ASSOCIATION OF CHRISTIAN SCHOOLS INT'L., et al. v. STEARNS, et al.

EXPERT WITNESS REPORT OF MARK P. PETRACCA, Ph.D.

Introduction and Summary of Conclusions

I have been asked by the University of California ("UC") to review the textbook, *American Government for Christian Schools*, 2nd edition (Bob Jones University, 2004) by Timothy Keesee and outlines describing four United States government courses proposed for "a" credit under UC's a-g guidelines. I have been asked to consider:

(1) Whether the Keesee textbook is appropriate for use as the principal textbook in a United States government course intended to satisfy the "a" history/social science requirement under the a-g guidelines; and

(2) Whether the course outlines, each of which relies upon the Keesee textbook as the principal text, describe United States government courses that are appropriate for approval as satisfying the "a" history/social science requirement.

I have concluded as follows:

(1) The Keesee textbook is not appropriate for use as the principal textbook in a United States government course intended to satisfy the "a" requirement for two principal reasons:

(a) First, this textbook teaches that there is a single, unassailable standard for evaluating government, truth, civic and political leaders, culture, and justice—the Bible. This doctrinaire approach to the study of government is inconsistent with the pluralistic and inquisitive approach used by professors and expected of students at UC. Use of this as the principal text in a United States government course will not provide adequate preparation for study at UC, both because it will not provide the substantive background in the various

perspectives and analytic frameworks that political scientists bring to bear on government issues and because it will not develop necessary critical thinking and analytical skills.

It is important to emphasize here that I am not saying, either here or elsewhere, that it is inappropriate for the textbook or a course to present a Bible-based or Christian perspective on American government. What is inappropriate and unhelpful for a UC-preparatory United States government course is instead that this perspective is presented in a doctrinaire manner that admits of or even acknowledges no other analytical frameworks for the study of United States government and does not promote critical thinking among the students utilizing this text.

(b) Second, the Keesee textbook contains many factual and empirical assertions that are not generally accepted among political scientists and/or historians and that are nevertheless not substantiated within the text by evidence.

(2) Each of the course outlines fails to describe a United States government course that satisfies the "a" guideline for history/social science courses, for one or more of several reasons, including:

(a) First, each of these courses relies on the Keesee textbook as the principal or only textbook for the course. As explained, that textbook is inappropriate for use as the principal text in an "a" United States government course.

(b) Second, the course outlines reflect the teaching of a single perspective on and analytical framework for the study of American government that is inconsistent with the pluralistic and inquisitive approach to the study of government used by professors and expected of students at UC. These courses will not provide an adequate substantive background in the various perspectives and analytic frameworks that political scientists bring to bear on government issues and will not develop critical thinking skills.

(c) Third, the course outlines reflect a failure to teach many crucial topics in the study of American government, basic knowledge of which would be expected of an entering student at UC.

(d) Fourth, the reading assignments and issues described in the course outlines are unlikely to teach critical thinking, analysis, and writing skills.

Qualifications

I am an Associate Professor of Political Science at the University of California, Irvine ("U.C. Irvine"). I received my A.B. in government from Cornell University in 1977 and my M.A. and Ph.D. in political science from the University of Chicago in 1979 and 1986 respectively.

I have been a member of the faculty of U.C. Irvine since 1984. From 1996 through 2002 I served as Chair of the Department of Political Science at U.C. Irvine, a position I have been holding again since October, 2004. Additionally, since July, 2002 I have been Faculty Associate to the Dean for Honors and Scholarships and since July, 2004 have been Faculty Chair for the School of Social Sciences. Prior to joining the faculty at U.C. Irvine, I taught American government and politics at the University of Chicago and at Amherst College. A true and correct copy of a portion of my current resume is attached hereto as Exhibit A and incorporated by reference herein.

As a political scientist I specialize in the study of American political institutions, American political development, democratic theory, constitutional reform, and state and local government, among other areas.

I have been teaching college-level courses on American politics and government and in particular, "Introduction to American Government," since 1980.

As a teacher I have received every major award for teaching excellence given at U.C. Irvine, including the UCI Alumni Association's Lauds and Laurels Award for "Distinguished Teaching" and the UCI Academic Senate's "Distinguished Faculty Lectureship Award for Teaching." Additionally, I received the "Excellence in Mentoring Award" from the American Political Science Association for the mentoring of political science graduate students.

Standards for Assessing the Textbook and Course Outlines

The University of California's a-g requirements for courses in the social sciences are designed to ensure that:

1. Students taking approved courses can participate fully in the first year program at the university in college-level American government courses;

2. Students taking approved courses have attained a body of knowledge that will provide breadth and perspective to new, more advanced studies;

3. Students taking approved courses have attained essential critical thinking and study skills;

4. Approved courses show serious attention to analytical thinking as well as factual context;

5. Approved courses are empirically based and promote critical thinking and questioning of historical events and perspectives.

Additionally, for a high school course to receive the special "honors" designation in the social sciences from the University of California, it must offer the student:

6A. Breadth and depth of exploration in the subject area;

6B. Development of writing, research, and analytical skills; and

6C. Content and/or experiences that are demonstrably more challenging than

what is offered through the regular college preparatory courses.

The criteria listed under #6 are important because in the case of Horizon Junior and Senior High School, a half year course proposal was submitted for the special "honors" designation. The three other course proposals are for non-honors courses.

I teach courses in American government and politics at UC Irvine at both the lower- and upper-division levels. Lower-division courses are those a student typically takes straight out of high school at a UC campus without any prior college-level course in government. At the lower-division level, I expect students in such courses to:

(a) Have a solid historical understanding of the major periods in American political development and of foundational documents in American political history (e.g., colonial charters, the Declaration of Independence, the Articles of Confederation, selected state constitutions, the U.S. Constitution, the Federalist and Anti-Federalist Papers, and the Bill of Rights);

(b) Have knowledge of the American founding and of the various competing empirically-based perspectives on the causes of Independence, the problems under the Articles of Confederation, the conflict of ideas and pressures attendant to the drafting of a new constitution, ratification debates, and debates over the proposed first amendments to the Constitution;

(c) Have general knowledge of how the American system of constitutional design and the extra-constitutional features of American politics work in both theory as well as practice;

(d) Be trained to be inquisitive about and critical of what they read and of what I say as an instructor;

(e) Be able to evaluate and assess, at least at a basic level, different kinds of empirical evidence and social scientific data;

(f) Be trained to construct and appropriately evidence an argument, both verbally and in writing.

(g) Be competent discursive writers.

Not all students arrive at UC Irvine with these attributes, but in my view it is important, and certainly reasonable, for the University to expect courses submitted for credit under the a-g guidelines to be designed to provide these attributes to students who take the courses.

Assessment of the Keesee Textbook

For two reasons, I conclude that this text is not suitable as a basis for an American Government course pursuant to the a-g requirements of the University of California.

First, the text advances a single, unassailable standard for the evaluation of "good government," "good leaders," "good cultures," and even "justice." There is no room for debate, critical thinking, or even critique. Examples of this appear variously throughout the text.

A. "Good government, therefore, proves itself to be good by upholding that which is good and right in God's sight. That means the moral code established by the state should reflect God's character and its resulting expectations for man" (p. 9).

B. "[G]ood government does not arise from the dust. It comes about through particular circumstances—often the toils and prayers of our ancestors and ultimately by God's grace" (p. 14).

C. "Because we have been enlightened by the truth of the gospel of Jesus Christ, we are responsible to declare to our rulers that the Christ who saves is also the Christ who

is the 'prince of the kings of the earth' (Rev. 1:5) and who therefore expects the submission of those rulers (Ps. 2:10-12)" (p. 14).

D. "[T]he Christian politician cannot overlook God's thoughts concerning murder, abortion, homosexuality, and economics even if popular opinion demands so" (p. 57).

E. "Citizens need to hold members of Congress accountable and demand the highest ethical standards. Is the member a good steward of his or her office? Does the member put the interests of the public above personal political ambition? Are his or her causes biblical ones or ones that advance an agenda contrary to the kingdom of Christ? The answers to these questions, rather than party membership, provide superior gauge with which to measure the merits of a representative" (p. 274).

F. "We should also submit to the authority of the president so long as that submission is not a clear violation of Scripture" (p. 329).

G. "Christ defined the qualification for true greatness that is unaltered by time, circumstances, or polls. . . . Greatness comes through giving, serving, and following Christ's example" (p. 330).

H. "A Christian understands that the Bible is the only unchangeable, absolute standard for judging culture because Scripture is the revelation of an unchanging God" (p. 379).

