

THE AMERICAN POLITICAL TRADITION (PLAP 2250)
THE UNIVERSITY OF VIRGINIA
DEPARTMENT OF POLITICS
Fall 2020

Instructor: Rita Koganzon
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Office Hours: Email for appt.

Location: Zoom
Meeting Time: MWF 9:00-9:50AM
Guest Lectures: Zoom

I. Course Description

This course will examine the theoretical ideas that informed the creation and development of America's political system and 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 role of slavery and race in constitutional development, the nature of written constitutions, and the role of America in the world. The course will take place in a seminar 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 via Zoom.

II. Texts

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

1. Alexis de Tocqueville, *Democracy in America*, Trans. George Lawrence, Perennial Classics, 2000.
2. Hamilton, Madison, Jay, *The Federalist Papers*, Ed. Charles Kesler, Signet, 1999.

The rest of the readings can be found in a two-part course packet that is available for purchase at NK Print & Design (on Elliewood Avenue). Information about curbside pickup and (free) packet shipping is available at their website: <https://www.nkprintdesign.com/>. These readings are also available as individual PDFs on Collab.

III. Assignments and Grading

1. Two 5-6 page papers (20% first, 25% second) due at 5 PM on October 2 and November 23
2. Midterm Exam (15%) on October 9, 9-12 PM
3. Final Exam (25%) on December 8, 2-5 PM
4. Class participation (15%)

IV. Course Policies

Papers: Students will receive paper assignments approximately two weeks before the due date. Papers should be 5-6 typed (12-point font, 1-inch margins, double-spaced) pages and must be submitted by email by 5 PM on the due date. A deduction of two points per day will occur after that. Failure to complete any assignment will result in an F in the course.

Exams: A midterm and a final exam will be emailed out to you on the morning designated on the syllabus. You will have three hours to complete and return the exam to me by email. The use of the course texts and notes is permitted, however neither consultation with other students nor additional sources are allowed.

Participation: The centerpiece of our class meetings will be rigorous discussion of the assigned texts. Therefore, participation is of the utmost importance. Students will be expected to complete the readings prepared to discuss them in detail. The syllabus provides questions to guide your preparation of the readings.

Absences: Absences within reason are permitted and you are not required to notify me about them unless you are experiencing a long-term issue which will affect your course performance. However, frequent absence will substantially lower your participation grade.

Honor Code at Virginia: All work completed for this course falls under the guidelines of the Honor System.

Guest Lectures: The guest lectures are a vital element of this course. They are typically given by a prominent scholar of the topic under consideration. Your attendance at the guest lectures is a mandatory part of your participation grade. Any or all of the materials covered in the lectures can appear on the exams.

COURSE READING SCHEDULE

UNIT 1: THE BASIC UNITS OF POLITICAL LIFE

Wednesday 8/26: Ancient Regimes

Aristotle, *Politics*, I.1-2, III.7-11

Reading Questions

1. Why does politics exist? What is a political “regime” or “constitution”?
2. What are the different types of regimes as outlined by Aristotle? What principle animates each one? Which is best? Which is most like ours?

Friday 8/28: Ancient Regimes

Plutarch, *Parallel Lives*, “Life of Lycurgus”

Reading Questions

1. What kind of a regime is Sparta? What principle animates it?
2. Would you like to live in Sparta? What are the advantages and disadvantages of the Spartan regime?

Monday 8/31: Modern Regimes

Montesquieu, *Spirit of the Laws* (1748), Bks. II, III, XX.1-2

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?

UNIT 2: PHILOSOPHIC UNDERPINNINGS OF THE AMERICAN REPUBLIC

Wednesday 9/2: Natural Rights and the Social Contract

John Locke, selections from *Second Treatise on Government* (1689)

John Dickinson, “Letters from a Pennsylvania Farmer” (1767)

Reading Questions

1. What was the basis of the colonists' objections to the British government 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 representations wrong? What does Dickinson mean by slavery?

Friday 9/4: Natural Rights and the Social Contract

Thomas Jefferson, "Minutes from a meeting of the Board of Visitors of UVA"
Declaration of Independence (in *Federalist Papers*)
Thomas Jefferson, "Letter to Major John Cartwright," (1824)
Thomas Jefferson, "Letter to Henry Lee," (1825)
Thomas Jefferson, "Letter to Roger Weightman," (1826)
Alexander Hamilton, "The Farmer Refuted" (1775)

Reading Questions

1. What were the grounds for declaring independence? Were they justified?
2. To what extent is the Declaration influenced by the political philosophy of John Locke?
3. What does Jefferson mean by society being founded on "nature" or "natural rights" rather than history (or revelation)?

