Fall, 2024
GOV 335R -- Writing Flag

Catalogue title of the course:

THE INTELLECTUAL WORLD OF THE AMERICAN FOUNDERS

My nickname for the course:

WHAT THE FOUNDERS WERE READING

Professor Budziszewski
Depts. of Government and Philosophy

SYLLABUS

Class meets:	MW 4:00-5:30pm in BEN 1.126
Prof's office hours:	**MW 12:30-2:00pm**
Prof's physical office:	**MEZ 3.106**
Prof's email address:	For official university matters, jbudziszewski@austin.utexas.edu. For personal correspondence, for example telling me how you're doing after you graduate, email me at jbud@undergroundthomist.org.
Prof's office phone:	Use email instead.
TA:	Aayush Thapa
TA's office hours:	To be announced
TA's email:	athapa@utexas.edu
Course website:	Canvas
Course policies:	Visit the Teaching page of my own website, https://undergroundthomist.org. Scroll down to the bottom section, "Other Things My Students May Need." Read the FAQ, "How to Read and Outline Analytically," "My Pledge," and "Your Norms." 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

This course carries a writing flag and fulfills part of the basic education requirement in writing. Its Government field is Political Theory.

Enrollment requires six semester hours of lower-division Government courses. The course number may be repeated, but only with a different course topic.

DESCRIPTION

> *This was the object of the Declaration of Independence. Not to find out new principles, or new arguments, never before thought of, not merely to say things which had never been said before; but to place before mankind the common sense of the subject, in terms so plain and firm as to command their assent, and to justify ourselves in the independent stand we are compelled to take. Neither aiming at originality of principle or sentiment, nor yet copied from any particular and previous writing, it was intended to be an expression of the American mind, and to give to that expression the proper tone and spirit called for by the occasion. All its authority rests then on the harmonizing sentiments of the day, whether expressed in conversation, in letters, printed essays, or in the elementary books of public right, as Aristotle, Cicero, Locke, Sidney, &c. The historical documents which you mention in your possession, ought all to be found, and I am persuaded you will find, to be corroborative of the facts and principles advanced in that Declaration.*
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> -- Thomas Jefferson, