

**THE AMERICAN POLITICAL TRADITION (PLAP 2250)**  
THE UNIVERSITY OF VIRGINIA  
DEPARTMENT OF POLITICS  
Spring 2018

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Office Hours: MW 10-12 (Gibson S154)

Location: Pavilion VIII 103  
Meeting Time: MWF 9:00-9:50AM  
Guest Lectures: Jefferson Hall

### **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 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:

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). These readings are also available on Collab.

### **III. Assignments and Grading**

1. Two 5-6 page papers (15% for first, 25% for second) due by 5 PM on **Wednesday, February 21 and Friday, April 27**
2. Midterm Exam (20%) on **Friday, February 23**
3. Final Exam (25%) on **{DATE & TIME}**
3. Class participation (15%)

### **IV. Course Policies**

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

**Class Participation and Readings:** 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 and come prepared to discuss them in detail. The syllabus provides questions to guide your preparation of the readings. 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. No laptops or electronic devices are permitted in class. Students who disregard the policy will be asked to leave class and will be considered absent that day.

***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:*** 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, and a sign-in sheet will likely be circulated during each lecture. 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, January 17: Introduction

Pierre Manent, "The Question of Political Forms"  
Aristotle, selections from *Politics*

##### Reading Questions

1. What are the major political "forms" identified by Pierre Manent? What follows from each form?
2. How are 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, January 19: The Regime, Cont.

Plutarch, "Life of Lycurgus"  
Montesquieu, selections from *Spirit of the Laws*

##### 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 are the different kinds of regimes in Montesquieu's classification scheme?
3. How does Montesquieu's classification scheme differ from Aristotle's? What does he add to the ancient concept of the regime?

#### Monday, January 22: Tocqueville's Regime Classifications

Tocqueville, *Democracy in America*, pp. 9-20, 30-60

##### Reading Questions

1. How does Tocqueville's vision of the early communities in New England illustrate the idea of a regime? Would you like to live in a Puritan community?

#### Wednesday, January 24: Tocqueville's Regime Classifications

Tocqueville, *Democracy in America*, pp. 241-245; 503-508; 616-627; 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 regimes (or governments) of modern times?
3. In what sense does Tocqueville consider modern despotic government to be democratic?

## UNIT 2: PHILOSOPHIC UNDERPINNINGS OF THE AMERICAN REPUBLIC

### Friday, January 26: The Social Contract

John Locke, selections from *Second Treatise on Government* (1689)  
James Otis, "The Rights of the British Colonies Asserted and Proved" (1764)  
John Dickinson, "Letters from a Pennsylvania Farmer" (1767)

#### 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 representations wrong? What does Dickinson mean by slavery?

### Monday, January 29: The Social Contract

Thomas Jefferson, "Minutes from a meeting of the Board of Visitors of UVA"  
Declaration of Independence (in *Federalist Papers*, pp. 528-532)  
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)?

### Wednesday, January 31: Debates over Small vs. Large Republics

Articles of Confederation (in *Federalist Papers*, pp. 533-541)  
U.S. Constitution, Articles I – IV (in *Federalist Papers*, pp. 542-555)  
Herbert Storing, selection from *What the Anti-Federalists Were For*  
*Federalist Papers*, No. 15 & 23

#### Reading Questions

1. What were Publius's chief arguments against the Articles of Confederation?
2. What are the central differences between the Constitution and the Articles of Confederation?
3. What were the main Anti-Federalist arguments against the Constitution? Were they right?

### Friday, February 2: 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**

**Monday, February 5: Debates over Short vs. Long Constitutions**

Theodore Roosevelt, “Speech to the Ohio Constitutional Convention of 1912”  
U.S. Bill of Rights  
Virginia Bill of Rights (1776)  
Franklin D. Roosevelt, 1944 State of the Union Address  
Selections from Debates of the Maryland Constitutional Convention of 1967-1968

Reading Questions

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

**Wednesday, February 7: Debates over Rigid vs. Flexible Constitutions**

U.S. Constitution, Article V & Amendments (in *Federalist Papers*)  
Thomas Jefferson, “Letter to James Madison” (1789)  
James Madison, “Letter to Thomas Jefferson”(1790)  
Thomas Jefferson, “Letter to Samuel Kercheval” (1816)  
*Federalist Papers*, 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 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, etc.?)

