PSC 327.01: Politics of Mexico

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POLITICS OF MEXICO

Instructor: Professor Paul Haber 243-4862
Political Science Department, course #327
Spring 2006
Meets Tuesday and Thursday 2:10 – 3:30
Office Hours: LA 355 Tuesday and Thursday 1:00 – 2:00 and 3:30-4:00 in LA 355

Required text available in UC Bookstore:


Other readings are available at Mansfield Library on print and electronic reserve. I strongly suggest that you figure out how you will have copies available to read in advance of when you need them to avoid last minute headaches.

There are two aspects to this class. First, there is the content. It is expected that students will leave this class with knowledge about contemporary Mexico. Second, this is a class that demands of students that they engage in the art of critical thinking. In brief, this means thinking about knowledge in serious and creative ways. Students will be given multiple opportunities to demonstrate the degree to which they have mastered both aspects of the class.

Your grade will be based on two exams (2/3 of total grade) and class attendance, in-class assignments, and participation (1/3 of total grade). The reading load is quite heavy in this class and students are required to read all assigned readings before the class in which they will be discussed. Coming to class prepared means having read the material carefully and thoughtfully. It means coming to class each day prepared to participate by offering interpretations or questions concerning the readings’ main arguments. Each class, I expect students to come prepared to answer three questions if called upon to do so:

1) What is the central thesis of the reading for that day?
2) How was this thesis supported or substantiated in the reading?
3) What comments or questions do you have concerning the reading?

Students may miss two classes without explanation. After that, students must email me a statement explaining their absence (please do not phone me, it is neither necessary nor sufficient). Make a serious effort to get to class on time. If you come in late make sure you check with me after class so that I can mark you late instead of being absent.

READING ASSIGNMENTS AND OTHER IMPORTANT SCHEDULING INFORMATION

January 24 Introduction to the class.


## Request and Authorization to Travel

### Today's Date: 8/31/2005  
Traveler ID/SSN: 790203465

<table>
<thead>
<tr>
<th>Traveler Name: Peter Koehn</th>
<th>Preparer: L. Edwards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address: 340 W. Central</td>
<td>Dept: Political Science</td>
</tr>
<tr>
<td>City, State, Zip: Missoula, MT</td>
<td></td>
</tr>
<tr>
<td>Destination: Washington, DC</td>
<td></td>
</tr>
<tr>
<td>Departure Date: 11/4/2005</td>
<td>Time: 2:49 PM</td>
</tr>
<tr>
<td>Return Date: 11/9/2005</td>
<td>Time: 4:08 PM</td>
</tr>
</tbody>
</table>

### Business Purpose of Trip: To present workshop at AAMC Annual Meeting

### Estimated Expenses:

<table>
<thead>
<tr>
<th>Estimated Expenses</th>
<th>Advance</th>
<th>Meal Per Diem</th>
</tr>
</thead>
</table>

| **Air Fare:** (Should be paid by UM Procard—include agency fees in total) | $496.50 | |
| **Vehicle:** | | |
| Motor Pool: | | |
| Rental Car: | | |
| Agency: | | |
| Confirmation #: | | |
| Expected Miles | | |
| Mileage Rate | | |
| Private Vehicle: | | |
| Mileage Rate Justification: | | |
| Meal Per Diem: | | |

### Meal Per Diem:

See Summary Chart

<table>
<thead>
<tr>
<th>Breakfast</th>
<th>Lunch</th>
<th>Dinner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Foreign/other</td>
<td>$6.00</td>
<td>$6.00</td>
</tr>
<tr>
<td>US Rate</td>
<td>$7</td>
<td>$11</td>
</tr>
<tr>
<td>Dollars</td>
<td>$42</td>
<td>$66</td>
</tr>
<tr>
<td>Total MPD</td>
<td>$162</td>
<td></td>
</tr>
</tbody>
</table>

### Lodging:

| Number of Nights: | 3 |
| Room Rate Plus Taxes: | $12.00 |
| Total Lodging | $36.00 |

### Registration:

| Name of Event: | | |
| Request for Reimbursement of Actual Lodging Costs: | | |
| Total Reg. | | |

### Miscellaneous Expenses:

| Airport parking and ground | 60 |
| Total Misc. | $60.00 |

### Total Trip Estimate

<table>
<thead>
<tr>
<th>Advance</th>
<th>Meal Per Diem</th>
</tr>
</thead>
<tbody>
<tr>
<td>MPC101</td>
<td>1901</td>
</tr>
<tr>
<td>Activity</td>
<td></td>
</tr>
<tr>
<td>Amount</td>
<td>$0.00</td>
</tr>
<tr>
<td>Travel Advance (1901)</td>
<td>$0.00</td>
</tr>
<tr>
<td>Meal Per Diem</td>
<td></td>
</tr>
</tbody>
</table>

I acknowledge issuance of a travel advance in the amount specified and authorize the University of Montana as an acknowledged condition of such an advance to withhold from my salary or any other funds due me from the University any portion of the amount hereby advanced to me which is not repaid to the University within 10 working days from the conclusion of my trip.

