

## UMBC UGC Instructions for New Course Request Form (revised 4/2016)

**Course number & title:** Enter the number and title of the course at the top of the page. Contact the Registrar's Office to confirm that the desired course number is available.

**Date submitted:** The date that the form will be submitted to the UGC.

**Effective date:** The semester the new course is in effect, if approved.

**Contact information:** Provide the contact information of the Chair or UPD of the department or program housing the course. If the course is not housed in a department or program, then provide the same information for the head of the appropriate academic unit. (See UGC Procedures) If another faculty member should also be contacted for questions about the request and be notified about UGC actions on the request, include that person's contact information on the second line.

**Course number:** For cross-listed courses, provide all the numbers for the new course.

**Transcript title:** Limited to 30 characters, including spaces.

**Recommended Course Preparation:** *Please note that all 300 and 400 level courses should have either recommended course preparation(s) or prerequisite(s) and that 100 or 200 level courses may have them.*

Here fill in what previous course(s) a student should have taken to succeed in the course. These recommendations will NOT be enforced by the registration system. Please explain your choices in the "rationale" (discussed below).

**Prerequisite:** *Please note that all 300 and 400 level courses should have either recommended course preparation(s) or prerequisite(s)* Here fill in course(s) students need to have taken before they enroll in this course. These prerequisites will be enforced through the registration system. Please explain your choices in the "rationale" (discussed below).

**NOTE:** Please use the words "AND" and "OR", along with parentheses as appropriate, in the lists of prerequisites and recommended preparation so that the requirements specified will be interpreted unambiguously.

**NOTE:** Unless otherwise indicated, a prerequisite is assumed to be passed with a "D" or better.

**# of credits:** To determine the appropriate number of credits to assign to a course please refer to the [UMBC Credit Hour Policy](#) which articulates the standards for assignment and application of credit hours to all courses and programs of study at UMBC regardless of degree level, teaching and learning formats, and mode of instruction.

**Maximum total credits:** This should be equal to the number of credits for courses that cannot be repeated for credit. For courses that may be repeated for credit, enter the maximum total number of credits a student can receive from this course. E.g., enter 6 credits for a 3 credit course that may be taken a second time for credit, but not for a third time. Please note that this does NOT refer to how many times a class may be retaken for a higher grade.

**Grading method(s):** Please review the [grading methods document](#) (this link can be found on the UGC forms page) before selecting a grading option. Please do not select all three grading options by default.

**Proposed catalog description:** Provide the exact wording of the course description as it will appear in the next undergraduate catalog. Course proposals should be a) no longer than 75 words, b) stated in declarative sentences in language accessible to students, and c) avoid reference to specific details that may not always pertain (e.g., dates, events, etc.). Course descriptions should not repeat information about prerequisites (which are always listed alongside the course description)."

**Rationale:** Please explain the following:

- a) Why is there a need for this course at this time?
- b) How often is the course likely to be taught?
- c) How does this course fit into your department's curriculum?
- d) What primary student population will the course serve?
- e) Why is the course offered at the level (ie. 100, 200, 300, or 400 level) chosen?
- f) Explain the appropriateness of the recommended course preparation(s) and prerequisite(s).
- g) Explain the reasoning behind the P/F or regular grading method.
- h) Provide a justification for the repeatability of the course.

**Cross-listed courses:** Requests to create cross-listed courses must be accompanied by letters of support via email from all involved department chairs. Proposals for new courses or the addition of a cross-listing to an existing course must include as a part of the rationale the specific reason why cross-listing is appropriate. Email from all involved department chairs is also required when cross-listing is removed and when a cross-listed course is discontinued. Please note that Special Topics courses cannot be cross-listed.

**Course Outline:** Provide a syllabus with main topics and a weekly assignment schedule which includes complete citations for readings with page numbers as appropriate. Explain how students' knowledge and skills will be assessed.

*Note: the UGC form is a Microsoft Word form. You should be able to enter most of the information by tabbing through the fields. The document is protected. In the rare case that you need to unprotect the document, use the password 'ugcform'. Beware that you will lose all the data entered in the form's fields if you unlock and lock the document.*

## UMBC UGC New Course Request: POLI 421: Baseball, American Politics, and the Law

Date Submitted: 2/19/2019

Proposed Effective Date: Fall 2019

	Name	Email	Phone	Dept
Dept Chair or UPD	Cynthia Hody	hody@umbc.edu	5-2193	POLI
Other Contact	William Blake	wblake@umbc.edu	5-6132	POLI

### COURSE INFORMATION:

Course Number(s)	POLI 421
Formal Title	Baseball, American Politics, and the Law
Transcript Title (≤30c)	Baseball, Politics, and Law
Recommended Course Preparation	POLI 100, POLI 230
Prerequisite <b>NOTE:</b> Unless otherwise indicated, a prerequisite is assumed to be passed with a "D" or better.	n/a
# of Credits Must adhere to the <a href="#">UMBC Credit Hour Policy</a>	3
Repeatable for additional credit?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Max. Total Credits	<small>This should be equal to the number of credits for courses that cannot be repeated for credit. For courses that may be repeated for credit, enter the maximum total number of credits a student can receive from this course. E.g., enter 6 credits for a 3 credit course that may be taken a second time for credit, but not for a third time. Please note that this does NOT refer to how many times a class may be retaken for a higher grade.</small>
Grading Method(s)	<input checked="" type="checkbox"/> Reg (A-F) <input checked="" type="checkbox"/> Audit <input type="checkbox"/> Pass-Fail

### PROPOSED CATALOG DESCRIPTION (Approximately 75 words in length. Please use full sentences.):

Sports provide Americans with a common language to grapple with important political concepts: equality, justice, the rule of law, the power of informal norms, and the role of the individual in seeking the common good for a community. This course serves two goals. First, it explores how baseball is a reflection of and an influence on American political development. Second, it uses the rules of baseball as a lens to analyze important debates in legal theory and constitutional interpretation.

### RATIONALE FOR NEW COURSE:

When Chief Justice John Roberts appeared for his confirmation hearings in 2005, he analogized the role of a judge to that of a baseball umpire. Judges are supposed to be neutral arbiters who apply the rules, rather than make up new rules on the spot. This analogy captivated the media because of the power because it took an abstract and complex concept, constitutional interpretation, and put it in a more culturally accessible frame – sports. Baseball, in particular, also provides a window into American political development. Baseball players, like other workers in the American labor movement, struggled against entrenched corporate interests. And Dr. Martin Luther King described Jackie Robinson as “a sit-inner before sit-ins, a freedom rider before freedom rides.”

Dr. Blake taught this course under a special topics designation in Spring 2017, and he found it to be a successful means of promoting interdisciplinary learning. The course attracted students from several different majors who were fans of baseball and other sports (although my students who were not sports fans also performed well). More importantly, the content of the course blends insight from history, philosophy, law, and political science. The instructor’s teaching style utilizes the Socratic Method, which helps students make the connections between

baseball and these disciplines. Students also must demonstrate interdisciplinary thinking in the course assessments. In the reaction papers, students must utilize critical thinking skills to draw connections between baseball and major themes in American politics and history. The two simulation assignments encourage students to think and write like lawyers. The course is ideal at the 400-level because the smaller class size facilitates more in-depth class discussions.

This course will likely be offered once every two years. The course fits with the Political Science Department's curricular needs in several respects. The department does not offer an American Political Development course on main campus, and roughly half of this course addresses this topic. Likewise, we do not offer a legal theory course, which is the second main theme of this course. The course serves students interested in American history and politics as well as those thinking of going to law school, and it builds on concepts discussed in POLI 100 (Introduction to American Government) and POLI 230 (Constitutional Law). Because the course serves several departmental goals, it should count as a letter grade.

### **ATTACH COURSE SYLLABUS (mandatory)**

POLI 429  
Spring 2017

Professor William Blake  
Classroom: Fine Arts 424

Office Hours: Tuesdays & Wednesdays  
10:00 AM – 12:00 PM  
or by appointment

Office: PUP 312  
(410) 455-8132  
[wblake@umbc.edu](mailto:wblake@umbc.edu)

## **BASEBALL, AMERICAN POLITICS & THE LAW**

“In baseball, democracy shines its clearest. The only race that matters is the race to the bag. The creed is the rule book. And color, merely something to distinguish one team's uniform from another's.” – Hall of Fame broadcaster Ernie Harwell

### Course Description

Professor Gerald Early has stated that the three greatest contributions made by American civilization are the Constitution, baseball, and jazz. While the final item is (regrettably) beyond the scope of this course, we will spend this semester learning how baseball is a reflection of and an influence on American political development, and we will discuss some vexing problems in legal theory and constitutional interpretation through the lens of applying the rules of baseball. Sports, especially baseball, provide Americans with a common language to grapple with some difficult social constructs which are key to understanding American politics: equality, justice, the rule of law, the power of informal norms, and the role of the individual in seeking the common good for a community. This course explores these concepts both on and off the field.

