

The American *Political Tradition*

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Office Hours: Monday, 10-11 (Alderman Coffee Shop); Wednesday, 4-5:30 (New Cabell 243)

I. Course Description

This course will study the theoretical ideas that informed the creation and development of America's political system and consider some of the major contemporary challenges to the maintenance of American democracy. Topics to be treated include the political thought of the American Founders, the place of religion in public life, the nature of written constitutions, and the role of America in the world. The course will take place in a seminar setting limited to no more than twenty students. Emphasis will be placed on the discussion of important texts and documents. The course will be supplemented by occasional lectures by selected experts from inside and outside of the University, which will be held at the Jefferson Society Hall.

II. Texts

Both texts required for this course are available at the University Bookstore. Students should purchase the following editions:

Alexis de Tocqueville, *Democracy in America*, Trans. George Lawrence, Perennial Classics, 2000.

Hamilton, Madison, Jay, *The Federalist Papers*, Ed. Charles Kesler, Signet, 1999.

In addition, most of the readings can be found in a course packet that is available for purchase at the Copy Shop (Elliewood Ave. in the "Corner" area).

These readings are also available on UVA Collab (CL): <https://collab.itc.virginia.edu/>

III. Assignments and Grading

Two separate 5 to 6 page papers (15% for first, 20% for second) due by 5 p.m. on Friday, October 2, and Monday, December 7

2. Midterm Exam (20%) on Friday, October 16
3. Final Exam (30%) at 2 p.m. on Thursday, December 17
4. Preparation of the readings and class participation (15%)

IV. Course Policies

Papers: Students will receive paper assignments approximately two weeks before the due date. Papers shall be 5 to 6 typed (12 point font) pages, double-spaced, with 1-inch margins. Failure to complete any assignment will result in an F in the course.

Class Participation and Readings: The class will focus on a discussion of the readings, therefore participation is of the utmost importance. Students will be expected to have done the readings and come prepared to discuss them in detail. Included in each unit are "reading questions" that will form the basis of the seminar discussion.

Honor Code at Virginia: All work completed for this course falls under the guidelines of the Honor System. The Pledge is a signed reaffirmation of your commitment to academic integrity.

Accordingly, you must write out, sign and date the following pledge on all academic work: “On my honor as a student, I have neither given nor received aid on this exam/assignment.”

Guest Lectures: A vital element of this course is the guest lectures, typically given by a prominent scholar of the topic under consideration. Attendance at these lectures is mandatory, and if you cannot commit to making every conceivable effort to come to them, you should not be enrolled in this course. Your attendance at the guest lectures is a part of your participation grade, and any or all of the materials covered in the lectures can appear on the exams. Unless told otherwise, all guest lectures will be held in the Jefferson Society Hall.

Course reading schedule

Unit 1: The Basic Units of Political Life

A. The Physical Forms of Political Orders: City-States, Empires, and Nation-States

B. The Idea of a Regime: Types and Classifications

Wednesday, August 26 Introduction

(a) Pierre Manent, “The Question of Political Forms” (CL)

(b) Aristotle, selections from Politics (CL)

Reading Questions

- 1) What are the three major political “forms” identified by Pierre Manent? What follows from each form?
- 2) How are the different “forms” of political life influenced by economic, technological, and religious factors?
- 3) What is a political “regime” or “constitution”?
- 4) What are the different types of regimes as outlined by Aristotle?

Friday, August 28

(a) Plutarch, “Life of Lycurgus” (CL)

(b) Thucydides, “Pericles’ Funeral Oration” (CL)

Reading Questions

- 1) How does Plutarch’s “Life of Lycurgus” illustrate the idea of a regime? Would you like to live in Sparta? What are the advantages and disadvantages of the Spartan regime?
- 2) What is the contrast between Sparta and Athens? Does Athens have a regime? What is the shared “way of life” of Athens?
- 3) How does Pericles describe Athens’ greatness? Should greatness be the criterion for judging a polity?

Monday, August 31 Montesquieu, selections from Spirit of the Laws (CL)

Reading Questions

- 1) What are the different kinds of regimes in Montesquieu’s classification scheme?
- 2) How does Montesquieu’s classification scheme differ from Aristotle’s? What does he add to the ancient concept of the regime?