I. "Conversely, the Ten Commandments reveal that cultures that forbid murder, theft, covetousness, disrespect for parents, and the worship of false gods please the Creator. Those cultures that act justly, protect life, help the poor and weak, use God's creation productively, and keep his commandments are good cultures (Mic. 6:8)" (p. 379).

J. "Justice is, therefore, conformity to God's character. God has revealed His divine character in the Bible, and to the extent that any human law does not conform to His character, that law in unjust" (p. 385).

K. "[A] Christian cannot recognize as legitimate a right declared by the Supreme Court that God has declared to be immoral" (p.411).

According to this text, the only standard for assessing and defining good government, truth itself, good leaders, good culture, and justice is in the Bible and in biblical revelation. This is contrary to the pluralistic approach taken in the study of American government at the college-level and is contrary to the characteristics and quality of American political development itself. Additionally, this approach leaves unanswered for the student the question of whose interpretation of the Bible should, in any given situation, be authoritative and therefore determinative for purposes of assessment.

There is a significant difference between asserting that Christian principles are a way to judge good government, etc., versus asserting that Christian principles are the (one and only) way to judge the quality of government, truth, leaders, culture, and justice. This sort of one-dimensional approach to analyzing and evaluating American government not only fails to promote, but actually undermines, the acquisition of analytical and critical thinking skills that the University appropriately expects to be developed in college preparatory courses.

Second, the text makes numerous empirical and causal claims that are not generally accepted by historians or political scientists without providing evidence or other documentation to support those claims Again, the examples are abundant.

A. "Yet in the midst of this general state, God sent a revival known as the Great Awakening" (p. 21). This gives the impression that God literally caused the Great

Awakening at the end of the 17th century. Viewing God as a direct causal actor in American politics is contrary to the approach taken in UC college-level courses. It might also leave a student to wonder why, for example, God might have sent America the Great Awakening, but did not send an end to slavery.

B. "The Reformation fathered much of the political and social thinking behind American independence" (p. 27). This might be a narrowly true assertion if it were true that America was founded exclusively by the Puritans and their descendants. But of course there were numerous "foundings" of the American colonies which had little to no direct philosophic connection to the Reformation, e.g., the colonies of Virginia and Maryland to name just two.

C. The text clearly implies that the first French republic failed because it was not based on Christian principles. Keesee writes: "The French constitution of 1792 demonstrates what happens when men plan their government around a false view of the governed and of their governors. This constitution, written amid the turmoil of the French Revolution, held an idealistic and unbiblical view of man. The French leadership hoped to banish Christianity from public life, and their constitution rejected the biblical doctrine of human depravity. In this atmosphere the French wrote their new constitution with dreams of its serving generations to come—but they were only dreams. In a land where the guillotine, not the constitution, was the chief governing instrument, the republic lasted for just three years" (p. 95). Such an assessment might lead a student to conclude that the First French Republic failed exclusively because it failed to embrace the "biblical doctrine of human depravity." Keesee ignores other potential causes and never documents the one (and only) cause he does identify.

D. "For the most part, however, the church sided with the patriot cause and even supplied manpower" (p. 24). While church involvement in the cause of the American

Revolution is reasonably easy to document (something which the author does not do), it is certainly not the case, even among northern colonies (to say nothing of the more conservative south), that church support for revolution was widespread (though this changed over the course of the conflict itself).

E. "While Madison and many others of the founders were not believers, they developed their intellects within a Christian context, and this biblical worldview dictated their understanding of man and government" (p. 25). This constitutes two empirical assertions about the influence of Christianity on James Madison and "many other founders." Neither empirical assertion is supported with evidence or documented. Both assertions are in fact contested by well-known historians. While someone may choose, as a matter of faith, to believe that a "biblical worldview dictated" Madison's understanding of government, that is not the same as presenting such a claim as either historical or social scientific fact (notwithstanding Keesee's apparent desire to do precisely that, a problem which occurs repeatedly throughout the text).

F. "Biblical standards provided a basis for public morals, judicial decisions, and social values. That society has now been replaced by one that is often antagonistic to what the Bible has to say" (p. 26). The author offers no proof to suggest that American society writ large is "antagonistic to what the Bible has to say." In fact, this claim is arguably contradicted by some of the only quantitative data presented by Keesee in the entire text. In the Chapter 9 discussion of political parties and voters, data from the 2000 National Elections Studies are presented (see p. 195). According to these data, 76% of the respondents answered affirmatively to the question "Is religion an important part of your life?" Fifty-nine percent of the respondents said that they seek religious guidance a great deal (37%) or quite a bit (22%). These data are

hardly consistent with the claim that American society "is often antagonistic to what the Bible has to say."

G. "By the time the assembly reconvened as the Second Continental Congress (1775-89) during the late spring of the following year, the shots fired on Lexington green had shattered the uneasy calm—the call for complete independence was inevitable" (p. 69). Historians and political scientists alike would never agree that "the call for complete independence was inevitable." There was nothing inevitable about it at all, which is one of the things that helps explain how the war against Great Britain was waged, the time it took to declare independence, the form taken by the Declaration itself (i.e., what was and what was not ultimately included in the document), the design of the Articles of Confederation, and other important characteristics of the founding period.

H. "While natural law was emphasized in the Enlightenment, the idea was by no means new. Rather, Jefferson, and even John Locke before him, was influenced by earlier Christian political thinking, which held that 'nature law' and 'God's law' were synonymous" (p. 71). Again, no evidence is offered for this claim. Additionally, it is well-known that natural law need not be and often was not grounded on Christian or church law during this era.

I. "In the United States, God establishes rulers through the vote of the people. Consequently, our rulers are accountable not only to God but to the people as well" (p. 104). This might lead a student to believe that elected officials in the United States are literally selected by God. This is certainly not how a college-level course would explain electoral outcomes, nor how the important democratic issue of political accountability would be discussed.

J. "The result of this shift in ideology is that contemporary political conservatives more often take positions closer to Scripture than do modern liberals" (p. 206).

Another unusual empirical assertion—that contemporary self-identified conservatives take positions closer to Scripture than do self-identified liberals—which is totally unsubstantiated.

K. "Although once a center of civic life, churches have lost much of their influence in the modern world. Most 'mainline' churches (those associated with the National Council of Churches) have declined in membership and influence as they have abandoned the gospel for social activism" (p. 208). There are two empirical claims made here. First, that the influence of churches has declined. Second, the author makes the empirical claim that the reason such specific churches have declined in membership and influence is due to an abandonment of the "gospel for social activism." This is a claim that the author is making, not a proposition that is generally accepted among historians. The claim could be tested by social science methods. Should the author choose not to test the claim himself, then it is incumbent upon him to identify it as a claim and offer some reason or source of support for it.

L. "Clearly, a person's mind is affected in salvation" (p. 209). This is yet another unusual empirical claim, with social-psychological implications, offered by the author as self-evident truth.

M. "Bureaucratic language does not simply represent an alternate writing style; it represents a contempt for truth. Solomon was a wise and learned ruler whose words, even centuries later, ring with simplicity and truth. . . . In Proverbs 10:19 Solomon notes that sin can often be found in a 'multitude of words.' Our words must be true, clear, and honest because they come from a heart that loves Him who is the Truth" (p. 353). The author may have an opinion about bureaucratic language. However, this statement is not presented as the author's personal opinion, but as social scientific fact with absolutely no basis in social scientific evidence (or even theory).

N. "World War I was once called 'the war to end all wars,' but the world has continued to be consumed by conflict. Even powerful efforts to conclude wars have been thwarted by man's sinful nature. The reason for wars has not changed. 'From whence come wars and fighting among you? [C]ome they not hence, even of your lusts that war in your members?' (James 4:1)" (p. 375). Social scientists who study international relations have a great many theories, supported by various kinds of empirical evidence, to explain conflict, violence, and war. To reduce the cause of all wars—all wars that ever were, are, or ever will take place—to an explanation focused on "man's sinful nature" does not provide a student using this text with the knowledge and information needed to perform as expected in lower or upper-division courses within the U.C. system.

O. "Our perilous world foreshadows the Great Tribulation, when, as Christ foretold, men's hearts will fail them for fear (Luke 21:26)" (p. 380). Presented as the author's opinion this might be an acceptable claim, but it is not, it is presented by the author as fact, again without substantiation.

P. "Furthermore, Blackstone, like most men of his generation, believed that the common law was derived from the law of God" (p.388). The author offers no evidence of the not generally accepted notion that "most men" of Blackstone's generation believed the common law was derived from the law of God.

Q. "To Blackstone, God had expressed His Law through both creation, a natural law that is given to all men (what the apostle Paul referred to in Romans 2:15), and God's revealed law contained in the Bible" (p. 388). This implies that God spoke to William Blackstone. How does the author know this to be true and how would students be able to independently assess such an assertion?

R. "Many judges still rule biblically even though they do not know the God who made the law. But the more judges play by rules of their own making, the more antibiblical American law will become. Our nation will then truly be a government of men and not of laws" (p. 402). The empirical claim that many judges still rule biblically contradicts the widely accepted view that there are multiple approaches to understanding the nature of law and judicial decision-making which are independent of biblical interpretation, and no evidence is presented to substantiate this claim or to explain what it means in actual practice.

S. "Even though the Mosaic law is not binding on Christians, Scripture makes it clear that God still intends government to inflict the death penalty" (p. 416). Theologians most certainly disagree on this matter, yet the author presents only one side of a possible conclusion, without evidence and without mention of other, contrary interpretations.

The pervasive use of such unusual and unsubstantiated empirical and causal claims gives students inaccurate information about the current state of scholarly understanding of American government. Further, the lack of empirical evidence or citations to other scholarship with respect to such unusual claims does not promote a student's identifying the unusual nature of these claims or using critical thinking and analysis to explore the legitimacy of the claims for herself.

The Magruder Text

By comparison, the commonly used textbook Magruder's American Government by William A. McClenaghan, Prentice Hall 2001, which I reviewed as contained in its Teacher Edition (hereinafter "Magruder text"), offers students a decidedly better preparation for UC college-level courses in American government. On many important and directly relevant criteria, the Magruder text is clearly superior to the Keesee text in preparing high school students for

lower-division courses in American government and politics at UC campuses.

The Magruder text offers students a pluralistic approach to understanding and evaluating American government and politics. The book is not dominated by a single viewpoint either when it comes to the interpretation of American government or when it comes to the evaluation of American government. Indeed, it is difficult to discern any viewpoint at all about these matters from the author's writing.

The Magruder text contains a great many more original source documents, including speeches and commentaries from diverse sources, and contains a good deal of social science data which students are encouraged to ponder and analyze. The book contains 25 excerpted documents (in addition to the standard array of founding documents) from a diverse collection of authors, including John Locke, Linda Chavez, Curtis Gans, Nadine Strossen, President Monroe, Sandra Day O'Connor, and Susan Dentzer, among others. The book also includes 25 shorter comments from a diverse array of notable figures on the American political system such as Al Simpson, Bill Clinton, Mary Matalin, Colin Powell, David Souter, and Rosa Parks. The book not only contains a good deal of social science data (e.g., the list of graphs, diagrams, tables, and timelines in the text is contained on pp. xiv and xv of the text), but it contains specific exercises for training students to analyze data (e.g., analyzing maps, using time lines, reading tables, analyzing statistics, and interpreting graph lines).

The Magruder text regularly presents different empirically-based theories to explain particular political phenomena and presents two sides to numerous controversial judicial and policy issues. For example, in all 25 chapters of the book, a particular U.S. Supreme Court case is featured and discussed. In addition to providing background on each case and a summary of the court's decision, the text provides a summary of arguments for each side in the controversy,

and then invites students, based on the information presented, to decide for themselves the outcome of the case.

Of perhaps even greater importance, the Magruder text explicitly offers students training in critical thinking on a chapter by chapter basis and trains students in the basics of analyzing social science data. All 25 substantive chapters of the book have corresponding sections for teachers in the Teacher Edition on how, in the context of the chapter matter, to train students in critical thinking. In addition, there are 11 major critical thinking skills emphasized in the text and given special treatment, e.g., drawing inferences, drawing conclusions, determining cause and effect, recognizing bias, making comparisons, and expressing problems clearly.

None of these features is present in the Keesee text.

Evaluation of Course Proposals

Calvary Chapel Christian

This course pursues a single point of view regarding the political development of the United States and this nation's constitutional formation. This single point of view suggests that the American political system, its institutions, American law, and even the concept of federalism itself must be studied and understood exclusively in terms of Christian principles. This approach is pursued in a doctrinaire fashion, ignoring the conventional, pluralistic approach students will encounter at UC for understanding political development, founding documents, political institutions, and political processes in America.

This course is unlikely to properly prepare students for first-year work in UC American government courses because these UC courses do not account for or explain American political development in terms of an ongoing struggle between Christian and non-Christian life, viewpoints, or value systems.

There are a great many foundational topics in the study of American government that are not covered in this course, e.g., the period of colonial to early statehood development, the politics surrounding the decision to declare independence from Great Britain, the Constitutional Convention of 1787, the concept and implications of federalism, voters, voting behavior, the role of political parties, the role of public opinion in governmental decision-making, the concept of political representation, the politics of presidential decision-making, how bills in Congress become law, the process of judicial decision-making, and the federal bureaucracy. As this was proposed as a year-long course, it is especially surprising that these and other key topics were excluded from consideration in what appears to be a lengthy course outline.

Based on the proposal as written, this is not a course in which skills in critical thinking, analysis, or even studying will be extensively taught or tested. The closest students will come to being taught such skills, as opposed to mere memorization of various features of the American political system, is in the preparation of "Constitutional Commentaries." However, these appear to be merely occasions for the expression of student opinions and preferences, not tools for development of analytical or critical thinking skills.

Liberty Christian

There is no evidence in the course proposal that critical thinking, analytical, or study skills will be developed in this course. Students will be asked to variously explain, describe, list, identify, and know various aspects of governmental design and institutional structure. This approach does not lend itself to the development of critical thinking or analytical skills.

The course outline is at best underdeveloped , which makes it difficult to assess at any level of detail the substantive coverage of the course.

The key assignments listed for the course, while possibly interesting and even engaging

for the students, do not meet the expected a-g requirements for a social science class. One key assignment for the course is a community service project, which, while potentially interesting for the students and valuable for their development as members of a community, will not further the development of key skills in critical thinking, analysis, or studying. Additionally, many of the options open to students as part of this assignment, e.g., volunteering at a hospital or helping out an elderly neighbor or friend, do not put students into the political or government arena at all. The third key "assignment" is a trip to Washington, D.C. This might be a very exciting experience for the students who make the trip and it will certainly be valuable to students to visit the buildings of government, the monuments, and museums. However, such a trip will do little to further the development of key skills in critical thinking, analysis, or studying. It is not clear in what sense a trip to D.C. constitutes an "assignment." The second assignment is arguably the most substantive—the political campaign simulation. A mock campaign can be an effective vehicle for teaching students about the political dynamics inherent in the electoral process. However, it is not clear from either the description of the assignment itself or from the discussion of work to be graded (see Grading Methods) what students will be doing in this mock campaign experience to further their development of critical thinking, writing, and analytical skills, nor is it even apparent how much weight will be attached to the completion of this assignment.

Redding Christian

The Creator Worldview approach taken in this course will not be useful to students in either lower or upper-division American government courses at any UC school. At best it will be a distraction for students who become accustomed to it, and at worst it will be an ongoing liability – the Creator Worldview is not a conventional or accepted way of understanding or explaining either the Founders of the Constitution or the U.S. Constitution itself.

Critical thinking in this course will be taught only within the context of the Creator Worldview, which seriously minimizes the consideration of other alternatives since the Creator Worldview is presented as unassailable truth. As a result, it is difficult to see how students would learn about critical thinking through a process of indoctrination to a single approach for understanding American political development.

There is virtually no writing or analysis required in the course. The course explicitly focuses on "understanding" American government exclusively from one perspective—the Creator Worldview.

The coverage of the course is limited and narrow, focusing almost exclusively on an analysis of the Constitution. Numerous essential features of the American political system are not explicitly identified in the text of the Constitution, e.g., political parties, voters, voting behavior, election, campaigns, the media, interest groups, bureaucracy, and state and local government. Based on the text of the course proposal, all of these key topics are ignored.

Horizon Jr. and Sr. High School

The course proposal does not clearly indicate how the Keesee text will be used or productively juxtaposed to the Magruder text throughout the semester. Since the Magruder text does not really have a point of view regarding American government, it is an insufficient counterbalance in this course to the use of the Keesee text. Presenting the Magruder text as such is a confusing and disorienting approach. Without more information or a more appropriate counterbalance, there is no assurance that the course would not inherit all of the problems previously identified with the Keesee text. For these reasons, I conclude that this course proposal should not meet the a-g requirements for a standard, college-preparatory course, let alone an honors course.

In addition, however, the course proposal insufficiently describes (a) how the key assignments will be weighted in the course; and (b) the exact nature of the assignments. As a result, it is impossible to assess whether students will be given the additional training in writing, research, and analytical skills required for an honors designation.

Assessment of the Vitz Expert Witness Report

I have been asked to review the section on "American Government (Social Studies) Textbook Evaluation" in the expert witness report by Paul V, Vitz, Ph.D.

The methodology utilized by Vitz to arrive at certain conclusions regarding the issues of narrowness and the coverage of special viewpoints is overly simplistic and fundamentally unsound.

For the purposes of attempting to measure coverage of certain selected topics within and then between textbooks, Vitz merely counts the lines of text in the indexes of the respective textbooks. Each line counts the same and then index lines are added to come up with totals. These totals are then compared across books on a topic-by-topic basis. Furthermore, Vitz uses these index line counts to establish ratios of topics covered to other topics covered. Vitz asserts that the lower the ratios, the more balanced the coverage within a text when compared to the ratios of coverage in other texts.

There are three major problems with this simplistic approach.

First, this approach assumes that there are some clearly defined standards within the publishing industry and/or among scholars as to both how an index should be constructed and what an index is intended to represent. Neither is the case. Various publishers have varying recommendations for completing an index to a book. There is no single standardized approach.

Moreover, authors have considerable latitude in how the index is compiled and in the depth of coverage. Authors may complete the index themselves, they may hire someone to do it (sometimes graduate students are employed, sometimes freelance index compilers are employed), the author may attempt to use a computer program to compile the index, or the author may leave it to the publisher who has a range of similar options for completing the index. Who completes the index and how it is compiled will affect both the breadth and the detail of the index.

In the absence of some significant level of standardization for the completion of indexes and given the variation in who may actually be responsible for compiling the index, it is meaningless to draw conclusions about what is or is not covered in a textbook by merely counting lines in an index under specific topics. For the same reasons, ratios calculated to compare the coverage of topics between textbooks are meaningless as a measure of anything written in the book and are only meaningful as a comparison of how respective indexes were compiled.

Second, using a simple count of index lines to assess the amount of coverage on a given topic in a text completely ignores what is actually written in a given textbook on the topic. For example, in textbook A, a topic may receive only a single line in an index, yet may be treated to a full page (or more) of discussion in the actual text of the book. In textbook B, the same topic could receive multiple lines in an index and yet constitute only a few sentences (or even just mentions) of discussion throughout the text. It would be inaccurate to conclude from a mere count of index lines that the second text in this example had greater coverage of the topic than the first text.

Third, the amount of space in a textbook that is devoted to the discussion of a particular topic does not tell us anything about the substance of what is discussed. The problems which I

have identified with the Keesee text, for example, have nothing to do with how much or how little coverage a topic receives. The problems center on what has or has not been written by the author, not on how many times the topic is mentioned.

SIGNATURE

Mark P. Petracca

Associate Professor and Chair of the Department of Political Science

University of California, Irvine

May 7, 2007

APPENDIX

UNIVERSITY OF CALIFORNIA, IRVINE
SCHOOL OF SOCIAL SCIENCES
DEPARTMENT OF POLITICAL SCIENCE

MARK P. PETRACCA

VITA
January, 2007

EDUCATION

Ph.D. University of Chicago, (1986) Political Science

A.M. University of Chicago, (1979) Political Science

A.B. Cornell University, (1977) Government

ACADEMIC POSITIONS HELD

2004-present	Chair, Department of Political Science
2002-present	Faculty Associate to the Dean for Honors and Scholarships, School of Social Sciences, University of California, Irvine
1997-2002	Chair, Department of Political Science, University of California, Irvine
1996-96	Acting Chair, Department of Political Science, University of California, Irvine
1992-	Associate Professor of Political Science, University of California, Irvine
1987	Visiting Professor, Department of International Politics, Beijing University, Beijing, People's Republic of China (Sept.-Dec.)
1986-92	Assistant Professor of Political Science, University of California, Irvine
1984-86	Acting Assistant Professor of Political Science, University of California, Irvine
1982-84	Visiting Assistant Professor of Political Science, Department of Political Science, Amherst College
1980-81	Instructor of Political Science, Department of Political Science, University of Chicago

JOURNALISTIC POSITIONS

2000-	Regular Panelist, "Issues and Analysis," Real Orange Public Affairs Programming, KOCE
2000-2005	Regular Panelist, "Straight Talk with Marilyn Brewer," Comcast Cable
1995-	Contributing Writer, OC Weekly, "Man Bites Dogma" Columnist
1991-94	Regular Panelist, "The Lobdell Group," Weekly Cable TV News-Discussion Program
1991-95	Regular Columnist, Orange Coast Daily Pilot
1989-1995	Contributing Editor, OC Metro (formerly, Orange County Metropolitan and Metropolitan Journal)

CONSULTING POSITIONS

Nov., 2002-
March, 2003 Morrison & Foerster LLP, Irvine, CA in the matter of The People of the State of California v. County of Orange before the Superior Court of the State of California.

Sept. 1998-
March, 1999 Paul, Hastings, Janofsky & Walker, San Francisco, CA in the matter of County of Orange v. The McGraw-Hill Companies, Inc., d/b/a Standard & Poor's Rating Agency before the U.S. District Court.

1997 Dan Lungren, Attorney General of the State of California in the matter of Bates v. Jones before the U.S. Ninth Circuit Court of Appeals.

1996-97 "California First Primary," A Project of City Vote.

1996 Dan Lungren, Attorney General of the State of California in the matter of Bates v. Jones before the U.S. District Court.

Summer, 1995-
Winter, 1996 Dan Lungren, Attorney General of the State of California in the matter of California Democratic Party v. Lungren before the U.S. District Court.

Summer-Fall,
1994 Winston Bryant, Attorney General of the State of Arkansas in the matter of U.S. Term Limits, Inc., et al., v. Ray Thorton, et al. before the U.S. Supreme Court. Pro bono.

Summer, 1987 Project "Preamble" Newport-Mesa Unified School District, Costa Mesa, CA.

Sept., 1981-
Jan., 1982 Senior Research Consultant, Chicago Cable Television Study Commission, William S. Singer, Executive Director. Convened by the American Civil Liberties Union, Business and Professional People for the Public Interest, Citizens Committee on the Media, Church Federation of Chicago, and the Urban League of Chicago. Funded by the MacArthur Foundation.

HONORS, AWARDS, FELLOWSHIPS

1973 Italian-American Charitable Society Honorary Scholarship
1973 Charles Billing Scholarship, City of Quincy, Massachusetts
1974 Boston Musician's Scholarship
1976 Delta Sigma Rho-Tau Kappa Alpha (National Forensic Honorary)
1973-77 State of Massachusetts Scholarship
1973-77 Cornell, College of Arts and Sciences Scholarship
1976 Mortar Board, Cornell University
1977-78 Edward Hillman Fellowship, University of Chicago
1978-79 Hawley Scholarship, University of Chicago
1979 Patricia Lynn Baker Memorial Prize, University of Chicago
1979-80 Charles E. Merriam Fellowship, University of Chicago
1979-80 Hawley Scholarship, University of Chicago
1985-86 UCI, Faculty Research Grant, "The Federal Advisory Committee System: Interest

Representation and Policy-Making in the Administrative State." ($5,000)

1986-87 UCI, Instructional Development Grant, "Adventures in Analysis: Analytic Reading and Writing Techniques for Social Sciences." ($3,000)

1986-87 UCI, Faculty Research Grant, "Consultant Democracy." ($4,585).

1987 Pi Sigma Alpha, Pi Omicron Chapter

1987 University of California, Education Abroad Teaching Exchange Fellowship, Beijing University, Beijing, PRC.

1988 UCI Alumni Association, Lauds and Laurels Award for "Distinguished Teaching."

1988-89 ABA Fund for Justice and Education Grant, American Bar Association Commission on College and University Nonprofessional Legal Studies, "With Liberty and Justice for All? Minorities and the Law in America." ($1200)

1989-90 Pi Sigma Alpha, Chapter Activities Award, Pi Omicron Chapter. Symposium entitled, "The Outbreak of Democracy: Reflections on a World in Transition." ($1,000)

1990 UCI, Pregraduate Mentor Fellowship ($1970).

1991-92 Pi Sigma Alpha, Chapter Activities Award, Pi Omicron Chapter, "The Bill of Rights" ($495).

1991-92 Committee on Instructional Development, "Middle East Cultural Diversity," with John Whitely, $2,000.

1991-92 UCI, Pregraduate Mentor Fellowship, Two students ($2,000).

1992 UCI, Faculty Recognition Award, Order of Omega, May 21.

1992-93 UCI, Pregraduate Mentor Fellowship, Three students ($3,000).

1993 UCI, Certificate of Appreciation, Order of Omega, June 3.

1993 "Visiting Scholar In Residence," Orange Coast College, Costa Mesa, CA, October 19-21.

1994 UCI, Certificate of Appreciation, Order of Omega, May 26.

1995 UCI, Faculty Recognition Award, Order of Omega, May 21.

1995 Certificate of Appreciation for "Dedicated service and commitment to the Cable Television Task Force," City of Irvine, Irvine, CA August 22.

1995-96 Pi Sigma Alpha, Chapter Activities Award, Pi Omicron Chapter, "The Challenges to American Democracy," ($1447).

1996 UCI, Certificate of Appreciation for "Exceptional Encouragement & Support," Order of Omega, May 22.

1996 UCI, "Most Involved Faculty Award, 1995-96" from Arroyo Vista Housing, as sponsor of the Public Affairs Theme House, May 23.

1996 "Excellence in Undergraduate Teaching," Awarded by the School of Social Sciences and the Dean of Undergraduate Education, Celebration of Teaching, June 5.

1996 "Proclamation, City of Irvine, California, Commending Mark Petracca, Campaign Reform Committee and Cable TV Task Force, 1994-96," Irvine City Council, November 26.

1997 UCI, Certificate of Appreciation, Order of Omega, May 24.

1998 UCI, Chancellor's Award for Excellence in Undergraduate Research, May 16.

1998 UCI, Certificate of Appreciation, Order of Omega, May 21.

1998 UCI, "Most Involved Faculty Award, 1997-98" from Arroyo Vista Housing, as

sponsor of the Public Affairs Theme House, June 1.

1998 UCI, TA Development Award, Instructional Resources Center and Senate Committee on Teaching Quality, June 3.

1998 United Nations Association-USA, Coastline Chapter, "Award of Appreciation," June.

1998 American Political Science Association and Pi Sigma Alpha, "For Outstanding Teaching in Political Science," September 2.

1999 UCI, Pregraduate Mentorship Program, "Certificate of Recognition," May 22.

1999 UCI, Certificate of Appreciation, Order of Omega, May 25.

1999-2000 UCI, Instructional Improvement Initiatives, "Democracy, Discussion, and Debate" ($4,347).

2000 UCI, Certificate of Appreciation, Order of Omega, May 24.

2001 UCI, "Teaching Innovator of the Year" Award, IRC and Senate Committee on Teaching Quality.

2001 UCI, Certificate of Appreciation, Order of Omega, May.

2002-2003 UCI, Academic Senate "Distinguished Faculty Award for Teaching."

2004 UCI, "Order of the Laurel" Award, Order of Omega, Greek Awards, UCI Chapter.

2004 American Political Science Association, "Excellence in Mentoring Award," Women's Caucus, September.

PROFESSIONAL ASSOCIATIONS

American Political Science Association
Midwest Political Science Association
Southern Political Science Association
Western Political Science Association
Policy Studies Organization
Center for the Study of the Presidency
Presidency Research Group
The Academy of Political Science
Political Organizations and Parties
History and Politics

FIELDS OF SPECIALIZATION

American Political Institutions: The Presidency, Congress, Parties, and Interest Groups
Constitutional Politics and Institutional Reform
Public policy: Decision-making, Analysis and Theory
Law and Society

PUBLICATIONS

Books and Reports

(B4) Co-author with Renee Van Vechten, The Logic of California Politics. Washington, D.C.: Congressional Quarterly Press, forthcoming.

(B3) Editor, The Politics of Interests: Interest Groups Transformed. Boulder, CO: Westview Press, 1992.

(B2) Page, Benjamin I and Mark P. Petracca, The American Presidency. NY: McGraw-Hill, 1983.

(B1) Petracca, Mark, William Singer, and Douglas Cassel, Jr., Chicago Cable Television Study Commission—Report to Jane M. Byrne, Mayor of Chicago. Chicago, ILL., 1982.

Journal Articles and Chapters

J47) "California's (All Too) Brief Experience With Legislative Term Limits," Term Limits Outlook Series, VI: No. 3 (April, 1998).

(J46) "A History of Rotation in Office," in Legislative Term Limits, ed., Bernard Grofman (Netherlands, Kluwer Academic Publishers, 1996): 247-277.

(J45) "The Experience with Municipal Term Limits in Orange County, California," in Legislative Term Limits, ed., Bernard Grofman (Netherlands, Kluwer Academic Publishers, 1996): 289-308. [Co-authored with Kareen Moore O'Brien.]

(J44) "A Comment on 'Elections as Filters,'" Political Research Quarterly, 48 (December, 1995): 729-730.

(J43) "Should the Congress Pass a Constitutional Amendment Limiting Congressional Terms? Pro," Congressional Digest 74 (April, 1995): 114-122.

(J42) "In Defense of Congressional Term Limits," The Digest: National Italian American Bar Association Journal (1995): 75-85.

(J41) "Term Limitation," in The Encylcopedia of the United States Congress, eds. D. Bacon, R. Davidson, and M. Keller (New York: Simon and Schuster, 1995): 1943-1945.

(J40) "Municipal Term Limits in Orange County, California," National Civic Review, 83 (Spring-Summer, 1994): 183-195. [Co-authored with Kareen Moore O'Brien.]

(J39) "Restoring 'The University in Rotation': An Essay in Defense of Term Limitation," in The Politics and Law of Term Limits, eds., Edward H. Crane and Roger Pilon (Washington, D.C. The Cato Institute, 1994): 57-82.

(J38) "A New Defense of State-Imposed Congressional Term Limits," PS: Political Science and Politics 26 (December, 1993): 700-705.

(J37) "Term-Limitation Express," Society 31 (November/December, 1993): 61-69. [Co-

authored with Darci Jump.] [Reprinted and summarized as "An Unlimited Future?" The Wilson Quarterly (Winter, 1994): 127-129.]

(J36) "Do Term Limits 'Rob Voters' of Democratic Rights? An Evaluation and Response," Western State University Law Review 20 (Spring, 1993): 547-567.

(J35) "Tilling the Field of Interest Group Research: An Overview of New Insights," Perspectives on Political Science, 22 (Spring, 1993): 61-69.

(J34) "The Poison of Professional Politics," in Contemporary Challenges: An American Government Reader, ed., Robert J. Bresler (NY: Harper-Collins, 1993): 154-162.

(J33) "What's Wrong with Political Term Limitation," USA Today (Society for the Advancement of Education) 121 (November, 1992): 17-18.

(J32) "From Coast to Coast: The Term Limitation Express," National Civic Review 81 (Summer-Fall, 1992): 352-365. [Co-authored with Darci Jump.]

(J31) "Analisis general del movimiento pro limitacion de los periodos de reelection: pasado y presente," Estados Unidos: Informe Trimestral 2 (Otono de 1992): 19-47.

(J30) "Term Limits Do Not 'Rob Voters' of Democratic Rights," Extensions (Carl Albert Center) (Summer, 1992): 16-18.

(J29) "Predisposed to Oppose: Political Scientists and Term Limitations," Polity 24 (Summer, 1992): 657-672.

(J28) "The Poison of Professional Politics," USA Today (Society for the Advancement of Education), 120 (January, 1992): 10-13.

(J27) "Term Limits Will Put an End to Permanent Government by Incumbents," in Governing, eds., Roger H. Davidson and Walter J. Oleszek (Washington, D.C.: Congressional Quarterly Press, 1992): 296-299.

(J26) "Rotation in Office: The History of an Idea," in Limiting Legislative Terms, eds., Gerald Benjamin and Michael Malbin (Washington, D.C.: Congressional Quarterly Press, 1992): 19-51.

(J25) "What Every Student Should Know About the Bill of Rights," in Governing, eds., Roger H. Davidson and Walter J. Oleszak (Washington, D.C.: Congressional Quarterly Press, 1992): 22-28.

(J24) "Rotation in Office: The American Experience," Long Term View (Massachusetts School of Law) 1 (Winter, 1992): 33-48.

(J23) "The Future of an Interest Group Society," in The Politics of Interests, ed., M.P. Petracca (Boulder, CO: Westview Press, 1992): 346-361.

(J22) "The Rediscovery of Interest Group Politics," in The Politics of Interests, ed., M.P. Petracca (Boulder, CO: Westview Press, 1992): 3-31.

(J21) "Why Do Political Scientists Oppose Term Limitations?" Cato Institute Briefing Papers, No. 14 (February 18, 1992): 1-10.

(J20) "Divided Government and the Risks of Constitutional Reform," PS: Political Science and Politics, 24 (December, 1991): 634-637.

(J19) "The Poison of Professional Politics," The Cato Institute Policy Analysis No. 151 (May

10, 1991): 1-31.

(J18) "What Americans Should Know About the Bill of Rights: Eight Lessons," this Constitution No. 19 (Fall, 1991): 54-58. (A special issue for the Bicentennial of the Bill of Rights sponsored by Project '87, APSA and AHA).

