

Constitutional Principles: Core Texts (GOV 312P, Unique #: 37280)

The University of Texas at Austin

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GOV 312P (Unique #: 37280)

Room: MEZ 1.216

Class Meeting Days and Time: Tuesdays and Thursdays, 3:30pm – 5:00pm

Final Exam Date: Monday, May 6, 10:30 am-12:30 pm

Office Location: MEZ 3.212

Office Hours: Tuesdays and Thursdays, 9:30-11am (or on Zoom by appointment) (Subject to change)

Course Description

We in the U.S. live under the oldest codified liberal democratic constitution in use today. But the age of our constitution does not permit us to take its principles for granted. Far from it. Each of us, in one way or another, is deeply shaped by these principles – in what we admire and detest, praise and blame, fear and love, in our opinions on the mundane and the lofty alike. Therefore, if we wish not to take our opinions for granted, if we wish to achieve genuine self-knowledge, and if we are to be responsible democratic citizens, we must engage in a searching and thoughtful analysis of the theoretical basis for the American Constitution and the ways of life it fosters and requires. Such an analysis is all the more necessary today; liberal democracy now draws criticism not only from abroad but also from home on both sides of the political spectrum. If we are to meet those criticisms adequately, we owe it to ourselves to recover the original intention of those who shaped our government. This course is designed to help students begin such a recovery.

We will focus on the fundamental principles of American political life: democracy, equality, and liberty. Our guides – a select few authors of the American political tradition's foundational texts – will show us how these principles took hold in the US and what arguments were made for and against them. Our authors will not always agree with each other – they will even vehemently disagree. But from their agreements and disagreements alike, we can begin to recover for

ourselves those crucial questions informing our country, and hopefully start on the path towards genuine intellectual liberation.

This class carries “Ethics” and “Cultural Diversity in the US” flags. Ethics courses are designed to equip you with skills that are necessary for making ethical decisions in your adult and professional life. It should therefore come as no surprise that a substantial portion of your grade will come from assignments involving ethical issues and the process of applying ethical reasoning to real-life situations. “Cultural Diversity in the US” courses are designed to familiarize you with the distinctive experiences of marginalized groups in the US. A substantial portion of the readings and writing assignments will require you to consider how American political principles look to Black Americans.

COURSE OUTLINE

Our course begins with a brief comparison of Aristotle’s classical conception of politics with the Declaration of Independence and the U.S. Constitution’s Preamble.

We will then turn to John Locke, whose *Second Treatise of Government* is one of the deepest theoretical defenses of liberal democracy, and whose *Letter Concerning Toleration* is the most famous early-modern defense of religious toleration. Then, we will consider *The Federalist Papers*, wherein we will encounter powerful arguments for key features of the American Constitution and, at the same time, the first great attempt to apply Lockean principles in a political founding. Afterwards, we will briefly attend to the Anti-Federalist’s thoughtful and public-spirited challenge to the Federalists.

Having glimpsed the theoretical basis for the spirit of the American Constitution and the rich political arguments for its ratification, we will move to Tocqueville’s critical but friendly observations on American democracy and the psychology of American citizens during the nation’s early years.

We will then spend a quarter of the course studying debates over slavery and race in the United States. We will look to Abraham Lincoln’s penetrating speeches and then to the powerful insights of Frederick Douglass, Booker T. Washington, W.E.B. Du Bois, and Martin Luther King Jr., as well as Malcom X, Zora Neale Hurston, and - time permitting - James Baldwin. We will focus on their different evaluations of the meaning and import of American political principles to a people enslaved for a third of this country’s history. We will complement this unit with a brief, penultimate unit. This latter unit will cover debates on race occurring in contemporary African American political thought.

We will close the course with readings from two recent evaluations of liberal democracy; one by Francis Fukuyam, the other by Aleksandr Solzhenitsyn.