If you are an employee your travel advance/meal per diem will be mailed to your home address.

If you are a student your travel advance/meal per diem will be mailed to the requesting department.

Please allow 6 working days for processing.

Travelers Signature: Peter Koehn  
Date: 1/8/2005

Supervisors Signature:  
Date: 1/8/2005

Dept Authorization:  
Date: 1/8/2005

Hellman, pp. 33-57. On reserve in same “Hellman” folder as previous Hellman reading.

February 2 Opening Mexico, Preface and chaps 1 and 2
February 7 Opening Mexico, chaps 3 and 4
February 9 Film No reading
February 14 Opening Mexico, chaps 5 and 6
February 16 Opening Mexico, chaps 7 and 8
February 21 Opening Mexico, chaps 9 and 12
February 23 Opening Mexico, chaps 12 and 14
February 28 Opening Mexico, chaps 16-17 and Epilogue


March 7 Study Review Session
March 9 Exam #1

**I will be gone from campus on March 14 and March 16 (I will be attending a the Latin American Studies Association Meetings in Puerto Rico, presenting a paper entitled “From Social Movement to Party Politics: Implications for Democracy and the Poor in the Case of Urban Popular Movements in Contemporary Mexico” that you will have the opportunity to read and challenge me on later in the semester. While I am gone, you will read a series of readings on the Zapatista movement. For each one of them, you will write a half page response to the author(s). I have listed eight readings here. You will be responsible for finding two more. The papers (five pages in length total) will be due on March 21. All of the readings are grouped together under the title “The Zapatista Movement.”

Opening Mexico, chap 15


Loretta Edwards

To: Jon Tompkins

Sent: Monday, December 19, 2005 11:45 PM

Subject: If you return soon enough

Loretta

Dear Jon,

Have a good trip and a nice holiday -- without too much rain. When you get settled back in, would you water the plants in my office? They probably just need a good watering once or twice at the most to make it till I return on the 16th. Thanks and see you then. --Karen

If possible, please create a special section of Independent Study for Spring Semester as follows:

PSC 496 sec. 3  Model Arab League  3 credits  c/no only. (I guess I will need to be the instructor of record).

Please let me know if there are any problems. Thanks,

Jon Tompkins, Political Science


March 28 and 30 Spring Break


May 4 Exam review and course evaluations
May 11  Exam #2 (1:10-3:10)
The proposed rule provoked considerable general comment, largely critical, on the relationship between the Forest Service and the public. There were a substantial number of people who feel that by tightening the appeals rules, the Forest Service is trying to close a legitimate avenue of involvement. The “trust” and “bad faith” comments are legitimate, if troubling, expressions of public concern (54 Fed. Reg. 13: 3343–3344).

These comments indicate that reducing the opportunity costs of appeals also may carry large public image costs for the agency.

Methods

A quantitative assessment of judicial decisions and administrative appeals involving the Forest Service was undertaken to analyze trends in the use of the court system and the appeals process to force agency change. This analysis was done in two stages.

First, data on lawsuits involving the Forest Service were gathered from the WestLaw computerized database, which compiles all cases published in the West Reporter System and Environmental Law Reporter. A general list of Forest Service lawsuits was obtained via a March 1993 WestLaw computer search for all federal court cases decided after 1976 that mentioned “Forest Service” in the text and included the agency's name in the descriptive paragraph at the beginning of the case. This search procedure was used because not all suits to which the Forest Service is a party actually name the agency in the case title (often, individual Forest Service personnel are sued). Conversely, a computer search of all lawsuits mentioning the Forest Service in their text would have yielded many cases that did not pertain to the agency. The method chosen generated a list of 271 cases, which then were used to illustrate trends in the overall frequency of use of the judicial system to influence Forest Service actions.