3) Does Montesquieu prefer an ancient republic like Rome or a modern mixed regime like England?

Wednesday, September 2 Tocqueville, *Democracy in America*, pp. 9-20; 50-60; 241-245; 503-508; 690-695

Reading Questions

- 1) What does Tocqueville mean when he speaks of a shift from aristocracy to democracy?
- 2) What are the three different possible regimes (or governments) of modern times?
- 3) In what sense does Tocqueville consider modern despotic government to be democratic?
- 4) Outline a comparison of the three regime classifications we've studied.

Unit 2: Philosophic Underpinnings of the American Republic

Friday, September 4 (a) John Locke, selections from *Second Treatise on Government* (CL)

(b) James Otis, "The Rights of the British Colonies Asserted and Proved" (CL)

(c) John Dickinson, "Letters from a Pennsylvania Farmer" (CL)

Reading Questions

- 1) What was the basis of the colonists' objections to the British government and rule prior to the Revolutionary War?
- 2) What do these authors mean when they refer to a state of nature and natural rights?
- 3) Why is taxation without representation wrong? What does Dickinson mean by slavery?

Monday, September 7 (a) Thomas Jefferson, "Minutes from a meeting of the Board of Visitors of the University of Virginia, March 4, 1825" (CL)

(b) Declaration of Independence (in *Federalist Papers*)

(c) Jefferson, Letter to Henry Lee, May 8, 1825 (CL)

(d) Jefferson, Letter to Roger Weightman, June 24, 1826 (CL)

(e) Alexander Hamilton, "The Farmer Refuted" (CL)

Reading Questions

- 1) What were the grounds for declaring independence?
- 2) What does the Declaration mean by a natural right to liberty? By the truth that all men are created equal?
- 3) To what extent is the Declaration influenced by the political philosophy of John Locke?

Wednesday, September 9 Debates over Small versus Large Republics

(a) Hamilton, Jay, Madison, *Federalist Papers*, No. 10, 51, 14 (last paragraph only pp. 98-100)

(b) Brutus: "No. 1" (CL)

(c) Centinel: "No. 1" (CL)

(d) James Ceaser, selection from *American Government* (CL)

Reading Questions

- 1) What type of citizen is necessary in the new republic?
- 2) Why is the "extended republic" of the Constitution an innovation?
- 3) What were some of the main objections to the Constitution?

Friday, September 11 Guest Speaker: Patrick Deneen, Georgetown University
Debates over Small versus Large Republics (Continued)

- (a) Articles of Confederation, (look over pp. 533-541 in Federalist Papers)
- (b) Constitution, (look over Articles I-IV)
- (c) Herbert Storing, selection from What the Anti-Federalists Were For (CL)
- (d) Federalist Papers, Nos. 15 and 23

Reading Questions

- 1) What were Publius' chief arguments against the Articles of Confederation?
- 2) Why study the Anti-Federalists?
- 3) Have the fears of the Anti-Federalists been borne out?

Unit 3: Religion and Politics

Monday, September 14 The Puritan Communities

- (a) Tocqueville, Democracy in America, pp. 30-47
- (b) Mayflower Compact (CL)
- (c) John Winthrop, "A Model of Christian Charity" (1630) and "On Liberty" (1639, TL)
- (d) John Wise, "Democracy is Founded in Scripture" (1717, TL)
- (e) Nathaniel Niles, "Sermon on the Nature of Liberty" (1774, TL)

Reading Questions

- 1) How did the Puritans understand the role of religion in politics?
- 2) What difficulties emerge when religious law is the direct foundation of political law?
- 3) How does the thought of John Wise and Nathaniel Niles differ from the Puritans in how they view Christianity and politics? Which is more compatible with liberal democracy?

