

Fall 2024
GOV 335C / RS 346P – Writing Flag

RELIGION AND POLITICS IN AMERICAN THOUGHT: From the Colonies to the Culture Wars

Professor Budziszewski
Depts. of Government and Philosophy

SYLLABUS

Class meets:	MW 2:30-4:00pm in MEZ BO.306 (this is in the basement -- you must use either the Benedict Hall elevator, or the staircase between Mezes and Benedict)
Prof's office hours:	MW 12:30-2:00pm
Prof's physical office:	MEZ 3.106
Prof's email:	For official University matters, jbudziszewski@austin.utexas.edu . For personal correspondence, for example telling me how you're doing after you graduate, jbud@undergroundthomist.org .
Prof's office phone:	Use email instead
TA:	Samuel McRae Thompson
TA's office hours:	To be announced
TA's email:	smt3749@utexas.edu
Course website:	Canvas
Course policies:	Visit the Teaching page of my personal website, https://undergroundthomist.org . Scroll down to the bottom section, “Other Things My Students May Need.” Read the “Frequently Asked Questions,” as well as “How to Read and Outline Analytically.” These items are required reading. The other pages of the website – for example the Writing page, the Faith page, and the blog -- are not part of the course, and you are not required to read them (although, of course, you are welcome to do so).

PREREQUISITES, FLAGS, AND FIELD

If the course is taken as Gov 335M, enrollment requires six semester hours of lower-division government. This number may be repeated when topics vary. The course can also be taken as RS 346, but enrollment is limited. Whether listed as Government or as Religious Studies, it

carries a writing flag and fulfills part of the basic education requirement in writing. Within the Government Department, its field is Political Theory.

The course was put together by combining the most successful parts of two earlier courses (Religion and Politics in American Thought I and II).

DESCRIPTION

Religion in politics is an emotional issue for believers and nonbelievers alike, and there is a great temptation to simply clobber one's neighbor with a slogan like "Separation of church and state" or "In God we trust." The purpose of this course is to help you get beyond the slogans.

We will be studying a large number of sources, mostly primary, of varying length and difficulty, from the colonial period right up to the present. Some sources discuss issues like whether faith should be enforced or whether revolution is consistent with the law of God. Others discuss issues like the meaning of the Establishment and Free Exercise clauses in the Constitution. Still others discuss particular historical controversies, such as whose side God was on in the Civil War, what God thinks of war in general, or what God requires by way of racial justice. A final set of readings concerns the quarrel between secularism and its critics. Typically, we will read the religious arguments on each side of each of the issues we discuss.

Every course is taught from a point of view. That doesn't mean that the teacher can't be objective. Students in all my classes are welcome to express any opinion for which they can give reasons, and my aim is to teach you enough so that if my own point of view is distorted in any important respect, you will have been equipped to detect the distortion and challenge it. Of course you should be prepared to be challenged in return!

In this course, it won't matter much that you can read what a writer has written and figure out what he believes. What will matter is whether you can learn to figure out *why* he believes it, and *how it is logically related to other* things he believes. In other words, when you read you will be expected to look for arguments, not just propositions.

REQUIREMENTS

- Unit 1: Required analytical outline of the readings, 10-20 pages in 14-point font (25%).
- Unit 2: A take-home essay, 4 pages in 14-point font (25%). Extra credit for analytical outlines.
- Unit 3: A *whole-semester* reflection journal (25%). Extra credit for analytical outlines.
- A number of scheduled short quizzes (*curved* average 25%).
- In Units 2 and 3, you can earn extra credit for analytical outlines. See below.

You will *write and turn in* one reflection on the assigned readings each class day. Each should be up to a half a page. These should also be included in your whole-course reflection journal, *along with any other* reflections you may add, not about the assigned readings, but about the lectures, the recommended readings, the applicability of the readings to current events, or anything else you may think of. A good target is to add three or four reflections to your journal each week (the two daily reflections plus one or two more).