Next, for a more in-depth analysis, a list of NFMA-cited cases was obtained from the USDA’s Office of General Counsel, which undertook a WestLaw computer search in December 1992 for all federal court cases including the key terms “NFMA” and “National Forest” or “Forest Service” (Mulach, 1993). This list then was edited to remove any cases that were not concerned primarily with the National Forest System or the Forest Service, to yield a total of 67 cases: 1 Supreme Court case, 20 suits from the appellate level, 42 district court cases and 4 suits brought in Federal Claims court. In addition, a list of all cases published by the WestLaw Publishing Company that involved Forest Service NEPA documents (environmental impact statements or environmental assessments) also was obtained from the USDA Office of General Counsel. Consisting of all cases from 1971 through 1992, this NEPA list included 58 district court cases and 41 appellate-level lawsuits, for a total of 99 cases. These NFMA and NEPA lawsuits then were analyzed according to five different variables: date of decision, court in which the suit was brought, identity of the plaintiff or appellant initiating the suit, purpose of the suit, and whether the plaintiffs or appellants successfully achieved their NFMA or NEPA objective.

Several shortcomings of this methodology should be noted. First, it examines only suits that have been decided, thereby overlooking pending cases and suits settled out of court, neither of which are on a database nor have an easily accessed paper trail. For example, in January 1993, there were more than 34 pending NFMA cases (United States Department of Agriculture, Office of the General Counsel, 1993). Although the WestLaw Publishing series is “the official and most comprehensive reporter of legal published cases (Vail, 1993, p. 1). Similarly, this analysis includes only published cases; courts occasionally rule on lawsuits without publishing their decisions (which makes it very difficult to obtain information on the cases). Generally, unpublished cases do not set legal precedent. The Forest Service did not keep record of unpublished decisions prior to 1989, but reports that at least 23 unpublished NEPA cases have been decided since 1989. Similarly, the NEPA and NFMA cases analyzed represent less than 50% of all cases that have been brought against the Forest Service in the past two decades.

Lawsuits involving the agency can be based on a whole range of other environmental laws, such as the Endangered Species Act, the Wilderness Act, and the Clean Water Act, to name just a few, and most suits base their arguments on a number of statutes and regulations. For example, the Office of General Counsel reports that roughly 47% of the cases on our NEPA list also are crosslisted on the NFMA list (Vail, 1993). Additionally, although NFMA was cited in all of the cases analyzed on the NFMA list, it was not always the pivotal statute affecting the outcome of the case; nonetheless, “success” was based on the results of the NFMA argument, rather than the overall case, to assess the impact of the statute. This same approach was followed with the NEPA analysis. This distinction, however, affected only a small number of cases. Also, in a handful of cases, determining “success” was a slightly subjective undertaking. In two NFMA and two NEPA cases a “remand” was reported, and one NFMA case was categorized as “mixed.” Lastly, while the more meaningful timing measurement would have been the date when each suit was brought, these data largely are unavailable; therefore, the date of the court ruling was used instead.

Despite these limitations, this analysis provides a good picture of how the court system is accessed to attempt changes in Forest Service management behavior. If anything, it provides a conservative estimate of the potential impact of court cases as a tool to achieve agency changes, because we do not report undecided or unpublished decisions, and because the mere threat of lawsuits may impact decisionmaking. Moreover, it is agreed widely in the environmental legal community that NFMA is not the most effective litigation tool among the environmental statutes, due to the fact that much of the law is broad and process-oriented in nature (Honnold, 1993).

Quantitative data on administrative appeals of Forest Service decisions was obtained from the Forest Service’s Washington Office. Data were collected on the total number of appeals brought against the agency, the number brought in each Forest Service region, and the frequency and nature of the appeal decisions rendered by the agency. Unfortunately, the agency only recently has begun collecting detailed data on appeals, so no information is available for years prior to 1986, and relatively little is known regarding the type of litigants who have initiated appeals.

In addition to this quantitative analysis, a more in-depth qualitative analysis was undertaken to assess the on-the-ground impact of successful lawsuits against the Forest Service and to attempt to establish a cause-and-effect link between legal challenges and agency change. Specifically, court decisions were analyzed involving the legal adequacy or development of the land resource management plans or forest planning mandated by NFMA. Such decisions are particularly important given the precedent they will set for future forest planning and the overall potential impact of the NFMA forest planning process upon National Forest management.

The Office of the General Counsel reports that 20 federal court cases had been decided as of January 1993 specifically regarding NFMA forest planning or land resource management plans (United States Department of Agriculture, Office of the General Counsel, 1993). This relatively small number of decisions occurs because plans for many forests have been completed only recently and appeals of them that