Wednesday, September 16 The American Founders on Religion

- (a) James Madison, "Memorial and Remonstrance against Religious Assessments" (CL)
- (b) Thomas Jefferson, Notes on the State of Virginia, Q.17, (CL)
- (c) Jefferson, "Letter to Danbury Baptist's Association" (CL)
- (d) George Washington, "Letter to Touro Synagogue" (CL)
- (e) Washington, "Letter to Quakers" (CL)
- (f) Washington, "Thanksgiving Day Proclamation" (CL)

Reading Questions

- 1) What was the Founders' view of the relation of religion and politics?
- 2) What distinguishes the American political tradition regarding the status of religion in political life?

Friday, September 18 Religion, Democracy, and the First Amendment

- (a) Tocqueville, Democracy in America, pp. 442-449
- (b) First Amendment (Federalist Papers)
- (c) Lee v. Weisman (1992) (CL)
- (d) Wisconsin v. Yoder (1972) (CL)
- (e) Ramesh Ponnuru, "Secularism and Its Discontents" (CL)

Reading Questions

- 1) Assess the decisions in *Lee v. Weisman* and *Wisconsin v. Yoder*? Would you have decided them differently?
- 2) Does the First Amendment affirm mere neutrality between religions or dictate a public stance with regard to religion vs. non-religion?
- 3) What should be the status of the phrase “under God” in the Pledge of Allegiance? Of “In God We Trust” on our coins?

Unit 4: Constitutionalism

Monday, September 21 Debates over Rigid versus Flexible Constitutions

- (a) U. S. Constitution, Art. V, Amendments (pp. 555, 560-568 in the Federalist Papers)
- (b) Thomas Jefferson, Letter to James Madison, September 6, 1789 (CL)
- (c) Jefferson, Letter to Samuel Kercheval, July 12, 1816 (CL)
- (d) Federalist, No. 49

Reading Questions

- 1) What is a written Constitution? How did it revolutionize the relationship between government and the people?
- 2) Should a constitution be rigid (i.e., difficult to amend) or flexible (i.e., easily amendable, such as by permitting amendments to be approved on a mere majority vote of the legislature and citizenry, empowering the people to initiate constitutional changes, and requiring a periodic popular vote on calling a revision convention)?

Wednesday, September 23 Debates over Short versus Long Constitutions

- (a) Bill of Rights (CL)
- (b) Selections from Theodore Roosevelt’s “Speech to the Ohio Constitutional Convention of 1912” (CL)
- (c) Franklin D. Roosevelt, 1944 State of the Union Address (CL)
- (d) Selections from Debates of the Maryland Constitutional Convention of 1967-1968 (CL)

Reading Questions

- 1) Should a constitution be short (limited merely to outlining the structure of government and prohibiting encroachments on fundamental rights), or long (such as by including aspirational provisions, resolving issues in areas where elected officials have proven untrustworthy, and empowering or even requiring governing officials to take certain actions such as securing economic, labor, and environmental rights)?
- 2) What should be included in a written constitution?

Friday, September 25 Guest Speaker: John Dinan, Wake Forest University

Monday, September 28 Who Should Interpret the Constitution?

- (a) Federalist, No. 78
- (b) Selections from *Marbury v. Madison* (CL)
- (c) Brutus, “The Problem of Judicial Review” (CL)
- (d) Thomas Jefferson, “On Judicial Power” (CL)
- (e) Andrew Jackson, Selections from “Veto of the Bank Bill” 1832 (CL)
- (f) Abraham Lincoln, Selections (CL)

Reading Questions

- 1) Should constitutional interpretation be the province solely of the judiciary, or do the executive and legislative branches also have a responsibility to engage in independent constitutional interpretation?
- 2) When should a decision on matters of constitutional interpretation be considered final? Should it ever be considered final?

Wednesday, September 30 How Should the Constitution Be Interpreted?

- (a) Roper v. Simmons (2005, CL)
- (b) Lawrence v. Texas (2003, CL)
- (c) Goodridge v. Dept. of Public Health (2003, CL)

Reading Questions

- 1) What is the difference between saying something is constitutional and advocating a political position? Why does Justice Thomas defend the constitutionality of a law he dislikes?
- 2) How should a judge interpret the Constitution? What is the difference between interpreting it according to the original intent of the Framers, or by more contemporary standards?

Friday, October 2 First Paper due by 5pm

How Should the Constitution Be Interpreted?(Cont.)

- (a) William Brennan, “The Constitution of the United States: Contemporary Ratification” (1986, CL)
- (b) Antonin Scalia, “Constitutional Interpretation the Old Fashioned Way” (2005, CL)

Reading Questions

- 1) Make the case for the notion of a living constitution. What are some objections to it?

Monday, October 5 NO CLASS: Reading Day

Unit 5: American Institutions

A. The Executive and the Legislative Branches

B. Federalism

Wednesday, October 7 The Executive

- (a) John Locke, “On Prerogative Power” (CL)
- (b) Federalist, No. 70.
- (c) Neutrality Act of 1793 & Helvidius-Pacificus debates (CL)

Reading Questions

- 1) What is the relation of executive power to constitutional government or the rule of law?
- 2) To what degree do liberal democracies need energetic executive power?

Friday, October 9 The Executive (continued)

- (a) Abraham Lincoln, “Habeas corpus speech,” July 4, 1861 (CL)
- (b) Lincoln, Letter to Albert Hodges, April 4, 1864 (CL)
- (c) Benjamin A. Kleinerman “Lincoln’s Example” (CL)

(d) Harvey C. Mansfield, "Law and the President" (CL)

Reading Questions

- 1) What does Lincoln's example show us about the relationship of executive power to the rule of law?
- 2) Did Lincoln violate the Constitution or uphold it? Were his actions justified?
- 3) By what standard do we judge when the exercise of executive prerogative is an unjustified violation of the rule of law?

Monday, October 12 The Legislature

(a) Federalist, No. 55 and 63

(b) Benjamin Rush, Letter on the Defects of the Pennsylvania Constitution, 1777 (CL)

(c) Tocqueville, Democracy in America, pp. 84-86

Reading Questions

- 1) What is the distinction between a representative democracy and a direct democracy?
- 2) What is the case for bicameralism, as opposed to having a single legislative assembly?
- 3) In what ways was the Senate designed to have a different character than the House of Representatives?

Wednesday, October 14 Federalism

(a) Federalist, No. 39

(b) Martha Derthick, "America's Federalism" (CL)

(c) Tocqueville, Democracy in America, pp. 155-170

Reading Questions

- 1) What is federalism?
- 2) How has federalism developed since the founding?
- 3) What is the difference between a unitary and a federal system?
- 4) What are the advantages and disadvantages of concentrating more power in the federal government?

Friday, October 16 MIDTERM EXAM

Unit 6: The Problem of Slavery and Civil Rights

Monday, October 19 Slavery

(a) Benjamin Franklin, "An Address to the Public from the Pennsylvania Society for Promoting the Abolition of Slavery" (CL)

(b) Alexander Hamilton, "Letter to John Jay" (CL)

(c) Herbert Storing, "Slavery and the Moral Foundations of the American Republic" (CL) (selection from article)

(d) Federalist, No. 54

(e) John C. Calhoun, Speech on the Oregon Bill 1848 (CL)

(f) Alexander Stephens, "Cornerstone Speech" 1861 (CL)

(g) Slavery provisions in the U.S. Constitution, Art. 1 Sec. 2, Clause 3; Art. 1, Sec. 9, Clause 1; Art. 4, Sec. 2, Clause 3

Reading Questions

- 1) What status did slavery hold under the Constitution, and what reasons were advanced to account for its status? How did some of the Founders expect to see the problem of slavery resolved?
- 2) What were some of the early plans to advance abolitionism by Franklin and Hamilton? What was the logic of Hamilton's plan?
- 3) What were the "new" views on slavery of the Southerners? How did Calhoun and Stephens (the vice-president of the Confederacy) deal with the claims of the Declaration of Independence?