During Unit 1, students are required to bring first drafts of analytical outlines to office hours for preliminary feedback before submitting their final drafts. During Units 3 and 4, students are encouraged but not required to do so – these outlines are for extra credit. For essays and reflection journals, feedback is provided both in writing and in office hours by the instructor. In addition, anonymous passages from student work are discussed in teamwork fashion during class.

Your Unit 2 essay should be no more than 1800 words in length, which comes for 4 full pages using the formatting I require, which is explained in the FAQ at my personal website. I assign problems for the essays ahead of time. The essay assignments are also discussed in class.

Each quiz is composed of a small number of short-answer questions. The quizzes are designed to check how well you are keeping up with the reading and retaining it. This is explained further on the first day of class. Each student's TWO lowest quiz grades are dropped, and the remaining quiz grades are averaged. This average is then "curved" – actually it's not a curve but a linear transformation, because I divide by two and add fifty.

In Unit 2, students may earn a maximum of 8 points, added to the Unit 2 grade, for turning in an analytical outline of each of the Unit 2 readings. The same is true for Unit 3.

Class participation and attendance modify grades at the borderline between letter grades. Scholastic dishonesty results in a failing grade for the course.

A guide to analytical outlining is available at <https://undergroundthomist.org/how-to-read-and-outline-analytically>, and I discuss analytical outlining in class.

See the “Other things my students may need” section at the bottom of the Teaching page at my personal website, <https://undergroundthomist.org/teaching>, especially the course policies in the FAQ, which I expect you to know.

REQUIRED TEXTS

All of our required readings are either available in the FILES section of our Canvas page, or else available elsewhere online. Of those in the FILES section, some of them are there in the readings packet, while others are there loose. The TOC in the readings packet tells you where each reading is located.

Several entirely optional readings are also available in the FILES section of our Canvas page.

Always bring a printed copy of the day's reading to class. You may share to save printing costs. However, no electronics are allowed in class.

ADDITIONAL MATERIAL THE UNIVERSITY ASKS FACULTY TO INCLUDE

No course materials used in this class may be shared online, or with anyone outside the class, unless you have my explicit, written permission. This is the University's rule, but I agree with it fully. "Course materials" means *all* course materials – handouts, videos, quizzes, essay prompts, and so forth. Faculty are well aware of the websites some students use for sharing course materials, but the use of them is an act of academic dishonesty and a violation of the Student Honor Code. I am required to report violations to the Dean of Students, who takes all violations of academic honesty very seriously. Of course, violations also include plagiarism. [You can find the University Honor Code here](#).

By University policy, you must notify me of any pending absence due to your observance of a holy day of your religion at least fourteen days prior to the day. Since the only exams are take-home exams, University policies about exams and assignments missed because of holy days do not apply to us.

Students with disabilities may request appropriate academic accommodations from the Division of Diversity and Community Engagement, Services for Students with Disabilities. Call 471-6259, or find the office at www.utexas.edu/diversity/ddce/ssd.

Occupants of buildings on The University of Texas at Austin campus are required to evacuate buildings when a fire alarm is activated. Alarm activation or announcement requires exiting and assembling outside. You should follow my instructions, and familiarize yourself with all exit doors of the seminar room and the building in which it is located, bearing in mind that the nearest exit door may not be the one you normally use. If you require assistance in evacuation, the University requires you to inform me in writing during the first week of class. In the event of evacuation, do not re-enter the building unless given instructions by the Austin Fire Department, the University Police Department, or the Fire Prevention Services office. The Behavior Concerns Advice Line is 512-232-5050. [You can find more information about emergency procedures and evacuation routes at this link](#).