CLASSROOM POLICY

The following are the rules of classroom conduct:

- You are required to have a physical copy of every book. E-readers are not allowed in class.
- **Turn off and put away all cell phones before class begins.** Texting during class is a violation of class rules. **If you are caught texting or using your phone during class, it will count as an unexcused absence.**
- Use of laptops during class is not permitted. Please store your laptops before class begins.
- **Do not eat in class.** If your schedule is such that you feel you must eat, see me.
- Do not pack up before I have dismissed class. If this is a problem for you, see me. Packing up early is a distraction both to me and to your fellow students. I will end each class by 4:50pm. In return, I expect you to refrain from packing up early. While any breach of the class rules enumerated above might earn you an unexcused absence, **I will ruthlessly enforce the rule against early packing up. If you do this, I will treat it as an unexcused absence.**
- Treat one another respectfully. Do not be dismissive of students' contributions to class discussions. In this class, we aim for civil and civilizing discourse.
- I reserve the right to give you an unexcused absence for behavior that is distracting or disrespectful to your peers and/or myself.

COURSE REQUIREMENTS AND GRADING RUBRIC

The most important requirement is that you show up ready to discuss the readings. There is a lot of reading for this course, but it is worth all the time and effort you can put into it. You can learn something important from everything we read.

Grade Percentage Breakdown:

Attendance (10%)

Participation (10%)

Reading Quizzes (10%)

Short Essay (5%)

Long Paper 1 (15%)

Long Paper 2 (20%)

Final Exam (30%)

Attendance: Attendance is **required** at every class meeting. You get two unexcused absences with no immediate penalty. **After that, for every class you miss, your attendance grade will drop by 10%, which means that your overall final average will drop by 1%.** Having more than 8 unexcused absences—including the first two, for which there is no other penalty—will result in **automatic failure of the course**. I will excuse absences if you have a serious reason for missing class, such as illness or a religious observance, but you should consult with me as early as possible.

Participation: This is a discussion intensive class, and you are expected to come to every meeting having done the readings and prepared to offer your thoughts and interpretations of them. Your participation will be graded with the same rigor as the other parts of the course. You do not automatically receive a perfect participation grade if your attendance is perfect. There are many ways of participating and strategies you may use to contribute thoughtfully. You may offer an interpretation of a passage in the text, you may answer a question that I raise, you may answer a question that a classmate raises. But oftentimes, good participation means raising good questions for the class as a whole.

Reading Quizzes: Quizzes will be given every day to assess that you're up-to-date on reading. If you miss class and hence the quiz, I will offer you a short reflection assignment – but I will only do so if your absence is excused. You may not make up for quizzes missed as a result of lateness.

Short Essay: Your first writing assignment is a short essay (2 pages), graded on a complete/incomplete basis. **This essay is due February 6th** at the beginning of class. You will turn it in via Canvas. I will return this essay to you with extensive comments.

Two “Long” Papers: Each paper will have a length requirement of 1200-1500 words (approximately 5 pages). The first paper is worth 15% of your grade, and the second is worth 20% of your grade. These papers will be graded on the substance and quality of your writing. **The first paper is due March 5th, and the second paper is due April 16th.** I will distribute each paper topic on Canvas at least 13 days before the paper is due. Each paper must be turned in via Canvas. *Late papers will lose 10% per day after the deadline*

30% — Final Exam. The exam will consist of two essays written in two hours. The prompts will be selected at random from study questions handed out at least two weeks beforehand. The exam will cover material from the entire term.

Grade Calculation – Long papers and Exams will be given letter grades. In order to calculate your final grade, these will be translated into number grades as follows:

A: 97; A-: 91; B+: 88; B: 84.5; B-: 81; C+: 78; C: 74.5; C-: 71; D: 65; F: 30

I will often use grades like A/A- to indicate a numerical grade between the two letter grades. So, A/A- is a 94 and B-/C+ is a 79.5.

Final grades will be awarded on the following scale. Please note: grades will not be rounded up. You need a 93.5 average to get an A. I will use the following grade scale for final grades:

A: 93.5-100; A-: 90-93.5; B+: 87-90; B: 83-87; B-: 80-83; C+: 77-80; C: 73-77; C-: 70-73; D: 60-70; F: below 60.

A NOTE ON CHAT GPT AND OTHER AI PROGRAMS:

A core purpose of this course is to help you learn how to read, write, and think for yourself. Do not, in any way, use, consult, or employ Chat GPT or any other AI program when writing papers for this class. Do not use AI as a substitute for your own efforts at reading in this class. Chat GPT and AI detection software is steadily improving. I will employ detection software when reading your papers. If you are caught using Chat GPT or any other AI software when writing your papers, **you will fail this class**. The same consequence applies if you are caught plagiarizing.