- Wednesday, October 21 (a) Thomas Jefferson, "Letter to John Holmes," 1820 (CL)
 (b) Lord Charnwood, selections from Abraham Lincoln (CL)
 (c) Abraham Lincoln, "Speech on the Repeal of the Missouri Compromise," 1854 (CL)
 (d) Lincoln, first, fifth, sixth, and seventh of the Lincoln-Douglas debates, 1858 (CL)
 (e) Stephen Douglas, Selections from the Lincoln-Douglas debates, 1858 (CL)
 (f) Lincoln, "Speech at Chicago" 1858 (CL)

Reading Questions

- 1) What were the different positions of Lincoln and Douglas on the crisis of the 1850s? Is one closer to Jefferson's original opinion on the Missouri Compromise?
- 2) What were the different views of Lincoln and Douglas on the Declaration of Independence?

Friday, October 23 Guest Speaker: Bryan Garsten, Yale University
 Monday, October 26 (a) Abraham Lincoln, "Lyceum Address" (CL)

- (b) Abraham Lincoln, "Gettysburg Address" (CL)
 (c) Abraham Lincoln, "Second Inaugural Address"(CL)

Reading Questions

- 1) These latter two speeches of Abraham Lincoln are widely considered to be the greatest ever pronounced by an American political leader. What accounts for this judgment?
- 2) Does the Second Inaugural read as a speech that you would have expected, based on Lincoln's prior speeches? What "new" themes are found? How does his "political theology" change over time?

Wednesday, October 28 (a) Frederick Douglass, Selections from autobiography (CL)

- (b) William Lloyd Garrison, "On the Constitution and the Union" 1832 (CL)
 (c) Frederick Douglass, "The Constitution of the U.S.: Is It Pro-Slavery or Anti-Slavery?" 1860 (CL)

Reading Questions

- 1) How did Frederick Douglass view the Declaration and the Constitution? How did he see these two documents in relationship to the struggle for emancipation?
- 2) How did Douglass' view of the Constitution differ from that of some of the other abolitionists, who considered it "a pact with the devil?"

Friday, October 30 (a) Booker T. Washington, "The Atlanta Exposition Address" (CL)
 (b) W.E.B. DuBois, Selections from Souls of Black Folk (CL)

(c) Plessy v. Ferguson 1896 (CL)

Reading Questions

- 1) What positions did Washington and DuBois adopt in the quest for achieving racial equality?
- 2) What are the grounds of Justice Harlan's dissent in Plessy v. Ferguson?

Monday, November 2 (a) Martin Luther King, Jr., "I Have a Dream Speech" (CL)

(b) Malcolm X, "The Ballot or the Bullet" (CL)

(c) Barack Obama, "Philadelphia Address on Race" (CL)

Unit 7: Tocqueville on Democratic Politics and Culture

Wednesday, November 4 Democratic Politics

Tocqueville, Democracy in America, pp. 62-70, 87-98, 196-201, 231-245, 250-253

Reading Questions

- 1) What are the chief threats that Tocqueville identifies to the health of American democracy?
- 2) Tocqueville admits that decentralized administration is often inefficient. Why then does he prefer it to centralized administration?
- 3) What are the advantages and disadvantages of democratic government and society as observed in America, compared to aristocratic government and society?

Friday, November 6 Democratic Culture

Tocqueville, Democracy in America, . 429-436, 451-454, 459-468, 475-478, 509-517, also review pp. 503-508

Reading Questions

- 1) Is Tocqueville right that the democratic mind tends to be both independent and conformist? How can it be both?
- 2) Considering what we've already read by Tocqueville concerning religion in America, what is the significance of his saying that "religion is strong less as a revealed doctrine than as part of common opinion"?

Monday, November 9 Democratic Culture (continued)

Tocqueville, Democracy in America, pp. 525-546, 555-558, 627-632

Reading Questions

- 1) How do features of American democratic culture such as associations, restlessness, spirituality, taste for material well-being, and the pursuit of self-interest increase or decrease individualism? Which does Tocqueville want to encourage?
- 2) Explain the doctrine of "self-interest rightly understood," why it appeals to Americans, and why Tocqueville recommends it, despite his disagreements with it.

Wednesday, November 11 Tocqueville, Democracy in America, , pp. 671-678, 690-705

Reading Questions

- 1) What democratic trends contribute to the possibility of soft despotism? Is soft despotism our fate?