TOPICAL OUTLINE OF THE COURSE

Historical Controversies

- Issues in Early America
 - Religion and civil authority
 - Resistance to the English
 - Natural Rights arguments
 - Biblical arguments
- The Civil War
 - "God is with the North" (Howe)

"No, North and South are both guilty" (Lincoln)
Issues in Twentieth and Twenty-First Century America
 The problem of the all-encroaching state
 Catholic social thought
 Protestant social thought
 War and peace
 Christian views
 Just war doctrine
 Pacifism
 A Jewish view
 Civil rights and black power
 "The enemy is injustice" (King)
 "No, the enemy is white people" (Malcolm X)
 Civil disobedience

Constitutional jurisprudence
 The original understanding
 Early constitutional thinkers
 A roadmap of contemporary jurisprudence
Free Exercise Clause cases
 Accommodationism
 Anti-accommodationism
Establishment Clause cases: Neutralism
Hostility to religion?
Recovery from hostility to religion?

The secularist revolution and its critics
 Democracy and Christianity
 The "culture wars"
 Illustration: Abortion
 Two secular humanist manifestoes
 An evangelical Protestant manifesto
 A Catholic perspective

CALENDAR

Please note: Whenever I say that you should “read” something, I mean you should read it *several times*, not just after but *well before* coming to class.

Study suggestions are provided for each day below. These are not meant to be exhaustive; they are just to get you started.

UNIT ONE: Historical Controversies

Topic 1: Religion and Civil Authority

Session 1	Mon 26 Aug	Course introduction.
Think about what you hope to learn from this course. Begin the readings right away; don't wait until just before the next class.		
Session 2	Wed 28 Aug	Quiz 1. Lecturing on Readings 1a-4.
LABOR DAY	Mon 2 Sept	No class
Enjoy your day off, but don't stop thinking about what you've read.		
Make sure you understand the terms: Separationism, nonconformism, etc. Consider not just what these thinkers believed but why they believed it -- how they reasoned from premises.		
Session 3	Wed 4 Sept	Still lecturing on Readings 1a-4. Handout on the Patristic theory of toleration.
In Williams' dialogue, "Truth" is Williams, "Peace" his adversary, John Cotton. In Ward, bear in mind that this is satire – the way the "simple cobbler" he makes his points is supposed to be funny. Make sure you understand what the cobber thinks should be tolerated and what he thinks shouldn't be, and for what reasons. And no, he <i>doesn't</i> say that only the truth should be tolerated.		

Topic 2: Resistance to the English

Session 4	Mon 9 Sept	Quiz 2. Lecturing on Readings 5-7c.
The question is whether one may use force to resist tyranny. Most of the authors blended biblical with philosophical arguments.		

Session 5	Wed 11 Sept	Still lecturing on Readings 5-7c. Bring a printed copy of your analytical outlines of the readings to date to class for a progress check (not the same as your reflection journals); I want to see how you're doing. Your analytical outlines should be typed and printed out, not written by hand. I encourage you to <i>study</i> together, but do not <i>compose</i> together: The outlines are yours, so work on them independently.
Sometimes the authors make subtle distinctions, so make sure you understand them.		

Topic 3: The Civil War

Session 6	Mon 16 Sept	Quiz 3. Lecturing on Readings 8-10. Bring a printed copy of your journal of reflections on the readings to date to class for a progress check (not the same as your analytical outline); I want to see how you're doing. As with your analytical outlines, your journals should be typed and printed out, not written by hand, and you should work on them independently.
Julia Ward Howe's "Battle Hymn of the Republic" is not a treatise, but a hymn. However, in poetic form it does embody an attempt at something like a logical argument with a lot of silent premises. Try to work out the argument: "Because of P, we know God is doing Q." Although Ward blamed the South for slavery, Lincoln thinks both sides are responsible. He also thinks the Civil War is divine judgment. Do nations have collective responsibility for sins? Does God decree judgment on them? Are such arguments made today too?		
Session 7	Wed 18 Sept	Discussion day for Topics 1-3. See below. Office hours reserved for students who want to show me the first drafts of their Topic 1-3 analytical outlines .
REQUIRED: Come with at least one discussion question. Bring two copies, one copy to use, the other to turn in. Questions for each other are just as good as questions for me. If you decide during class that you want to discuss a different question than the one you brought, that's fine.		