(J17) "The Rational Choice Approach to Politics: The Challenge to Normative Democratic Theory," Review of Politics 53 (Spring, 1991): 289-319.

(J16) "Political Science in China: Revisiting First Impressions," China Information (Leiden, Netherlands) 6 (Winter, 1991): 39-53.

(J15) "The Rational Actor Approach to Politics: Science, Self-Interest, and Normative Democratic Theory," in The Economic Approach to Politics: A Reexamination of the Theory of Rational Action, ed., Kristen Renwick Monroe (Scott-Foresman/Harper and Row-Collins, 1991): 171-203.

(J14) "Beyond Tiananmen Square: Tragedy and Education in the People's Republic of China," Bulletin of Concerns Asian Scholars 22 (July-September, 1990): 13-20.

(J13) "Chinese Neo-Authoritarianism: An Exploration and Democratic Critique," Asian Survey 30 (November, 1990): 1099-1117. [Co-authored with Mong Xiong—pseudonym.]

(J12) "Politics Beyond the End of Liebralism," PS: Political Science and Politics 23 (December, 1990): 566-569.

(J11) "Teaching Political Science in China: Observations and Suggestions from a Foreign Visitor," Perspectives on Political Science 19 (Fall, 1990): 209-215.

(J10) "The Return of Second-class Citizenship in China," Asian Affairs 17 (Summer, 1990): 82-94.

(J9) "Political Science in China: A New State of Siege," PS: Political Science and Politics 23 (June, 1990): 253-257.

(J8) "How Frequent is Frequent Enough? An Appraisal of the Four-Year Term for House Members,"Congress and the Presidency 17 (Spring, 1990): 45-66. [Co-authored with Pamela Smith.]

(J7) "Proposals for Constitutional Reform: An Evaluation of the Committee on the Constitutional System,"Presidential Studies Quarterly 20 (Summer, 1990): 503-532. [With Lonce Bailey and Pamela Smith.]

(J6) "What Every Student Should Know About the Bill of Rights," The Political Science Teacher (Spting, 199): 10-12.

(J5) "Community Power and Airport Politics: A Perspective on Representative Government in Orange County," Journal of Orange County Studies 1 No. 2 (Spring, 1989): 5-15.

(J4) "Political Consultants and Democratic Governance," PS: Political Science and Politics 22 (March, 1989): 11-14.

(J3) "Dang Dai Xi Fang Duie Min Zhue De Tan Shu: Xi Wang, Wei Xian, Yu Qian Jing," [Translated as "The Contemporary Search for Democracy in the West: Promises, Perils, and Prospects."] Guo Wai Zheng Xue [Political Science

Abroad] (Chinese Academy of Social Sciences, Beijing, China) Translated by Zheng Yong Nian and Chen Zhen. (January, 1989): 1-5.

(J2) "The Distribution of Power in the Federal Government: Perspectives from The Federalist Papers—A Critique," in The Federalist Papers and the New Institutionalism, eds., B. Grofman and D. Wittman (New York: Agathon, 1989): 158-171.

(J1) "Federal Advisory Committees, Interest Groups, and the Administrative State," Congress and the Presidency, 13 (Spring, 1986): 83-11.

Review Essays

(R1) "Prospects for Presidential Leadership and Political Governance," Polity 19 (Winter, 1986): 305-324.

Custom-Published Books for Teaching

(CU4) Introduction to Political Science: Macro-Politics, 3rd edition (Pearson Custom Publishing, forthcoming).

(CU3) Introduction to Political Science: Macro-Politics, Revised 2nd edition (Needham Heights, MA: Simon and Schuster Custom Publishing, 1998).

(CU2) Introduction to Political Science: Macro-Politics, 2nd edition (Needham Heights, MA: Simon and Schuster Custom Publishing, 1998).

(CU1) Introduction to Political Science: Macro-Politics (Needham Heights, MA: Simon and Schuster Custom Publishing, 1996).

Book Reviews

(BR11) Review of Gary Mucciaroni, Reversals of Fortune, in American Political Science Review 89 (December, 1995): 1029-1030.

(BR10) Review of John Mark Hansen, Gaining Access, in American Political Science Review 86 (December, 1992): 1059-1060.

(BR9) Review of David Green, Shaping Political Consciousness, in Journal of Politics 51 (November, 1989): 1025-1028.

(BR8) Review of Fred Greenstein (ed.), The Reagan Presidency: An Early Assessment, in American Political Science Review (December, 1984): 110-1102.

(BR7) Review of George C. Edwards, III, The Public Presidency, in Congress and the Presidency (Autumn, 1984): 226-229.

(BR6) Review of George H. Nash, The Life of Herbert Hoover, The Engineer, 1874-1914, in Amherst (Spring, 1984).

(BR5) Review of Michael T. Hayes, Lobbyists and Legislators, in American Political Science Review (December, 1983): 1128-1129.

(BR4) Review of Gary C. Jacobson, The Politics of Congressional Elections and Louis Sandy Maisel, From Obscurity to Oblivion: Running in the Congressional Primary, in Political Science Quarterly (Fall, 1983): 533-535.

(BR3) Review of U.S. Congress, House of Rep., Foreign Affairs Committee, Consultation on Foreign Policy: Strengthening Foreign Policy Information Sources for

Congress (Washington, D.C.: February, 1982) and Executive-Legislative Consultation on Foreign Policy: Strengthening the Legislative Side (Washington, D.C.: April, 1982), in Presidential Studies Quarterly (Fall, 1983): 684-687.

(BR2) Review of Jack Spence, The Search for Justice: Neighborhood Courts in Allende's Chile, in Ethics 91 (July, 1981): 673-675.

(BR1) Booknote on Samuel Walker, Popular Justice: A History of American Criminal Justice, in Ethics 91 (July, 1981): 695.

Essays and Working Papers

(E25) "Beware the myth of the 'golden age' and of the politicos who claim it as a credential," Insight Magazine, November, 11, 1996, pp. 25 and 27.

(E24) "A Legislature in Transition: The California Experience with Term Limits," Institute of Governmental Studies, Working Paper 96-19 (Berkeley, CA: University of California, Berkeley, 1996).

(E23) "Men Not Angels, Become Presidents," Insight Magazine, April 4, 1994, pp. 23-25.

(E22) "Stop the gift-ban bandwagon," California Journal, 25 (March, 1994): 37.

(E21) "The Borking of the U.S. Judiciary," The National Italian-American Bar Association Newsletter (Fall, 1993): 7-8.

(E20) "A New Defense of State-Imposed Congressional Term Limits & Citizens Be Damned: The Term Limit Dodge," Institute of Governmental Studies, Working Paper 93-30 (Berkeley, CA: University of California, Berkeley, 1993).

(E19) "A Reply to Professor Jewell Bellush," Polity 25 (Spring,1993), pp. 493-495.

(E18) "Testing Limits: The Experience With Municipal Term Limits in Orange County, CA," [and Kareen Moore] Institute of Governmental Studies, Working Paper 93-6 (Berkeley, CA: University of California, Berkeley, 1993).

(E17) "Issue Definitions, Agenda-Building and Policymaking," Policy Currents 2 (August, 1992), pp. 1 and 4.

(E16) "Why Do Political Scientists Oppose Term Limits?" Institute of Governmental Studies, Working Paper 92-5 (Berkeley, CA: University of California, Berkeley, 1992).

(E15) "The Shifting Views of Interest Group Influence," VOX POP: Newsletter of Political Organizations and Parties 10 (Issue 2, 1991), p. 1 and pp. 5-6.

(E14) "The Poison of Professional Politics in America," Institute of Governmental Studies, Working Paper 91-21 (Berkeley, CA: University of California, Berkeley, 1991).

(E13) "He Never Gives Up: A Commentary on the Richard M. Nixon Library and Birthplace," Presidency Research 13 (Winter, 1990-91): 21-25.

(E12) "Term Limits Will Put An End to Permanent Government By Incumbents," Public Affairs Report 31 (November, 1990): 8-9.

(E11) "The Assault on the Social Sciences in the People's Republic of China," China Update 1

(December, 1989): 24-26.

(E10) "Elections Offer Only an Illusion of Participation," in Democracy, ed., Brian Wallis (Seattle, WA: Bay Press and the Dia Art Foundation, 1990), pp. 121-122.

(E9) "At the Grassroots: Bibliography on Political Consultants," VOX POP: Newsletter of Political Organizations and Parties 7 (Issue 3, 1989): 6.

(E8) "Minorities and the Law in America," FOCUS on Law Studies IV (Spring, 1989): 5+.

(E7) "Living Rights," UCI Journal (May/June, 1989): 10-11.

(E6) "American Scholar Looks at the 1988 Presidential Election (An Election Without Winners)," Theoretical Information (Beijing, China), 182 (December 19, 1988): 4. Translated by Lou Xinyue.