Unit 8: Progressivism, Liberalism, Conservatism

Friday, November 13 Guest Speaker: Jean Yarbrough, Bowdoin College

Progressivism

- (a) Condorcet, selections from Sketch of the Human Mind (CL)
- (b) Woodrow Wilson, "What is Progress?" 1912 (CL)
- (c) Herbert Croly, selections from Progressive Democracy (CL)
- (d) Herbert Croly, selections from Promise of American Life (CL)

Reading Questions

- 1) What is the meaning of the idea that history progresses? Do you accept the proposition that things have gotten better? Does the record of the twentieth century provide evidence in favor or against the idea?
- 2) What, in terms of American politics, is progressivism?
- 3) What is the progressive's critique of the founding? In what way was the founding, especially the Constitution, inadequate?

Monday, November 16 Liberalism

- (a) "The Future of Liberalism" from Philosophy of Education, 1935 (CL)
- (b) Franklin D. Roosevelt, "The Commonwealth Club Address," 1932 (CL)
- (c) Re-read Franklin D. Roosevelt's "second bill of rights" (last three pages) in the State of the Union Address, 1944. (TL from unit 4)

Reading Questions

- 1) Compare and contrast progressivism with liberalism. How do both inform contemporary partisan debates?
- 2) How does Dewey understand the meaning of liberalism?

Wednesday, November 18 Conservatism

- (a) James Ceaser, "Four Heads and One Heart: The American Conservative Movement" (CL)
- (b) Friedrich Hayek, "Our Moral Heritage" 1982 (CL)
- (c) Milton Friedman, Capitalism and Freedom (CL)

Reading Questions

- 1) Is conservatism one thing or many? If one, what is its core principle? If many, what is their common denominator?
- 2) Where does Hayek fit within Ceaser's typology? Other than as a libertarian, is there any sense in which Hayek is conservative?

Friday, November 20 Conservatism (continued)

- (a) Ronald Reagan, "First Inaugural" (1981, CL)
- (b) John Micklethwait and Adrian Wooldridge, "Reaganism", Wall Street Journal 2004 (CL)
- (d) George W. Bush, "Second Inaugural Address" (CL)
- (d) Charles Kesler, Critique of Second Inaugural (CL)

Reading Questions

- 1) What do you think conservatism's future holds? Has the political landscape changed so fundamentally that conservatism itself will have to change in order to remain viable?
- 2) Is conservatism in danger of unraveling at the seams? If so, will one "branch" win out over time? Is there a viable alternative to conservatism today?

Unit 9: United States and the World: National Security, INTERESTS, and American Purposes

Monday, November 23 National Security

(a) Walter Russell Mead, Selections from *Special Providence: American Foreign Policy and How It Changed the World* (CL)

Wednesday, November 25 NO CLASS: Thanksgiving Break

Friday, November 27 NO CLASS: Thanksgiving Break

Monday, November 30 National Security (continued)

(a) George Washington, Selections from "Farewell Address" (CL)

(b) Woodrow Wilson, "Fourteen Points" (CL)

(c) Dwight Eisenhower, Selections from "Farewell Address" (CL)

(d) President George W. Bush, Selections from "National Security Statement" 2002 (CL)

(e) Tocqueville, *Democracy in America*, pp. 226-230

Reading Questions

- 1) What are the ends of American foreign policy? Are they different today than at other times, especially at the time of the founding?
- 2) Should our foreign involvements be limited only to our own security concerns, or do we have an obligation to further the cause of democracy abroad? In both cases, what means are permissible for the attainment of the goal?
- 3) What are the shortcomings of both an "isolationist" and "expansionist" foreign policy?

Wednesday, December 2 National Security (continued)

(a) Atlantic Charter (CL)

(b) Samuel Huntington, "The Clash of Civilizations," *Foreign Affairs* (CL)

(c) Robert Kagan, "The End of Dreams: And the Return of History," *Policy Review* (CL)

Reading Questions

- 1) If Huntington's description of the current international situation is correct, what would be the best U.S. foreign policy approach? What if Kagan is correct?

Friday, December 4

Monday, December 7 Wrap-up: Final Thoughts on the American Political Tradition

FINAL PAPER DUE BY 5PM

FINAL EXAM: Thursday, December 17, 2-5pm