Topic 4: The Problem of the All-Encroaching State

Session 8	Mon 23 Sept	Quiz 4. Lecturing on Readings 11-14. Two handouts will also be on Canvas: Pius XI on Subsidiarity and JP2 on Subsidiarity. Read these too before coming to class. Tip: By today you should be finished analytically outlining Topics 1-3, but don't turn in your outlines yet; I'll collect the outlines for all six topics (1-6) during Session 14 (Monday 10 October).
Make sure you understand the concept and the doctrine of subsidiarity, as well as its close cousin, sphere sovereignty.		
Session 9	Wed 25 Sept	Still lecturing on Readings 11-14.

The principle of subsidiarity tends to be more widely invoked on the right. Why do you think this is the case? Dorothy Day illustrates that it can also be invoked on the left, but in her case the results are profoundly different from what most left-wing thinkers promote. How so?

Topic 5: War and Peace

Session 10	Mon 30 Sept	Quiz 5. Lecturing on Readings 15-17.
As to just war theory, make sure you grasp the difference between <i>ius ad bellum</i> and <i>ius in bello</i> principles. As to pacifism, make sure you grasp the difference between supporting pacifism on grounds that war is intrinsically wrong, and supporting it on grounds that although there may be such a thing as a just war, the principles of just war will not be followed. Consider the influence just war theory <i>has actually had</i> . Consider the differences between the approaches to just war taken in <i>The Challenge of Peace</i> and in “War and the Jewish Tradition.”		

Topic 6: Civil Rights, Black Power, and Civil Disobedience

Session 11	Wed 2 Oct	Quiz 6. Lecturing on Readings 18-20. Bring your analytical outlines to class for a progress check.

Although Martin Luther King and Malcolm X are often viewed as fighting for the same thing, they were actually fighting for radically different things and in radically different ways. Consider how.

Session 12	Mon 7 Oct	Still lecturing on Readings 18-20.
Martin Luther King presented <i>not only</i> a view of racial justice <i>but also</i> a theory of civil disobedience to unjust laws. Make sure you grasp all six sources he presents for his theory, as well as how the theory works.		
Session 13	Wed 9 Oct	Discussion day for Topics 4-6. See below. Office hours reserved for students who want to show me the first drafts of their Topic 4-6 analytical outlines.
REQUIRED: Come with at least one discussion question. As always, bring two copies, one copy to use, the other to turn in. As always, questions for each other are just as good as questions for me. And as always, if you decide during class that you want to discuss a different question than the one you brought, that's fine.		

UNIT TWO: Constitutional Jurisprudence

Topic 7: The Original Understanding

Session 14	Mon 14 Oct	Quiz 7. Roadmap of Constitutional Jurisprudence. Read Readings 21-23 before coming to class. ALSO bring the actual text of the Constitution's three religion clauses with you to class (see below). DEADLINE for required Unit One analytical outlines (all six Topics).
Find and understand all three religion clauses in the U.S. Constitution (one is in Article 6, and the other two are in the First Amendment). Notice that both Storey and Cooley view the Constitution as encouraging religion, and even some official expressions of religion, but not of all such expressions. Of the two discussions, Storey's is straightforward. Cooley's is more difficult, because he presents several different theories of why the Constitution takes the view of religion that it does, opining that both are plausible but one is more so. You should understand that I am not approaching Constitutional jurisprudence in the manner of a con law specialist, but in the manner of a philosopher. That is, I do not try to bring you up		

to date in all the latest wiggles and squiggles, but instead introduce you do some of the enduring issues – and the enduring confusions.

Topic 8: Accommodationism in Free Exercise Clause Cases

Session 15	Wed 16 Oct	Quiz 8. Lecturing on Readings 21-25.
What does Justice Douglas mean when he says our institutions presuppose a Supreme Being? (This is actually a lot more puzzling than it looks!)		
Session 16	Mon 21 Oct	Still lecturing on Readings 21-25.
To understand what free exercise of religion is, you have to understand not only what an exercise of something is but also what religion is. What does the Court mean by “religion”? Does the language of the Free Exercise Clause imply any exceptions to free exercise? Does the language of the Court’s decision imply any?		