Monday 9/7: Debates over Small vs. Large Republics

Articles of Confederation (in *Federalist Papers*)
U.S. Constitution, Articles I – IV (in *Federalist Papers*)
Herbert Storing, selection from *What the Anti-Federalists Were For* (1981)
Federalist Papers, No. 15, 23

Reading Questions

1. What do the Articles allow the central government to do, and what do they not allow it to do?
2. What were Publius's chief arguments against the Articles of Confederation?

Wednesday 9/9: Debates over Small vs. Large Republics

Brutus, "No. 1"
Centinel, "No. 1"
Federalist Papers, No. 10, 51, 14 (last paragraph only, pp. 98-100)

Reading Questions

1. According to the anti-Federalists, what type of citizen does the new republic require?
2. What were some of the main objections to the Constitution?
3. Why is the "extended republic" of the Constitution an innovation?

UNIT 3: CONSTITUTIONALISM

Friday 9/11: Debates over Short vs. Long Constitutions

Virginia Bill of Rights (1776)
U.S. Bill of Rights (1789)
Franklin D. Roosevelt, State of the Union Address (1944)

Selections from Debates of the Maryland Constitutional Convention (1967-1968)

Reading Questions

1. Should a Constitution be short (limited to outlining the structure of government and prohibiting encroachments on fundamental rights), or long (including aspirational provisions, resolving issues in areas where elected officials have proven untrustworthy)?
2. What *should* be included in a written constitution?

Monday 9/14: Debates over Rigid vs. Flexible Constitutions

U.S. Constitution, Article V, Amendments (in *Federalist Papers*)
Thomas Jefferson, "Letter to James Madison," September 6, 1789
James Madison, "Letter to Thomas Jefferson," February 4, 1790
Thomas Jefferson, "Letter to Samuel Kercheval," July 12, 1816
Federalist Papers, No. 49

Reading Questions

1. Should a constitution be rigid (i.e. difficult to amend) or flexible (i.e. easily amendable)? What are the strengths of each approach?

Wednesday 9/16: Who should interpret the Constitution?

Federalist Papers, No. 78
Selections from *Marbury v. Madison* (1803)
Brutus, "The Problem of Judicial Review" (1788)
Thomas Jefferson, "On Judicial Power"
Andrew Jackson, "Veto of the Bank Bill" (1832)
Abraham Lincoln, selections

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?

Friday 9/18: How should the Constitution be interpreted?

William Brennan, "The Constitution of the United States: Contemporary Ratification"
Antonin Scalia, "Originalism: The Lesser Evil"

Reading Questions

1. What are the strengths and weaknesses of both the living constitutionalist and originalist approaches to jurisprudence?

Monday 9/21: NO CLASS

UNIT 5: AMERICAN INSTITUTIONS

Wednesday 9/23: The Legislature

Federalist Papers, No. 52, 53, 55, 62, 63
Tocqueville, *Democracy in America*, pp. 84-86, 200-201
George Norris, "The Model Legislature" (1934)

Reading Questions

1. What is the distinction between a representative democracy and a direct democracy?
2. What is the case for unicameralism? Is it a good one?
3. In what ways was the Senate designed to have a different character than the House of Representatives?

Friday 9/25: The Executive I

Federalist Papers, No. 70
Neutrality Act of 1793
Helvidius-Pacificus Debates (1793)
Youngstown v. Sawyer (1952)

Reading Questions

1. What is the relationship between the executive and the other branches?
2. To what degree do liberal democracies need energetic executive power?

Monday 9/28: The Executive II

****Guest Lecture: David Nichols, Baylor University****

John Locke, "On Prerogative Power," from *Second Treatise* (1689)
Thomas Jefferson, Letter to Colvin (1810)
Abraham Lincoln, "Habeas Corpus Speech," (1861)
Abraham Lincoln, "Letter to Albert Hodges," (1864)
Benjamin A. Kleinerman, "Lincoln's Example" (2005)

Reading Questions

1. Can the executive be fully contained and controlled by the laws?
2. What are the differences between Jefferson's and Lincoln's understanding of executive power?
3. Did Lincoln violate the Constitution or uphold it? Were his actions justified?

