

**FYSE 1296: U.S. Constitutional Democracy  
Fall, 2018**

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**Office Hours (Munroe 208)**  
**Tuesdays 3:00-4:30 and Wednesdays, 2:30-4:30**  
**Or by Appointment**

**Course Description**

As human beings, we live, work, and grow together in communities. How should we do that? This is a simple question to which many have offered complex and divergent answers. In nation-states, in cities and towns, on college campuses, and in voluntary associations, we are called to consider fundamental questions about how we relate to one another: Where does the authority for our governance structures come from? What power should the governance system have to affect our lives? Are our preferences reflected in the actions of our leaders? If so, through what mechanisms does this occur? What freedoms must individuals have? Are there cases in which fundamental freedoms, when exercised, can be harmful to others? If so, how should we handle such instances? What do we mean by concepts such as equality, fairness, and justice?

This semester we will consider U.S. constitutional democracy as a detailed case study of how major thinkers have addressed such questions. At many times in U.S. history, leaders, scholars, ordinary Americans, and even visitors from other countries have considered the above questions in the U.S. context. We begin by examining the many debates surrounding this country's founding, and proceed to consider other debates topically rather than in any particular historical order.

**Evaluation**

I will grade this course on a 1000 point system. At the end of the semester, therefore, students with 900 points receive an A-minus, students with 800 receive a B-minus, and so on. Each student must write *three five-page papers* during the course of the semester (each worth 125 points), *plus a final 8-page paper* (250 points), due December 14 at 5pm.

The first paper is due on September 25 at the beginning of class; the second is due on October 18. You have a degree of flexibility on when to write your third paper, but you must write it by December 4.

Your first, third, and final papers will be argumentative essays based on the readings, with no additional reading or research required. I will hand out possible paper topics in advance for each of these papers. Each paper will be due on Tuesday at class time and will be based on the material from the previous week. For example, if you choose to write paper #3 on the October 30 and November 1 readings, your paper will be due on November 6 at the beginning of class. Choose these paper topics wisely based on your interest in the specific subject matter and on your other scheduled commitments.

Paper number 2, by contrast, is a literature review based on library research. The aim of this paper will be to discover what modern scholars have written about one of the authors that we are reading. More details on this assignment will follow. There will be a library session during class time on October 11, led by librarian Brenda Ellis, to help you prepare for this assignment.

Late papers fall a third of a grade (i.e. from B+ to B, or 4.1 points in the case of these 125-point papers) for each day (or portion thereof) that they are late.

Finally, between November 6 and December 4, each of you will sign up to begin a class with a 10-minute presentation (worth 125 points) that will help lay the groundwork for our discussion that day. More details on my expectations for this presentation will follow. There will be an oratory workshop from 7pm to 8:15pm on October 30 to help you prepare for these presentations.

### **Rewrites**

Since this course aims to teach good writing skills, I strongly encourage you to rewrite any of your papers, with the exception of the final paper. (All students must rewrite their first essay.) Rewrites are due one week after you get your papers back. (I will generally return papers one week after they are handed in.)

You must submit the original paper along with the rewrite, or I will not grade it. Neither will I accept late rewrites. The final grade for the essay will be an average of the original grade and the rewrite grade. Rewriting cannot harm you. Understand that rewriting does not consist of minor corrections of technical flaws. More often than not, you will have to make significant substantive changes. There is no rewrite opportunity for the final (8 page) paper.

### **Attendance and Participation**

This is a discussion seminar. Therefore, to succeed it requires participation from all members. Attendance and participation are mandatory. You are expected to complete the assigned reading for each class and come to class prepared to discuss it. I will provide you with discussion questions in advance to guide you in your reading and facilitate the discussions. Discussion is also possible via the course website, hosted at nb.mit.edu. This interface allows us all to comment on or ask questions about the readings as we are doing them.

If you feel uncomfortable about talking in class, please come and see me so that we can work on the issue together. You will not be excused from participation. If discussions get slow, I will at times call on students who are not volunteering, therefore it is in your interest to be prepared and willing to speak.

Participation will count for one quarter (250 points) of your final grade. I will consider both quantity and quality of participation.

In sum, evaluation in the course is structured as follows:

<b>Assignment</b>	<b>Points</b>
Paper 1 (essay)	125
Paper 2 (literature review)	125
Paper 3 (essay)	125
Presentation	125
Participation	250
Final Paper	250
<b>TOTAL</b>	<b>1000</b>

## Readings

The following books are worth purchasing. Other readings are available on the course website at nb.mit.edu (email invitation forthcoming) or as handouts.