Topic 9: Anti-Accommodationism in Free Exercise Clause Cases

Session 17	Wed 23 Oct	Quiz 9. Lecturing on Readings 26-27.
Notice that besides a Constitutional argument the Court also theory but a sort of political sociology. As to the former, what does it think the Free Exercise clause means? As to the second, why does it consider polygamy incompatible with the principles of a republic? What other arguments for monogamy can be offered?		
Session 18	Mon 28 Oct	Still lecturing on Readings 26-27.
In what way is the Court’s argument in <i>Smith</i> similar to the Court’s argument in <i>Reynolds</i> ? In what way is it different? What does it make of <i>Yoder</i> , which might be viewed as repudiating the theory of <i>Reynolds</i> ?		

Topic 10: Neutralism in Establishment Clause Cases

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Session 19	Wed 30 Oct	Quiz 10. Lecturing on Reading 28.
<p><i>Lemon vs. Kurtzman</i> is a mess. First, try to understand the three-pronged test. Second, try to understand whether it has anything at all to do with what the Establishment Clause actually says – or with what Justice Storey said it meant back in Reading 22, which you studied at the beginning of this unit.</p>		
Session 20	Mon 4 Nov	Still lecturing on Reading 28.
<p>The Court's claims that the Constitution requires "neutrality" between religion and irreligion. Is that what Storey thought? Is it what Cooley thought? Is that what the Court in Zorach thought? What does the Court seem to think religion is? Is it even possible to be neutral between religion and irreligion? Or between anything and anything? (Notice that in asking you whether it is possible to be neutral, I am <i>not</i> asking you whether it is possible to be fair and objective – but fairness is not neutral between justice and injustice, and objectivity is not neutral between truth and error.)</p>		

Topic 11: Hostility to Religion?

Session 21	Wed 6 Nov	Quiz 11. Lecturing on Readings 29-31, focusing on Reading 29-30. Bring your journal of reflections to class for a progress check. In Reading 31, the majority opinion is required, but the concurring and dissenting opinions, as well as the oral arguments, are recommended.
<p>The Rehnquist dissent argues not only that the three-pronged test is has no basis whatsoever in the Constitution, but also that it has produced incoherent results. Interestingly, although the Court refers to the three-pronged test less than it used to, it has not abandoned it. Be sure you understand what Hittinger says about the Court's view of the <i>law</i> and what he says about the Court's view of <i>religion itself</i>. Which would you expect to be consistent, and which not? Which does Hittinger say <i>has</i> been consistent, and which not?</p>		
Session 22	Mon 11 Nov	Quiz 12. Still lecturing on Readings 29-31, this time focusing on Reading 31. In Reading 31, make sure that you understand the <i>new test</i> for compliance with the Establishment Clause set forth in the opinion as a replacement for the <i>Lemon</i> three-pronged test.

Hittinger was writing at an earlier stage of controversy. *Kennedy v. Bremerton School District* was argued and decided at a significantly later stage, after the appointment to the Court of several Justices who were less suspicious of religion and religious institutions than those whom they replaced. Obviously the *makeup* of the Court has changed, but what in the *reasoning* of the Justices has changed? And what hasn't? Notice that this time I'm including not only the majority and dissenting opinions, but also excerpts from the oral arguments presented before the Court. Not everything in the oral arguments is interesting, but I am giving you the entire transcript and letting you decide for yourselves where to focus. Pay attention not only to *what* is said by the Justices and by the attorneys on both sides, but also to the *tone* of the discussion. At any given time, is it reasonable? Friendly? Hostile? Badgering? Evasive?