**Friday, February 9: 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)  
Selections from Abraham Lincoln

### 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?

### **Monday, February 12: 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 advantages and disadvantages of the interpretive approaches outlined by Brennan and Scalia? Who has the better argument?
2. Make the case for the notion of a living constitution. What are some objections to it?

### **Wednesday, February 14: How should the Constitution be interpreted?**

Selections from *Lawrence v. Texas* (2003)  
Selections from *Obergefell v. Hodges* (2015)

### Reading Questions

1. What is the difference between saying that 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 meaning of the Framers, or by more contemporary standards?

## **UNIT 4: RELIGION AND POLITICS**

### **Friday, February 16: The Puritan Communities**

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

### Reading Questions

1. How did the Puritans understand the role of religion in politics?
2. What is surprising about the Puritan legal code? How is it modern? How is it archaic?
3. What difficulties emerge when religious law is the *direct* foundation of political law?

## Monday, February 19: 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 Tauro 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, February 21: Religion, Democracy, and the First Amendment

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

Tocqueville, *Democracy in America*, pp. 442-449

First Amendment (in *Federalist Papers*)

*Lee v. Weisman* (1992)

*Wisconsin v. Yoder* (1972)

### Reading Questions

1. Assess the decision in *Lee v. Weisman*. Would you have decided it 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 the status of the phrase "under God" be in the Pledge of Allegiance? Of "In God We Trust" on our coins?

## Friday, February 23: \*\*\* MIDTERM EXAM \*\*\*

## UNIT 5: AMERICAN INSTITUTIONS

### Monday, February 26: The Legislature

*Federalist Papers*, Nos. 52, 53, 55, 62, & 63

Benjamin Rush, "Letter on the Defects of the Pennsylvania Constitution"

Tocqueville, *Democracy in America*, pp. 84-86, 199-201

### 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, February 28: Federalism**

*The Federalist Papers*, Nos. 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)  
*U. S. Term Limits, Inc. v. Thornton* (1995)

#### 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?
3. How is the relationship between the national and state governments determined? What are the powers of each level?

### **Friday, March 2: The Executive I**

John Locke, "On Prerogative Power," from *Second Treatise* (1689)  
*Federalist Papers*, No. 70  
Neutrality Act of 1793  
Pacificus-Helvidius Debates (1793)

#### 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?
3. Who presents the better argument in the Pacificus-Helvidius Debates?

### **Monday, March 5 - Friday, March 9: SPRING BREAK**

### **Monday, March 12: The Executive II**

Abraham Lincoln, "Habeas Corpus Speech" (1861)  
Abraham Lincoln, "Letter to Albert Hodges" (1864)  
Benjamin A. Kleinerman, "Lincoln's Example"  
Harvey C. Mansfield, "Law and the President"

#### 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?

### **Wednesday, March 14: Administration**

*Federalist Papers*, No. 27  
Tocqueville, *Democracy in America*, pp. 87-89

James Q. Wilson, "Constraints," from *Bureaucracy* (1991)  
Gary Lawson, "The Rise and Rise of the Administrative State" (1994) (excerpts)

Reading Questions

1. What is the purpose of administration? What is its place in the Constitution?
2. What are the limits, both legal and structural, on administration?

**UNIT 6: THE PROBLEM OF SLAVERY AND CIVIL RIGHTS**

**Friday, March 16: Slavery and the American Founding**

Benjamin Franklin, "An Address to the Public from the Pennsylvania Society for Promoting the Abolition of Slavery"  
Herbert Storing, "Slavery and the Moral Foundations of the American Republic"  
*Federalist Papers*, No. 54  
John C. Calhoun, "Speech on the Oregon Bill"  
Alexander Stephens, "Cornerstone Speech"  
Slavery provisions in the U.S. Constitution: Article 1, Section 2, Clause 3; Article 1, Section 9, Clause 1; Article 4, Section 2, Clause 3  
*Dred Scott v. Sanford*, 1856 (excerpts)

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?
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?

**Monday, March 19: Abraham Lincoln and the Crisis of the House Divided**

Thomas Jefferson, "Letter to John Holmes"  
Abraham Lincoln, "Speech on the Repeal of the Missouri Compromise"  
Abraham Lincoln, "Speech at Chicago"  
Abraham Lincoln, selections from Lincoln-Douglas debates  
Stephen Douglas, selections from Lincoln-Douglas debates

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?
3. How did Lincoln and Douglas respond to the *Dred Scott* decision?

**Wednesday, March 21: Abraham Lincoln (cont.)**

Abraham Lincoln, "Lyceum Address"  
Abraham Lincoln, "Gettysburg Address"

Abraham Lincoln, "Second Inaugural Address"

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?