- Alexander Hamilton, James Madison, and John Jay. *The Federalist Papers*. ed. By Clinton Rossiter & with an introduction by Charles Kessler. New York: Signet Classics, 2003.
- Alexis de Tocqueville, *Democracy in America* (Harper Perennial Modern Classics Edition), ed by J.P. Mayer, translated by George Lawrence. New York: Harper & Row, 2006.

## Introduction

Tuesday, September 4

- The Declaration of Independence, 1776.

## What are our basic rights? What actions may we take if those rights are violated?

Tuesday, September 11

- John Locke, *Two Treatises of Government*. Second Treatise, Chapters 2-4, 8-9.
- Ernesto Galarza, *Barrio Boy* (Notre Dame, IN: University of Notre Dame Press, 1971), excerpt.
- Lynn Quitman Troyka & Douglas Hesse, *Quick Access Reference for Writers* (Upper Saddle River, NJ: Prentice Hall, 2010), “Reading Critically,” pp. 5-12.

Thursday, September 13

- Locke, *Two Treatises of Government*. Second Treatise, Chapter 19.
- Articles of Confederation, 1777.
- Thomas Jefferson, Letter to James Madison, 6 September 1789.
- James Madison, Letter to Thomas Jefferson, 4 February 1790.
- Diane Schmidt, *Writing in Political Science: A Practical Guide* (New York: Longman, 2010), Chapter 2: “Critical Thinking About Politics,” pp. 15-24.

## Can institutions be structured so as to be self-correcting?

Tuesday, September 18

- Constitution and Amendments, 1787.
- Hamilton, Madison, and Jay. *The Federalist Papers*. Nos. 1, 10, 40, 47-49, 51.

Thursday, September 20

- Hamilton, Madison, and Jay, *The Federalist Papers*, Nos. 70 and 84.
- Herbert J. Storing, ed. *The Anti-Federalist*, Address and Reasons of the Pennsylvania Minority (pp. 199-224); Letters of Agrippa, no. IV (pp. 234-236).
- Thomas Jefferson, Letter to James Madison, 15 March 1789.

## What kind of representation is best? What are the duties of citizenship?

Tuesday, September 25

### PAPER #1 DUE AT BEGINNING OF CLASS

- Edmund Burke, Excerpt from Speech to the Electors of Bristol, 3 November 1774.
- Abraham Lincoln, Address to the Young Men’s Lyceum, 27 January 1838.
- Hamilton, Madison, and Jay. *The Federalist Papers*. Nos. 35, 39, 45, 55, 57, 63.

Thursday, September 27

- “Montezuma,” Essay in Philadelphia Independent Gazetteer, 17 October 1787.
- Storing, *The Anti-Federalist*. Letter from the Federal Farmer, no. VII; Speeches by Melancton Smith (pp. 338-356); Letters of Agrippa, no. IX.
- Thomas Jefferson, Letter to John Adams, 28 October 1813.

**Is the right of private property the same as, or different from, other rights? How does the economy affect the governmental system?**

Tuesday, October 2

- Locke, *Two Treatises of Government*. Second Treatise, Chapter 5.
- Thomas Jefferson, Letter to James Madison, 28 October 1785.
- Eugene V. Debs, “Address to the Court,” Cleveland, OH, 1918.

Thursday, October 4

- Thomas Jefferson, Letter to John Jay, 23 August 1785.
- Alexander Hamilton, “Report on Manufactures,” 1791.
- Jane Addams, “A Modern Lear” 1896.

### **Democracy in America, I**

Tuesday, October 9 and Thursday, October 11 [**Library session – October 11, class time, Wilson Media Lab – Library 220**]

- Alexis de Tocqueville, *Democracy in America*, Volume I: Introduction (pp. 9-20); Part I, chs. 1-2 (pp. 23-47), 3-4 (pp. 50-60), and 5 (61-70, 80-98).

MIDTERM RECESS

### **Democracy in America, II**

Tuesday, October 16 and Thursday, October 18

- Tocqueville, Volume 1: Part II, chs. 4-7 (189-201, 231-261), 8 (pp. 262-263, 270-276), 9 (pp. 277-315), and 10 (pp. 316-363, 395-407).
- Young Joseph, “An Indian’s View of Indian Affairs,” *The North American Review* 128:269 (April 1879), excerpts.