(E5) "Commentary on the Relationship Between Western and Chinese Political Science," Reading Monthly (Beijing, China), translated by Zheng Yong Nian and Wang Xiaoshan, 1990.

(E4) "Political Theory: Macro and Micro Political Analysis," Reading Monthly (Beijing, China), translated by Zheng Yong Nian and Wang Xiaoshan, 1990.

(E3) "Large Structures, Big Processes: An American Scholar Looks at Macro-Politics," Theoretical Information (Beijing, China) (December 21, 1987), p. 4; interview by Yu Bing, staff reporter.

(E2) "Lost Lessons," UCI Journal, Fall, 1987: 10-11.

(E1) "President Success is Not So Great," Presidency Research, v. 8, No. 1 (Fall, 1985): 21-27.

Commentaries and Columns

Commentaries

(C247) "Who Speaks for Irvine? Not Residents," Los Angeles Times, November 17, 1996, p. B7.

(C246) "A nod to the status quo: Low turnout a sign of contentment, not indifference," Los Angeles Daily News, November 10, 1996, Viewpoint, 1 & 4.

(C245) "The Legal Limit," Orange County Register, August 4, 1996, p. Commentary-4.

(C244) "Defending the Non-Voter," Los Angeles Daily News, March 31,1996, Viewpoint 1 & 4.

(C243) "Charter has not met its burden of proof," Orange County Register, March 15, 1996, p. Metro-6.

(C242) "Wilson's State of the State," Los Angeles Daily News, January 14, 1996, Viewpoint 1 & 4.

(C241) "Big Promises, Little Action," Los Angeles Daily News, December 10, 1995, Viewpoint 1 & 4.

(C240) "Term Limits: Empowerment of the voters," Los Angeles Daily News, September 19, 1995, p. News-15.

(C239) "Term it a breakthrough for local limits," Orange County Register, September 18, 1995, p. Metro-4.

(C238) "Orange County staggers on—without tax hike," Los Angeles Daily News, July 2, 1995, Viewpoint 1 & 4.

(C237) "Times have changed; cancel Measure R vote," Orange County Register, June 9, 1995, p. Metro-8.

(C236) "Orange County voters: To tax or not to tax," Los Angeles Daily News, May 21, 1995, Viewpoint 5 & 8.

(C235) "Was the Contract With America a Success? No," Pasadena Star News, May 4, 1995, p. A7.

(C234) "It's education they have; trust and faith they lack," Daily Pilot, April 22, 1995, p. A10.

(C233) "The sales-tax increase might not add up," Orange County Register, April 16, 1995, p. A10.

(C232) "Wilson," Long Beach Press Telegram, March 18, 1995.

(C231) "Pete's pledge was not for president," San Diego Union-Tribune, March 15, 1995, p. B7.

(C230) "Time for an Outsider," Daily Pilot, March 4, 1995, p. A10.

(C229) "Plain, old-fashioned greed," Long Beach Press-Telegram, December 25, 1994, p. B5.

(C228) "Risky business and public bankruptcy," Pasadena Star News, December 18, 1994, p. A17.

(C227) "The GOP Must Change Its Policies," Los Angeles Times, November 20, 1994, p. B13.

(C226) "1994 results could mean realignment," Los Angeles Daily News, November 13, 1994, Viewpoint 1 & 7.

(C225) "Term limits won't limit Tustin's influence," Orange County Register, October 26, 1994, p. Metro-8.

(C224) "Voters Asked to Weigh Merits in Factual and Comparative Vacuum," Los Angeles Times, October 6, 1994, p. B9.

(C223) "We've had out differences, but Gil Ferguson deserves thanks," Daily Pilot, October 15, 1994, p. A10.

(C222) "Clinton's Low Rating and the Midterm Election," Christian Science Monitor, October 11, 1994, p. 19.

(C221) "An Extreme Measure: Voters should turn down El Toro airport initiative because not enough is known about potential uses," Daily Pilot, September 29, 1994, p. A10.

(C220) "Reject Prop. 183 to save the recall election," Orange County Register, September 21, 1994, p. Metro-6.

(C219) "Clinton Needs Approval of Congress on Haiti," Christian Science Monitor, September 16, 1994, p. 19.

(C218) "Does Dana deserve another term?" Daily Pilot, September 6, 1994, p. 2.

(C217) "Low voter turnout fosters bad government," Los Angeles Daily News, September 5, 1994, Viewpoint 1 & 4.

(C216) "Public Deserves All the Details on El Toro Land Swap Proposal," Los Angeles Times, August 22, 1994, p. B11.

(C215) "Nussbaum Had a Point on 'Duty to Serve,'" Christian Science Monitor, August 16, 1994, p. 19.

(C214) "A Good Bet: Linda Moulton-Patterson has a good chance at being elected to the county Board of Supervisors," Daily Pilot, August 11, 1994, p. A8. [Reprinted, Huntington Beach Independent, August 18, 1994, p. A8.]

(C213) "Impossible Dream: Almost no one predicted Brewer would win Assembly seat," Daily Pilot, June 25, 1994, p. A10.

(C212) "Fiscally Unfit: Barry Hammond's financial problems an issue in 70th Assembly race," Daily Pilot, May 28, 1994, p. A13.

(C211) "Promises, Promises, Supervisor candidates all sound great, but gap between promises and policies remain," Daily Pilot, May 19, 1994, p. A10. [Reprinted, Huntington Beach Independent, May 26, 1994.]

(C210) "A Look Beyond Peace: The World According to Richard Nixon," Los Angeles Daily News, May 1, 1994, Viewpoint 1 & 4.

(C209) "Who Knew What When?" Daily Pilot, April 30-May 1, 1994, p. A16.

PROFESSIONAL, UNIVERSITY, AND COMMUNITY SERVICE

Professional Service

Section Chair and Member Program Committee, 2000 Annual Meeting of the American Political Science Association, Washington, D.C., 1999-2000.

Editorial Board, PS: Political Science and Politics, 1998-2001

Editorial Board, American Review of Politics, 1994-present.

Contributing Editor, Legal Limits (U.S. Term Limits), 1994-present.

Referee, California Policy Seminar, 1996.

Referee, National Science Foundation, Political Science, 1988, 1993, 1994

Associate Editor, Western Political Quarterly, 1990-93.

Editorial Consulting Board, The Leadership Quarterly, 1988-present.

Editorial Review Board, Commonwealth: A Journal of Political Science, 1987-present.

Chair, American Political Science Association, Presidency Research Group, APSA "Best Paper" Award Committee, 1991.

Program Committee/Section Chair, "The Politics of Reform," WPSA, 1991 Annual Meetings, Seattle, WA.

Member, Committee on Professional Development, SPSA, 1989-91.

Program Committee/Section Chair, "Interest Groups, Parties, and Political Organizations," WPSA, 1990 Annual Meeting, Newport Beach, CA.

Member, APSA-Presidency Research Group, Status of the Nixon Papers Committee, 1986-87.

Member, APSA Presidency Research Group, "Richard E. Neustadt Book Award Committee, 1985-86.

Manuscript Referee for:

American Political Science Review, Journal of Politics, American Journal of Political Science, Western Political Quarterly, Political Research Quarterly, Congress and the Presidency, Polity, Legislative Studies Quarterly, American Review of Politics, American Politics Quarterly, Journal of Theoretical Politics, Policy Studies Journal, Policy Studies Review, Comparative Political Studies, The Social Science Journal, Commonwealth, The Leadership Quarterly, Social Science Quarterly, State and Local Government Review, Southeastern Political Review, Urban Studies, Women & Politics.

Manuscript Referee for:

Columbia University Press, Congressional Quarterly Press, Harper-Collins Co., McGraw-Hill Pub. Co., Sage Publications, St. Martins Press, Garland Press, Harcourt Brace Jovanovich Pub. Co., The Free Press, Prentice-Hall, Inc., Little, Brown and Co., Brooks/Cole Publishing Co., Westview Press, Wadsworth Publishing Co., Rowman & Littlefield Publishers.

University/College Service

University of California

Member, Systemwide, UCDC Faculty Advisory Committee, 1997-1999.

Department of Political Science

Chair, 2004- present.
Chair, 1997-2002.
Acting Chair, 1996-1997.
Director of Undergraduate Studies, Autumn, 1992-Autumn, 1999.
Colloquium Organizer, Spring 1988.
Director of Undergraduate Studies, Autumn 1986-Winter 1989.
Faculty Advisor, Pi Omicron Chapter of Pi Sigma Alpha, the national political science honor society, January 1987-present.
Member, Graduate Admissions Committee, 1987.
Members, Politics & Society Group, Senior Recruitment Search Committee, 1985-86.
Chair, Visiting Appointments Search Committee, Politics & Society Group, Spring, 1985-Fall, 1986.