**Friday, March 23: 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 U.S.: Is It 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?

**Monday, March 26: Race in Post-bellum America**

Booker T. Washington, "The Atlanta Exposition Address" (1895)  
W.E.B. DuBois, selections from *Souls of Black Folk* (1903) & "The Talented Tenth" (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*?
3. What does Harlan mean by a "colorblind Constitution"? What does it require?

**Wednesday, March 28: The 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's approach to civil equality differ from that of Malcolm X?
2. For MLK, how should an individual deal with a law that he or she recognizes is unjust?

## UNIT 7: TOCQUEVILLE ON DEMOCRATIC POLITICS AND CULTURE

### Friday, March 30: Democratic Politics

Tocqueville, *Democracy in America*, pp. 62-70, 87-98, 196-201, 231-256

#### Reading Questions

1. How does township government preserve the “spirit of liberty”?
2. What are the advantages and disadvantages of democratic government and society as observed in America, compared to aristocratic government and society?
3. Tocqueville admits that decentralized administration is often inefficient. Why then does he prefer it to centralized administration?

### Monday, April 2: The Democratic Mind

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

### Wednesday, April 4: Democratic Culture

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.

### Friday, April 6: The End of Democracy

Tocqueville, *Democracy in America*, pp. 671-679, 690-705

#### Reading Questions

1. What democratic trends contribute to the possibility of soft despotism? Is soft despotism our fate?
2. Do aspects of modern politics resemble what Tocqueville feared?

### Monday, April 9: Tocqueville Conclusion

NO ASSIGNED READINGS

## UNIT 8: PROGRESSIVISM, LIBERALISM, CONSERVATISM

### Wednesday, April 11: Progressivism

Theodore Roosevelt, “New Nationalism” (1912)  
Woodrow Wilson, “What is Progress?” & “The Liberation of a People’s Vital Energies” (1912)  
Review TR’s Ohio Speech

#### 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?

### Friday, April 13: Liberalism

John Dewey, “The Future of Liberalism,” from *Philosophy of Education*  
Franklin Delano Roosevelt, “The Commonwealth Club Address” (1932)  
Franklin Delano Roosevelt, “Second Bill of Rights” (1944)  
Lyndon B. Johnson, “Great Society Speech” (1964)  
Selections from *Univ. of California vs. Bakke* (1978)

#### Reading Questions

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

### Monday, April 16: Conservatism I

James Ceaser, “Four Heads and One Heart: The American Conservative Movement” (2010)  
Roger Scruton, “The Conservative Attitude” (2002)

#### Reading Questions

1. Over what principles do conservatives disagree with liberals? Are these disagreements new, or longstanding in American politics?
2. Is Scruton’s account of conservatism at all relevant to American politics? If so, how?

### Wednesday, April 18: Conservatism II

Milton Friedman, selections from *Capitalism and Freedom* (1962)  
Yuval Levin, “A Conservative Governing Vision” (2014)

#### Reading Questions

1. What is the relationship between conservatism and the market?

2. On what questions do conservatives disagree with one another?

## **UNIT 9: UNITED STATES AND THE WORLD; NATIONAL SECURITY, INTERESTS, AND AMERICAN PURPOSES**

### **Friday, April 20: National Security**

Walter Russell Mead, selections from *Special Providence: American Foreign Policy and How It Changed the World*

#### Reading Questions

1. What are the ends of American foreign policy? How have they changed over time?
2. What is Mead's argument about the relationship between the American regime and its foreign policy history?

### **Monday, April 23: National Security**

George Washington, selections from "Farewell Address"  
Woodrow Wilson, "Fourteen Points"  
Atlantic Charter  
Dwight Eisenhower, selections from "Farewell Address"  
Tocqueville, *Democracy in America*, pp. 226-230

#### Reading Questions

1. 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?
2. What are the shortcomings of both an "isolationist" and "expansionist" foreign policy?

### **Wednesday, April 25: Foreign Policy**

George W. Bush, "The National Security Strategy of the United States of America"  
Thomas Friedman, "Iran and the Obama Doctrine"

#### Reading Questions

1. What sorts of arguments does President Bush put forward in favor of a doctrine of military preemption?
2. Is there such a thing as an "Obama Doctrine" concerning foreign policy? How would you describe it?

### **Friday, April 27: Conclusion**

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

**FINAL EXAM: May 1**