This seminar has a somewhat unique structure and purpose. The seminar examines current research in law and politics across a range of specific research questions, methods, and research traditions. The seminar combines background reading on selected topics with presentation of current research by scholars in the field of law and politics. Participants are expected to participate in both the regular seminar sessions and the public law colloquium, complete assigned readings, and complete assigned written work. The readings for the seminar will include both classics in the field and cutting-edge working papers. Because of its eclectic content, the seminar will provide an overview of the field, but through the lens of current research projects. The seminar will provide an opportunity both to meet outside scholars in the field and see the development of new lines of research in law and politics.

Schedule:

1. February 7: background for Anna Harvey  
   Note: Lee Epstein will also be presenting at noon at CSDP on 2/7/2013 (attendance not required for the seminar)
2. February 14: Anna Harvey in public law colloquium
3. February 16: background for Kevin McMahon
4. February 23: Kevin McMahon in public law colloquium
5. March 2: background for Corey Yung
6. March 9: Corey Yung in public law colloquium
7. March 28: background for Ryan Black
8. April 4: Ryan Black in public law colloquium
9. April 11: background for George Lovell
10. April 18: George Lovell in public law colloquium
11. April 25: background for Quinn Mulroy
12. May 2: Quinn Mulroy in public law colloquium

Materials:

The readings will generally be made available on the Blackboard course website. The paper of the speaker for the public law colloquium will be posted on the public law colloquium website at http://www.princeton.edu/politics/graduate/departmental-colloquia/public-law/

Requirements:

Each participant in the seminar is required to attend both the seminar and the public presentation of the public law colloquium. The public law colloquium will meet every other week in the spring from 4:30-6:00 pm in 127 Corwin Hall. The seminar will have an abbreviated session during the weeks of the public law colloquium. Students will be expected to participate actively in both the seminar and the public law colloquium sessions.
Students in the seminar may choose either a long paper or a short paper option. The long-paper option allows you to complete a seminar paper in the course. The seminar paper should be a research paper on a topic of your choice relating to law and politics of no more than 40 pages. The paper will be due on May 14. The short-paper option allows you to complete a series of short papers relating to the readings. You will complete six short papers, one for each speaker who will visit the public law colloquium. The paper for that speaker will be due by midnight on the Wednesday before the public law colloquium. Each short paper should be constructed as a “peer review” evaluation of the speaker’s paper for a scholarly journal. Each short paper should be between 1000 and 2500 words, and the paper should include a brief summary of the important content of the working paper (no more than 200 words), a detailed analysis of the virtues and problems of the paper, and specific suggestions for improving the paper. (Unlike the real world, this peer review should not include a judgment on whether the paper should be accepted for publication.) The review should be suitable for sharing with the author (you can include an anonymous copy of the review, if you prefer).

The “required” readings are absolutely required. You are expected to have read thoroughly and thought about each of these readings before every class. The speaker’s own paper will be the focus of the session on the week of the public law colloquium, with the background readings before the focus of the “off weeks.” The suggested readings are for your further consideration and reference. You are welcome to make use of the suggested readings in preparing your papers, and to incorporate them as appropriate for the benefit of the other participants.

Participation will form 10 percent of your final grade, with the rest determined by the written work.

Readings:

**First Speaker:** Anna Harvey, NYU – “Slavery, Inequality, and the Origins and Consequences of Judicial Review”

Anna Harvey, “Slavery, Inequality, and the Origins and Consequences of Judicial Review”

*Suggested reading:* Daron Acemoglu and James Robinson, *Why Nations Fail*
Kenneth Dam, *The Law-Growth Nexus*

**Second Speaker:** Kevin McMahon, Trinity College – “Fighting Busing, Crime, Smut, and Social Disorder in Nixon’s America”

Keith E. Whittington, *Political Foundations of Judicial Supremacy*, pp. 218-26
Thomas M. Keck, *The Most Activist Supreme Court in History*, ch. 4
Richard L. Pacelle, Jr., *Between Law and Politics*, ch. 4
Kevin J. McMahon, *Nixon’s Court*, ch. 8
Bernard Schwartz, ed., The Burger Court: Counter-Revolution or Confirmation?

Third Speaker: Corey Yung, University of Kansas Law School – “How Judges Judge”

Corey Yung, “How Judges Judge”

Suggested reading: David E. Klein, Making Law in the United States Courts of Appeals
Virginia A. Hettinger, et al., Judging on a Collegial Court

Fourth Speaker: Ryan Black, Michigan State – “Supreme Court Agenda Setting and the Influence of Amicus Curiae”

Gregory A. Caldeira and John R. Wright, “Organized Interests and Agenda Setting in the U.S. Supreme Court,” APSR 82 (1988): 1109
H.W. Perry, Jr., Deciding to Decide, ch. 3, 8
Ryan C. Black, “Supreme Court Agenda Setting and the Influence of Amicus Curiae”

Suggested reading: Paul M. Collins, Jr., Friends of the Supreme Court
Richard L. Pacelle, The Transformation of the Supreme Court’s Agenda

Fifth Speaker: George Lovell, University of Washington – “This is Not Civil Rights”

Stuart A. Scheingold, The Politics of Rights, ch. 1-2, 9
Patricia Ewick and Susan Silbey, The Common Place of Law
George Lovell, This is Not Civil Rights, ch. 4-5

Suggested reading: Mary Ann Glendon, Rights Talk
Sally E. Merry, Getting Justice and Getting Even


*Suggested reading*: Sean Farhang, *The Litigation State*

Frank Dobbin, *Inventing Equal Opportunity*