My goals for this semester are to help you think creatively and critically about the connections between American politics and our national pastime. Politics is a much broader phenomenon than the “stuff you watch on MSNBC or Fox News.” Political scientist David Easton put it best when he said politics is “the authoritative allocation of values for a society.” When viewed in this framework, politics happens all around us, even on the ball field. This course is not about baseball, per se, but baseball offers a powerful tool to broaden our understanding of both politics and law.

### Course Materials

Bronson, Eric, ed. 2004. *Baseball and Philosophy: Thinking Outside the Batter's Box*. Chicago: Open Court.

Nathanson, Mitchell. 2015. *A People's History of Baseball*. Champaign, IL: University of Illinois Press.

Thorton, Patrick K. 2012. *Legal Decisions That Shaped Modern Baseball*. Jefferson, NC: McFarland.

Selected readings on Blackboard.

### Assessment

30%	2012 NL Wild Card Game Simulation	30%	2 Reaction Papers (15% each)
30%	Judicial opinion in <i>Rickey and Robinson v. New York</i>	10%	Attendance & class participation

For all written assignments, please be sure to include the word count of your paper at the top of the first page. Failure to do so will lower your grade by 5 points. Each written assignment will be graded on a rubric, which you may see in advance. Late work will not be accepted for any reason. I strongly recommend that you consult the Writing Center before turning in any assignment. I am also happy to provide feedback on a draft of any assignment, but I do not require you to turn in a draft.

### Grading Scale

90.0-100%	A	60.0-69.99%	D
80.0-89.99%	B	< 60.0%	F
70.0-79.99%	C		

### 2012 NL Wild Card Game Simulation

The 2012 National League Wild Card Game between the Atlanta Braves and the St. Louis Cardinals highlighted a number of interpretive issues within the baseball rulebook. In the bottom of the 2<sup>nd</sup> inning, Braves catcher David Ross hit a two-run home run, but only after the home plate umpire granted him a late request for time on the pitch before. Had home plate umpire Jeff Kellogg correctly applied the rules, Ross would have struck out to end the inning. In the bottom of the 8<sup>th</sup>, Cardinal shortstop Pete Kozma muffed a lazy fly ball to shallow left field, but left field umpire Sam Holbrook made a late infield fly call, which led Atlanta manager Fredi Gonzalez to file a protest. Atlanta fans were furious and began to belt the field with debris, which raised the question of whether the Braves should forfeit the game for failure to provide safe playing conditions.

For this assignment, you will be a lawyer representing one of the teams and construct an argument for a protest appeal to MLB vice president Joe Torre. Further details about the assignment will be posted on Blackboard at a later date.

### *Rickey and Robinson v. New York*

This assignment tasks you with engaging with an alternate version of baseball and political history. When Jackie Robinson makes his major league debut in 1945, a race riot breaks out in Brooklyn. In response, the City of New York passes an ordinance requiring racial segregation in all athletic competition. Branch Rickey, the Dodgers owner files suit challenging the constitutionality of this law. Robinson joins the lawsuit because he does not want to return to the Negro Leagues for a lower salary. Rickey argues the law deprives him of his property rights and,

even though the law applied equally to New York's MLB teams and Negro League teams, the true purpose was to hurt the Dodgers. Robinson argues the law deprives him of equal protection of the laws and his right, under the Due Process Clause, to pursue a lawful occupation. The City argues the ordinance represents a reasonable regulation to promote public safety and the opportunity for Robinson to play in the Negro Leagues meets the requirement for "separate, but equal" facilities.

The issue goes to the Supreme Court, where you are a justice. You must write a judicial opinion resolving the dispute. Further details about the assignment will be posted on Blackboard at a later date. This assignment is in lieu of a final exam for the class.

### Reaction Papers

For these papers, I want you to pick a reading (or series of related readings), provide a brief summary, and reflect on the reading's implications. Feel free to employ any of these strategies: argue against the author if you feel the reading was poorly written, find a new way to apply the author's argument to an aspect of baseball or politics, or tell me how the reading has personally made you rethink some aspect of baseball or politics. The criteria for a successful paper are demonstrating an understanding of the readings, utilizing critical thinking skills, organizing your paper into a coherent thought, and employing proper grammar and a fluid writing style.