### **PAPER #2 DUE ON OCTOBER 18**

Tuesday, October 23

- Tocqueville, Volume II, Part 1, Chapters 1-2, 7-8, 18, 20; Part 2, Chapters 1-9, 13, 18-20; Part 3, Chapters 5, 8-12; Part 4, Chapters 1-3, 6-8.
- Elizabeth Cady Stanton, “The Solitude of Self,” Speech to the House Judiciary Committee, February 18, 1892.

**Are there limits to the rights of free speech and expression?**

Thursday, October 25

- John Stuart Mill, *On Liberty*, 1859, Chapters 1-2.
- Susan Svrluga, “Don’t ask us for trigger warnings or safe spaces, the University of Chicago tells freshmen,” *The Washington Post*, August 25, 2016.

Tuesday, October 30 [**Oratory Workshop: 7-8:15pm in Axinn 219**]

- Mill, Chapters 3-5 (excerpts)
- Bayard Rustin, “From Montgomery to Stonewall,” in *Time on Two Crosses: The Collected Writings of Bayard Rustin*, ed by Devon W. Carbado and Donald Weise (New York: Cleis Press, 2015 [1986]), pp. 272-274.

Thursday, November 1

- Hamilton, Madison, and Jay. *The Federalist Papers*. Nos. 78-79, 81.
- Storing, Essays of Brutus, nos. XI-XV.

Tuesday, November 6

- “Guide to Reading Court Cases.”
- James Madison, Report on the Virginia Resolutions of 1798.
- *Schenck v. United States*, 249 U.S. 47 (1919).
- *Abrams v. United States*, 250 U.S. 616 (1919).
- *Texas v. Johnson*, 491 U.S. 397 (1989).

### **Are there limits to the right of religious freedom?**

Thursday, November 8

- Thomas Jefferson, *Notes on the State of Virginia*, Query 17.
- James Madison, Memorial and Remonstrance against Religious Assessments (1785).
- *Engel v. Vitale*, 370 U.S. 421 (1962).

Tuesday, November 13

- *Wisconsin v. Yoder*, 406 U.S. 207 (1972).
- *Lynch v. Donnelly*, 465 U.S. 668 (1984).
- *Masterpiece Cakeshop v. Colorado Civil Rights Commission*, 584 U.S. \_\_\_\_ (2018).

### **How far should government go to ensure racial equality?**

Thursday, November 15

- “A Guide to the Lincoln-Douglas debates.”
- Robert W. Johannsen, ed, *The Lincoln-Douglas Debates of 1858*. (New York: Oxford University Press, 1965). Chapters 1-3, Chapter 6 (pp. 162-163).
- Lincoln, Abraham, Second Inaugural Address, 4 March 1865.
- Frederick Douglass. “What to the Slave is the Fourth of July?”

Tuesday, November 20

- *Dred Scott v. Sandford*, 60 U.S. 393 (1857).
- Booker T. Washington, *Up From Slavery*, (1901) Chapter XIV: “The Atlanta Exposition Address”
- W. E. B. DuBois, *The Souls of Black Folk*, (1903) Chapter III: “Of Mr. Booker T. Washington and Others”

THANKSGIVING RECESS

Tuesday, November 27

- *Brown v. Board of Education*, 347 U.S. 483 (1954).
- *Fisher v. University of Texas*, 579 U.S. \_\_\_\_ (2016).
- Barack Obama, “A More Perfect Union,” March 18, 2008.

**How far should government go to ensure gender equality?**

Thursday, November 29

- Tocqueville, Alexis de. *Democracy in America*. Volume II, part 3, chapters 8-12.
- Women’s Rights Convention, Held at Seneca Falls 19-20 July 1848, “Declarations of Sentiments and Resolutions,”
- Sarah Grimke, “Social Intercourse of the Sexes,” 1837.
- The National Organization for Women, “Statement of Purpose,” 1966.

Tuesday, December 4

**MUST COMPLETE PAPER #3 BY DECEMBER 4**

- *Roe v. Wade*, 410 U.S. 113 (1973).
- *Dothard v. Rawlinson*, 433 U.S. 321 (1977).
- *United States v. Virginia*, No. 94-1941 (1996).
- *Obergefell v. Hodges* 576 U.S. \_\_\_\_ (2015)

**Conclusion**

Thursday, December 6

**Friday, December 14, 5pm – FINAL PAPER DUE**