Wednesday 9/30: Federalism

The Federalist Papers, No. 39, 46
Tocqueville, *Democracy in America*, pp. 151-163
Constitutional Convention of 1787, excerpts
Hamilton in the New York Ratifying Convention (1788)
James Madison to N. P. Trist (1830)
Virginia and Kentucky Resolutions (1798)

Reading Questions

1. What did the Founders hope to achieve by dividing power between national and state government?
2. What are the advantages and disadvantages of a federal constitution?

UNIT 4: RELIGION AND POLITICS

Friday 10/2: The Puritan Communities

*** FIRST PAPER DUE BY 5PM***

Tocqueville, *Democracy in America*, pp. 30-47, 287-301
Mayflower Compact (1620)
John Winthrop, "A Model of Christian Charity" (1630)
Massachusetts Body of Liberties (selections) (1641)

Reading Questions

1. How did the Puritans understand the role of religion in politics?
2. What kinds of rights are guaranteed in the Massachusetts Body of Liberties? Is it a modern legal code, or is there something archaic about it?
3. What difficulties emerge when religious law is the *direct* foundation of political law?

Monday 10/5: The American Founders on Religion

Patrick Henry, "A Bill Establishing a Provision for Teachers of the Christian Religion"
James Madison, "Memorial and Remonstrance against Religious Assessments"
Thomas Jefferson, *Notes on the State of Virginia*, Query 17
Thomas Jefferson, *A Bill for Establishing Religious Freedom*
Thomas Jefferson, "Letter to Danbury Baptist's Association"
George Washington, "Letter to Touro Synagogue"
George Washington, "Letter to Quakers"
George Washington, "Thanksgiving Day Proclamation"

Reading Questions

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

Wednesday 10/7: Religion, Democracy, and the First Amendment

First Amendment (in *Federalist Papers*)
Lee v. Weisman (1992)
Wisconsin v. Yoder (1972)

Reading Questions

1. Does the First Amendment affirm mere neutrality between religions or dictate a public stance with regard to religion vs. non-religion?
2. Given the arguments in *Lee v. Weisman*, what should the status of the phrase "under God" be in the Pledge of Allegiance? Of "In God We Trust" on our coins?
3. How far should the government go in accommodating religious minorities?

Friday, 10/9: *** MIDTERM EXAM ***

UNIT 6: THE PROBLEM OF SLAVERY AND CIVIL RIGHTS

Monday 10/12: Slavery and the American Founding

Benjamin Franklin, "Address from the Pennsylvania Society for Promoting the Abolition of Slavery" (1790)

Patrick Henry, "Letter to Reeves" (1773)
Thomas Jefferson, "Letter to John Holmes" (1820)
Herbert Storing, "Slavery and the Moral Foundations of the American Republic" (1986)
Federalist Papers, No. 54
Slavery provisions in the 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?
2. How did some of the Founders expect to see the problem of slavery resolved?

Wednesday 10/14: Slavery, Abolition, and the U.S. Constitution

Frederick Douglass, selections from *Autobiography*
William Lloyd Garrison, "On the Constitution and the Union"
Frederick Douglass, "The Constitution of the US: Pro-Slavery or Anti-Slavery?" (1860)
Tocqueville, *Democracy in America*, pp. 340-350

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 other abolitionists, who considered it "a pact with the devil?"
3. Why did Tocqueville think that race would continue to be a problem even after emancipation?

Friday 10/16: NO CLASS

Monday 10/19: Crisis of the House Divided

John C. Calhoun, "Speech on the Oregon Bill" (1848)
Alexander Stephens, "Cornerstone Speech" (1861)
Dred Scott v. Sanford, excerpts (1856)
Stephen Douglas, selections from Lincoln-Douglas debates (1858)

Reading Questions

1. 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?
2. What was the logic of Douglas's defense of popular sovereignty?

Wednesday 10/21: Crisis of the House Divided

Abraham Lincoln, "Speech on the Repeal of the Missouri Compromise" (1854)
Abraham Lincoln, "Speech at Chicago" (1858)
Abraham Lincoln, selections from Lincoln-Douglas debates (1858)
Abraham Lincoln, "Gettysburg Address" (1863)
Abraham Lincoln, "Second Inaugural Address" (1865)

Reading Questions

1. How does Lincoln develop his argument against popular sovereignty?

2. Is the Second Inaugural what you would have expected, based on Lincoln's prior speeches? What "new" themes are found?

Friday 10/23: Race in Post-bellum America

Booker T. Washington, "The Atlanta Exposition Address" (1895)
W.E.B. DuBois, selections from *Souls of Black Folk* (1903)
Plessy v. Ferguson (1896)

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 10/26: Civil Rights Movement

Martin Luther King, Jr., "Letter from a Birmingham Jail"
Martin Luther King, Jr., "I Have a Dream"
Malcolm X, "The Ballot or the Bullet"

Reading Questions

1. How does MLK Jr.'s approach to civil equality differ from that of Malcolm X?
2. For MLK Jr., how should an individual deal with a law that he or she recognizes is unjust?

