, plus additional handouts.

Readings

Plunkitt of Tammany Hall, by William Riordon

Honest Graft, by Brooks Jackson

“The Taint of the Greased Palm,” by Tina Rosenberg, The New York Times Magazine, August 10, 2003