OFFICE HOURS

I will hold office hours **Tuesdays and Thursdays in my office at MEZ 3.212 on Tuesdays and Thursdays, 9:30am-11:00am. These hours are subject to change.** If they change, I will notify you in advance. If for some reason the scheduled times do not work for you, **please email me, and I will be happy to set up a time when we can meet, either in person or via Zoom.** The goal of office hours is to help you better understand the course material, or better understand how to organize your thoughts and ideas when writing papers. So come on in for a visit, and we can have a conversation.

REQUIRED TEXTS

You are required to own *paper copies* of all the books for this class. With the exception of the course packet, which should be available at the McCombs UT Document Solutions kiosk, you can buy these books from wherever you like. The location of the pickup for your Course Packet is subject to change – if it is changed, I will notify you. As for your books, there should be copies at the Co-Op, but since the Co-Op often understocks course materials, I'd suggest using Amazon, AbeBooks, or another online book retailer.

1. Course Packet, available at the McCombs UT Document Solutions kiosk (pickup location subject to change)
2. John Locke, *Two Treatises of Government and A Letter Concerning Toleration*. Edited by Ian Shapiro. Yale University Press. ISBN 0300100183

3. Hamilton, Madison, Jay. *The Federalist Papers*. Introduction by Charles Kesler, edited by Clinton Rossiter. Signet Classics. ISBN 0451528816
4. Alexis de Tocqueville. *Democracy in America*. Trans. Harvey Mansfield. The University of Chicago Press. ISBN 0226805360
5. Frederick Douglass. *Narrative of the Life of Frederick Douglass*. Signet Classics. ISBN 0451529947
6. Booker T. Washington. *Up From Slavery*. Dover Classics. ISBN 0486287386
7. W.E.B. DuBois. *The Souls of Black Folk*. Dover Classics. ISBN 0486280411

COURSE SCHEDULE AND READINGS

Course Introduction

Tue, Jan. 16: Excerpt from Aristotle's *Politics* (uploaded to "Files" section of Canvas); Declaration of Independence (in *The Federalist Papers*, pp. 528-32); U.S. Constitution, **Title and Preamble only** (p.542); Read this course syllabus in its entirety

Part 1: Locke, The Founding, and The Federalists

Thur, Jan. 18: Excerpt from Hobbes' *Leviathan* (uploaded "Files" section of Canvas); John Locke, *Second Treatise*, Chapters 1-3

Tue, Jan. 23: Locke, *Second Treatise*, Chapters 4-5

Thur, Jan 25: Locke, *Second Treatise*, Chapter 6: Sections 52-58 only; Chapter 7: all (Sections 77-94); Chapter 8: Sections 95-100 and 119-122; Chapters 9-10.

Tue, Jan. 30: *Second Treatise*, Chapters 11-14; Chapter 19

Thur, Feb. 1: *Letter on Toleration*, "To the Reader" (pp. 213-215); *Letter* (pp. 215-232)

Tue, Feb. 6: *Letter on Toleration*, (pp. 232-254)

FEB. 6: SHORT PAPER DUE

Thur, Feb. 8: Finish *Letter on Toleration*; Thomas Jefferson, Excerpt on Religious Toleration (to be posted on Canvas); *The Federalist*, 1, 2, 37, 39, 46, U.S. Constitution, Article 1 section 8 (pp. 546-548)

Tue, Feb. 13: *Federalist*, 6, 8, 9, 10, 11; excerpt from Washington's Farewell Address (CP)

Thur, Feb. 15: *Federalist*, 48, 49, 51, 52, 53, 55; U.S. Constitution, Article 1 (pp. 542-549)

Tue, Feb. 20: Brutus I, from Anti-Federalist (CP); Centinel I, from Anti-federalist (CP); Letter from George Mason to George Washington (CP); Jefferson, Notes on the State of Virginia (CP)

Thur, Feb. 22: *Federalist* 84, 85 (pp. 506-516 only, 520-527); Bill of Rights Readings (CP); U.S. Constitution, Bill of Rights (first ten amendments); U.S. Constitution, Articles III - VII

Part 2: Tocqueville's Friendly Critique

Tue, Feb. 27: Tocqueville, *Democracy in America*, Introduction (pp. 3-15); I.1.3 (pp. 45-53)