UNIT 7: TOCQUEVILLE ON DEMOCRATIC POLITICS AND CULTURE

Wednesday 10/28 : Democratic Politics

****Guest Lecture: Benjamin Storey, Furman University****

Tocqueville, *Democracy in America*, pp. 9-20, 50-60, 62-70, 87-98

Reading Questions

1. What are the three different regimes (or governments) of modern times?
2. How does Tocqueville define democracy? How is his definition different from Aristotle's and Montesquieu's?
3. How does township government preserve the "spirit of liberty"?
4. Tocqueville admits that decentralized administration is often inefficient. Why then does he prefer it to centralized administration?

Friday 10/30: Democratic Politics

Tocqueville, *Democracy in America*, pp. 231-256

1. What are the advantages and disadvantages of democratic government and society as observed in America, compared to aristocratic government and society?

Monday 11/2: The Democratic Mind

Tocqueville, *Democracy in America*, pp. 429-441, 452-454, 459-468, 475-478

Reading Questions

1. How does equality of conditions influence the way democrats think and what they think about?

2. Is Tocqueville right that the democratic mind tends to be *both* independent and conformist? How can it be both?

Wednesday 11/4: Democratic Culture

Tocqueville, *Democracy in America*, pp. 503-517, 525-546, 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.

Friday 11/6: The End of Democracy

Tocqueville, *Democracy in America*, pp. 555-558, 671-678, 690-705

Reading Questions

1. How does Tocqueville predict that democracies will degenerate? Are all his predictions compatible with each other?
2. Why is soft despotism a new kind of despotism, according to Tocqueville? Why is it possible only through a modern democracy?
3. Do we live in a soft despotism?

UNIT 8: PROGRESSIVISM, LIBERALISM, CONSERVATISM

Monday 11/9: Progressivism

Theodore Roosevelt, “New Nationalism” (1912)

Woodrow Wilson, “What is Progress?”, “Liberation of a People’s Vital Energies” (1912)

Reading Questions

1. What kinds of political parties are made possible by the Constitution?
2. What, in terms of American politics, is progressivism?
3. What is the progressive critique of the Founding?

Wednesday 11/11: Liberalism

John Dewey, “The Future of Liberalism” (1935)

Franklin Delano Roosevelt, “Second Bill of Rights” (1944)

Arthur Schlesinger, Jr., “Liberalism in America: A Note for Europeans” (1956)

Selections from *Univ. of California vs. Bakke* (1978)

Reading Questions

1. Compare progressivism with liberalism. How do both inform contemporary partisan debates?
2. Does the liberalism of Powell’s opinion in *Bakke* break from that of Dewey and FDR?

Friday 11/13: Conservatism

James Ceaser, “Four Heads and One Heart” (2010)

William F. Buckley, "National Review's Mission Statement" (1955)
Milton Friedman, selections from *Capitalism and Freedom* (1962)
Irving Kristol, "Human Nature and Social Reform" (1978) and "What Is a Neoconservative?" (1984)

Reading Questions

1. How does modern American conservatism respond to progressivism and liberalism?
2. About what do Buckley, Friedman, and Kristol agree? Over what questions do they disagree?
3. What is the position of conservatism vis-à-vis the American Founding?

UNIT 9: FOREIGN POLICY AND NATIONAL SECURITY

Monday 11/16: NO CLASS

Wednesday 11/18: National Security

Tocqueville, *Democracy in America*, pp. 226-230
George Washington, selections from "Farewell Address" (1796)
Woodrow Wilson, "Fourteen Points" (1918)
Atlantic Charter (1941)

Reading Questions

1. What are the differences between the foreign policy goals of Washington and Wilson/FDR?

Friday 11/20: Foreign Policy

George W. Bush, National Security Strategy (2002)
Thomas Friedman, "Iran and the Obama Doctrine" (2015)
Donald Trump, National Security Strategy (2017)

Reading Questions

1. What are the continuities and discontinuities among the national security strategies of our three most recent presidents?

Monday 11/23: Conclusion

***** SECOND PAPER DUE BY 5PM *****

FINAL EXAM: Tuesday, December 8, 2-5 PM