I am not specifying a page count because, inevitably, a few brave students will attempt to pad their work by manipulating font size, margins, or line spacing (I was once a student too). Instead, the essay should be approximately 1,000 words. Papers that are slightly shorter in length are eligible to receive full credit, and papers that go a bit over the word limit will not be penalized.

### Attendance Policy

You are expected to attend every class, having done the reading assignment for the day, and stay for the full class. You must also bring a copy of the readings with you to class. If you have not completed the reading, or you do not have a copy of the reading with you, please write your name on a small piece of paper and place it on my lectern. It is perfectly fine if you had trouble understanding the readings; the notes are intended to document only students who have not done them. If I discover that you have not done the readings and failed to notify me, 10 points will be deducted from your attendance and participation grade.

Your attendance and participation grade will be out of 100 points, and every student begins the semester with full credit. Your first "reading note" will not count against your grade. Each unexcused absence will lower your attendance and participation grade by 10 points, and each subsequent "reading note" will lower your attendance and participation grade by 5 points.

### Technology Policies

The use of cellular phones during class, for any reason, is prohibited. Computers, tablets, or other such electronic devices, are allowed only to enable students to take notes or reference official class materials. Using a computer or other electronic device for any other purpose, including checking email or social media, will result in 10 points being deducted from your attendance grade.

Studies have demonstrated that the use of social media in class not only distracts the student engaging in that behavior, but students sitting nearby at a significantly higher level. Should you find yourself distracted by the discourteous behavior of a neighboring student, please notify me, and I will handle the matter confidentially.

### Academic Integrity

By enrolling in this course, each student assumes the responsibilities of an active participant in UMBC's scholarly community in which everyone's academic work and behavior are held to the highest standards of honesty. Cheating, fabrication, plagiarism, and helping others to commit these acts are all forms of academic dishonesty, and they are wrong. Academic misconduct could result in disciplinary action that may include, but is not limited to, suspension or dismissal. To read the full Student Academic Conduct Policy, consult [UMBC policies](#), or the [Faculty Handbook](#) (Section 14.3). For graduate courses, see the [Graduate School](#) website.

Every instance of plagiarism will be penalized. Papers that contain substantially plagiarized sections will receive no credit. Further disciplinary options include: failing the course and being reported to the Dean's office.

### Accommodations for Students with Special Needs

UMBC is committed to eliminating discriminatory obstacles that may disadvantage students based on disability. Student Support Services (SSS) is the UMBC department designated to: receive and maintain confidential files of disability-related documentation, certify eligibility for services, determine reasonable accommodations, develop plans with each student for the provision of such accommodations, and serve as a liaison between faculty members and students regarding disability-related issues.

If you have a disability and want to request accommodations, contact SSS in the Math/Psych Building, Room 213 or Academic IV-B wing Room 345 (or call 410-455-2459 or 410-455-3250). SSS will require you to provide appropriate documentation of disability and complete a Request for Services form available at <http://my.umbc.edu/groups/sss>. If you require accommodations for this class, make an appointment to meet with me to discuss your SSS-approved accommodations.

### Writing Center

The Writing Center is a service available to all UMBC students to go for help with writing assignments, as well as resumes, cover letters, and personal statements. The Writing Center offers students the opportunity to work one-on-one with an experienced tutor. For more information, please visit the Writing Center in the A.O.K. Library on the first floor, or online at [http://www.umbc.edu/lrc/writing\\_center.html](http://www.umbc.edu/lrc/writing_center.html).

### Student Veteran Services

The UMBC Veterans Services office is a centralized office designed to provide comprehensive resources to veterans and Veterans Affairs benefit recipients to aid in their overall success as students. The Veterans Services office provides advice, guidance, advocacy, and outreach services for the student veteran population. For more information, please visit them in The Commons, Room 1A02 or online at <http://veterans.umbc.edu>.

### Counseling Services (Including Study Skills Training)

Students who wish to seek counseling or other psychological services should contact the Counseling Center by phone at (410) 455-2472. The Counseling Center also holds a series of workshops entitled "Skills 4 Success," which provide tips on stress management, time management, reducing test anxiety, and avoiding procrastination. For more information, visit their website at <http://counseling.umbc.edu>.

### Class Schedule

While I reserve the right to change the reading assignments at any time, if a change occurs, I will provide reasonable notice and I will not increase your overall reading load. A reading listed in **bold type face** refers to an assigned text. All other readings can be found on Blackboard.