Thur, Feb. 29: *Democracy in America*, I.2.1, I.2.7, I.2.9; **TIME PERMITTING:** I.2.8

Tue, Mar. 5: *Democracy in America*, Volume II "Notice" (399-400); II.2.1-3; II.2.4-9

MAR. 5: FIRST LONG PAPER DUE

Thur, Mar. 7: *Democracy in America*, II.2.10-16

SPRING BREAK: March 11th-16th

Tue, Mar. 19: *Democracy in America*, II.2.17-20; II.4.6-8

Thur, Mar. 21: *Democracy in America*, I.2.10, pages 302-307 and 326-348 only

Part 3: Slavery and Its Legacy

Tue, Mar. 26: Patrick Henry, Letter to Robert Pleasants (CP); Debates on Slavery at the Constitutional Convention (CP); Thomas Jefferson Excerpt from Original Draft of the Declaration of Independence (CP); Benjamin Franklin “Petition” (CP); William Lloyd Garrison “On the Constitution and the Union” (CP)

Thur, Mar. 28: John C. Calhoun, “Speech on the Oregon Bill” (CP); Abraham Lincoln, “Peoria Speech” (CP); Stephen A. Douglas, “Springfield Speech” (CP); Alexander Stephens, “Cornerstone Speech” (CP)

Tue, Apr. 2: Frederick Douglass, “Abolition Fanaticism” (CP); “The Constitution and Slavery” (CP); “Announcement in the North Star” (CP); Fourth of July Speech (CP)

Thur, Apr. 4: Frederick Douglass, *Narrative* (19-128)

Tue, Apr. 9: Abraham Lincoln, Men’s Lyceum Address (CP); “House Divided” speech (CP); Seventh Lincoln-Douglas Debate (CP) Lincoln, “Private Note” (CP); Gettysburg Address (CP); Second Inaugural Address (CP); Frederick Douglass, “Oration” (CP); **TIME PERMITTING:** W.E.B. Du Bois, “Abraham Lincoln” (CP); Du Bois, “Again Lincoln” (CP)

Thur, Apr. 11: U.S. Constitution, Amendments 13-15 (in *The Federalist Papers*, pp. 561-561); Booker T. Washington, *Up From Slavery*, 1-11, 57-64, 79-81, 105-115, 156-157 (last three paragraphs only), “The Educational Outlook in the South” (CP); “Our New Citizen” (CP); “Democracy and Education (CP)

Tue, Apr. 16: W.E.B. Du Bois, *The Souls of Black Folk*, Forethought, Chapters 1, 3, and 6; “The Talented Tenth” (CP); “The Conservation of the Races” (CP); **TIME PERMITTING:** W.E.B. Du Bois, *The Souls of Black Folk*, Chapter 14

APR. 16, SECOND LONG PAPER DUE

Thur, Apr. 18: Martin Luther King, “Letter from Birmingham Jail”; “I have a Dream”; Malcolm X, “The Ballot or the Bullet”; Zora Neale Hurston, “Letter to the Orlando Sentinel” (CP); **TIME PERMITTING:** Baldwin “Stranger in the Village” with excerpts from “Down at the Cross” (to be posted on canvas as a pdf)

Part 4: What Comes Next for (American) Liberal Democracy?

Tue, Apr. 23: Ibram X Kendi, “The American Nightmare” (CP); Coleman Hughes, “A Better Anti-Racism” (CP); Glenn C. Loury, “Unspeakable Truths about Racial Inequality in America” (CP)

Thur, Apr. 25, Last Class Day: Fukuyama, “The End of History” (CP) Solzhenitsyn, “A world split apart” (CP)

Final Exam:

Date: Monday, May 6, 10:30 am-12:30 pm

Location: TBD

Additional Policies

Students with disabilities: Students with disabilities may request appropriate academic accommodations from the Division of Diversity and Community Engagement, Services for Students with Disabilities, 471-6259, <http://www.utexas.edu/diversity/ddce/ssd/>

Academic dishonesty: Plagiarism will result in a failing grade for the course. The university’s Honor Code, with information on the meaning of academic integrity, can be found here: <http://catalog.utexas.edu/general-information/the-university/>

Accommodations for religious holidays: If you need to miss class for a religious observance, please email me. I will excuse your absence and we will make arrangements to keep you updated with the course material.