Session 23	Wed 13 Nov	Essay on the Unit 2 readings assigned. Unit 2 discussion day.
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REQUIRED: Come with at least one discussion question. As always, bring two copies, one copy to use, the other to turn in. As always, questions for each other are just as good as questions for me. And as always, if you decide during class that you want to discuss a different question than the one you brought, that's fine.

UNIT THREE: The Secularist Revolution and its Critics

Topic 12: Democracy and Christianity

Session 24	Mon 18 Nov	Quiz 13. Lecturing on Reading 32. Office hours reserved for students who want to show me the first drafts of their required Unit 2 essays or their Unit 2 extra-credit analytical outlines.
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Please discount your gut reactions for or against Tocqueville's views, for example his view that democracy cannot flourish without religious faith. Instead consider his *reasoning* for his views.

Topic 13: The "Culture Wars"

Session 25	Wed 20 Nov	
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		Quiz 14. Deadline for Unit 2 essays. Deadline for Unit 2 analytical outlines if you want extra credit for Unit 2. Lecturing on Readings 33-37.
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There are a lot of different controversies in the culture war, but we have time to consider only one. What deeper disagreements *underlie* disagreement about abortion? After reading the first four selections, consider: What do you think of the argument of the fifth that so called secularism is not really secular, or non-religious, but rather an ideology which functions as an alternative religion, one in which something else is substituted for God?

THANKS-GIVING BREAK	Mon 25 Nov and Wed 27 Nov	NO CLASS
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Enjoy your holiday, but don't stop thinking about what you've read. After all, Grandma and Grampa may ask you about it.

Session 26	Mon 2 Dec	Quiz 15. Lecturing on Reading 38-41.
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The Koons-O'Brien reading is probably the most philosophically challenging in the course. Make sure you follow the reasoning closely and that you understand the various distinctions. Be sure, especially, to understand the principle of double effect, why the nun whom Koons and O'Brien criticize violated it, and how she committed the Humpty Dumpty Fallacy.

Although the two Humanist Manifestos are not philosophically challenging, they are *rhetorically* challenging. Try to work out what they may mean by such vague expressions as "altering the course of human evolution and cultural development." Bear in mind that they use some of these expressions, such as "affirming life," in a sense diametrically opposed to their usual sense. Bear in mind too that secular humanism has changed quite a bit over time. Consider what claims are made in the former Manifesto but not the latter, as well as what claims are made in the latter but not the former. Understand what massive change Schaeffer thinks they are part of, and why he thinks it has not widely been recognized.

Session 27	Wed 4 Dec	Quiz 16. Still lecturing on Readings 38-41.
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Whereas the Koons-O'Brien reading was philosophically challenging and the two Humanist Manifestos were rhetorically challenging, the Benedict XVI reading is theologically and historically challenging. Make sure you understand how he understands the relation between

faith and reason, what he means by de-hellenization, why he thinks de-hellenization has threatened *both* faith and reason, and what he thinks each of its three stages have been.

Session 28	Mon 9 Dec	<p>Today is for discussion not just of Unit 3, but of the entire course – anything goes – anything related in any way to religion and politics in American thought. Deadline for whole-semester reflection journals. Deadline for Unit 3 analytical outlines if you want extra credit for Unit 3.</p> <p>Before beginning discussion, we will have the <i>informal</i> course survey (this is not the same as the one the University administers).</p>
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Come with at least one discussion question. As always, bring two copies, one copy to use, the other to turn in. As always, questions for each other are just as good as questions for me. And as always, if you decide during class that you want to discuss a different question than the one you brought, that's fine.

What do you *really* want to ask about or discuss concerning the issues of the entire course? You may range widely – the discussion doesn't have to be confined to things in the readings or the lectures. After all, the topics we have studied are matters of concern to any thinking person. As always, questions for each other are just as good as questions for me – and as always, if you decide during class that you want to discuss a different question than the one you emailed, or additional questions, that's fine.

There is no sit-down examination for this course.

I wish you blessed holidays, or holy days, as the case may be, and I will always be glad to hear from you, have you in my future courses, or welcome you for discussion during office hours.