Official Baseball Rules

- 2/7 Jurisprudence #1  
Langdell, Legal Formalism  
Posner, Reflections on Judging  
Blake, Umpires as Legal Realists  
**Bronson** ch. 5: There Are No Ties at First Base
- 2/14 Jurisprudence #2  
Dworkin, Law's Empire  
Altman, Legal Positivism  
Blake, Pine Tar and Infield Fly Rule  
**Bronson** ch. 6: Taking Umpiring Seriously
- 2/21 Jurisprudence #3  
Dworkin, Taking Rights Seriously  
Graber, Taking Baseball Seriously  
Common Law Origins of the Infield Fly Rule  
Wasserman, Economics of the Infield Fly Rule
- 2/28 Jurisprudence #4  
Eisen, Painter, and Tribe – The Emoluments Clause  
Adler, Emoluments Clause and Political Questions  
Blake, Aside the Baseline: Takeout Slides and Political Questions in Baseball  
Turbow and Duca, Baseball Codes
- 3/7 Baseball as a Source of American Law  
**Thornton** ch. 1: The Legal Battle Over the Barry Bonds 73<sup>rd</sup> Home Run Ball (Property)  
**Thornton** ch. 2: Baseball's First Significant Case (Contract)  
**Thornton** ch. 3: Napoleon LaJoie Bolts to the American League (Contract)  
**Thornton** ch. 12: A Day at the Ballpark Isn't Always a Can of Corn (Tort)  
Minan and Cole, The "Beanball," "Brushback," or "Chin Music" (Tort)
- 3/14 **Reaction Paper 1 due on Blackboard before start of class**  
Special guests
- 3/21 **Spring Break – go see spring training games!**
- 3/28 Myths in American Political Development  
**Nathanson** ch. 1: A Game of Their Own  
Gould, The Creation Myths of Cooperstown  
Smith, Beyond Tocqueville  
**Bronson** ch. 10: Baseball and the Search for an American Moral Identity
- 4/4 **2012 NL Wild Card Simulation due on Blackboard before start of class**  
Corporate Influence in Politics and Baseball  
**Nathanson** ch. 2: The Sovereign Nation of Baseball  
Minan and Cole, MLB's Historical Antitrust Exemption  
Gilens and Page, Testing Theories of American Politics  
**Bronson** ch. 2: Homer Hanky Jurisprudence



- 4/11 The American Labor Movement  
**Nathanson** ch. 4: Tearing Down Walls  
**Thornton** ch. 6: *Rose v. Giamatti*  
**Thornton** ch. 9: *Flood v. Kuhn*  
**Thornton** ch. 10: Andy Messersmith/Dave McNally Arbitration Case
- 4/18 The Paradox of Integration  
**Nathanson** ch. 3: Rickey, Race, and “All Deliberate Speed”  
Guinier, The Triumph of Tokenism  
**Bronson** ch. 12: We’re American Too  
Minan and Cole, Former MLB Players Argue Reverse Discrimination
- 4/25 Race and Social Darwinism  
**Bronson** ch. 11: The Negro Leagues and the Contradictions of Social Darwinism  
Hacker and Blake, The Neutrality Principle  
Hanssen, All-Star Game Voting Discrimination  
Farhi, The History Of Chemistry In Baseball
- 5/2 Freedom of Speech  
**Thornton** ch. 7: The Arbitration Case of John Rocker  
**Bronson** ch. 9: Democracy and Dissent  
Minan and Cole, Fan Cries Foul  
*Wisconsin v. Mitchell*, 508 U.S. 476 (1993)
- 5/9 **Reaction Paper 2 due on Blackboard before start of class**  
Issues of Gender and Law  
**Thornton** ch 8: Bernice Gera and Pam Postema Try to Break Baseball’s Glass Ceiling  
**Bronson** ch. 16: Women Playing Hardball  
Swers, The Difference Women Make  
Sanbonmatsu and Dolan, Do Gender Stereotypes Transcend Party?
- 5/16 The Media and Ways of Thinking  
**Nathanson** ch. 6: The Storytellers  
Lamb, Conspiracy of Silence  
Baum, Red State, Blue State, Flu State  
Jones and Williams, The Politics of Bad Ideas
- 5/23 ***Rickey v. New York* Opinion due on Blackboard no later than 5:30 PM (the end of the final exam period for this class)**