Department of Political Science (Amherst College)

Member, Earl Latham Summer Fellowship Selection Committee, Amherst College, 1983.

School of Social Sciences

Faculty Chair, July, 2004-present.
Member, Executive Committee, 2004-2007.
Co-Organizer, Social Inequality Working Group, 1997-2002.
Member, Research and Travel Committee, 1997-98.
Member, Research and Travel Committee, 1996-97.
Member, Executive Committee, 1995-97.
Member, Planning Committee, International Studies Major, 1996-97.
Representative, Academic Senate, Representative Assembly, 1992-1994.
Member, Executive Committee, 1985-86, 1987-88.
Instructor, "Critical Reading, Writing, and Speaking," in the Student Academic Enrichment Program, Summer, 1986.

University of California, Irvine

Chair, Committee on Faculty Welfare, 2003-2004.
Member, Committee on Faculty Welfare, 2002-2004.
Member, Truman Scholarship Selection Committee, 2000.
Member, UCI Washington Center Faculty Advisory Board, 1998-present.
Member, Truman Scholarship Selection Committee, 1999.
Member, UCI-Santa Ana Teachers Institute, Faculty Advisory Board, 1998-present.
Member, Ad Hoc Committee of CEP, External Review of Lower-Division Writing, Fall, 1997-Spring, 1998.
Chair, Committee on Educational Policy, 1996-97.
Member, University Budget Advisory Committee, 1996-97.
Member, University Enrollment Council, 1996-97.
Member, Executive Committee of the Irvine Division of the Academic Senate, 1996-97.
Member, Senate Election Reform Committee, 1996-97.
Member, Teacher Recognition Awards Selection Committee, 1997.

Chair, Committee on Undergraduate Scholarships, Financial Aid, and Honors, 1995-96.
Member, Executive Committee of the Irvine Division of the Academic Senate, 1995-96.
Member, Committee on Educational Policy, 1995-97.
Chair, Policy Subcommittee, Committee on Educational Policy, 1995-96.
Member, University Enrollment Council, 1995-96.
Director/Sponsor, Public Affairs Theme House, Arroyo Vista Housing, 1995-present.
Member, Teacher Recognition Awards Selection Committee, 1996.
Member, Community Education Committee, 1994-96.
Member, Committee on Undergraduate Scholarships, Financial Aid, and Honors, 1992-1995.
Member, "Commencement Speaker Selection Committee," 1993.
Chair, University Writing Board, 1994-95.
Member, University Writing Board, 1992-1995.
Member, Chancellor's Publications Committee, 1992.
Advisor, UCI Conservative Political Union, 1992-1995.
Member, State Studies FRP, 1992-1994.
Convenor, Ad Hoc Committee on the Bill of Rights, October, 1990-91.
Member, Teaching Colloquy, 1990-present.
Mentor, Cross Cultural Center Mentorship Program, 1990-present.
Member, Research and Graduate Studies Task Force on the NEA Anti-Obscenity Oath, July, 1990.
Moderator, "Diversifying the Behavioral Sciences: Ethnicity," and "Developing and Instituting Multicultural Course Requirements," at the Cultural Diversity in Undergraduate Education: What's Working, What Could Work, A Conference Sponsored by UCI, Hilton Hotel, Irvine, CA, April 27-28, 1989.
Member, General Education Task Force, Subcommittee III, 1988-89.
Faculty Advisor, Golden Key National Honor Society, 1988-1991.
Co-Organizer, Bicentennial Lecture Series, UCI, 1986-88.
Faculty Advisor, UCI Washington, D.C., Internship Program, 1985-present.
Participant and Convenor, UCI faculty/Administrative Retreat, Palm Springs, CA, June 5-7, 1987.
Participant, Focus Research Group, Office of Relations with Schools and Colleges, UCI, May, 1987.
Member, PASS Program Director Search Committee, May 1986-November 1986.

Amherst College

Advisor, Phi Gam Fraternity, Amherst College, Spring 1983-Spring 1984.

Community Service

Member, Library Task Force, City of Irvine, 2005-2006.
Chair, Planning Commission, City of Irvine, 2002-2004.
Member, Planning Commission, City of Irvine, 200-2004.
Member, Cable Television Task Force, City of Irvine, March, 1995- 2002.
Member, Committee on Campaign Finance Reform, City of Irvine, October, 1994-October, 1995.
Board Member, U.S. Term Limits Council, 1992-1996.
Campaign Director, "Mears for Council," May, 1992-November, 1992.
Member, Special Committee on Election Reform, City of Irvine, May, 1992-July, 1992.
Vice-President, Board of Director, Sierra Bonita Community Assn., October, 1992-October, 1993.

Member, Board of Director, Sierra Bonita Community Assn., October, 1991-October, 1992.
Member, Special Committee on Election Reform, City of Irvine, January-October, 1991.
Executive Committee, Irvine Tomorrow, July, 1990-1994, Chair, First Amendment Subcommittee.
Member, Human Rights/Family Reunification Subcommittee, City of Irvine, 1990-91.
Member, Board of Trustees, College Legal Clinic, Fullerton, CA, 1989-1994.
Member, "Blue Ribbon Commission on the Housing Element/Linkage Fees," City of Irvine, 1989-1990.
Member, Irvine Ad Hoc Task Force on the Homeless, Irvine, CA, 1986-1991.
Member, Cornell Club of Chicago (1977-82), Western Massachusetts and Boston (1982-1984), Southern California (1984-present), Orange County Chapter (1992-present).
General Chair, Cornell Alumni Secondary Schools Committee, Chicago (1981-82) and Western Massachusetts (1982-84).
Member, Board of Director, Cornell Tradition Program, Western Massachusetts, 1982-84.
Class Correspondent and Member of Class Council, Cornell University, 1982-1995.
Quincy Historical Society, Quincy, MA, 1972-present.

Mark P. Petracca, Ph.D.

Data and Information Considered As Basis and Reasons for Opinions

Publications referred to in the report

My years of research and teaching

The Complaint in this case and the parties' briefs on the Motion to Dismiss

UC A-G Guide (http://www.ucop.edu/a-gGuide/ag/content/Guidetoa-gReqs_2007.pdf)

Report of Dr. Vitz, produced by Plaintiffs in this case,

Textbooks:

- *American Government for Christian Schools*, 2nd edition, by Timothy Keesee, Bob Jones University Press 2004
- *American Government for Christian Schools*, 2nd edition, by Timothy Keesee, Bob Jones University Press 2004 - Teacher's Edition
- *Magruder's American Government* by William A. McClenaghan, Prentice Hall 2001 - Teacher's Edition
- *American Government and Politics Today, 1997-1998 Edition*, West/Wadsworth

Course Applications and Responses:

- American Government, Eagles Park Charter School, UCPROD0010278-10283
- U.S. Government, First Lutheran Jr./Sr. High School, UCPROD0011258-11261
- American Government, JSerra High School, UCPROD0028927-28932
- American Government, Orchard View School, UCPROD0045428-45435
- Special Providence: Christianity and the American Republic, Calvary Chapel Christian School of Murietta, Exhibit 8 to the Complaint in this case, and UC response to same, Exhibit 9 to the Complaint in this case
- Honors Government, Horizon Junior & Senior High School, UC00152708-152727
- UC response to American Government, Liberty Christian High School, UC0021525-21526
- U.S. Government, Redding Christian High School, UCPROD0028168-28175, and UC response to same, UC00013505-13506

The Roots of American Order by Russell Kirk, Wilmington, DE: Intercollegiate Studies Institute, 2004; and various reviews of that book.

A synopsis of 5000 Year Leap by W. Cleon Skousen, National Center for Constituitonal Studies, 2006.

Examples of issues from "Conservative Chronicle" (Hampton, Iowa).

Examples of issues of "World Magazine: Weekly News, Christian Views" (Ashville, NC).

Copies Attached

Copies are attached of the following items, not publicly available or produced in discovery in this action:

- Appendix to report (Petracca CV)

Documents to be Provided Within 3 Days

- UC response to Horizon Junior & Senior High School's Honors Government submission, UC00274695-UC00274700
- Course submission for American Government, Liberty Christian High School, UC00274701-UC00274707

Compensation

The compensation to be paid for work on this report, deposition testimony, and trial testimony is $250 per hour.

Testimony in Other Cases

In the preceding four years, I have testified at trial or by deposition in: *The People ex rel Joe Kerr v. County of Orange, et al.* Orange County Superior Court, Case No. 02CC14907 (2002-2003). I served as the expert witness for the plaintiffs in this case.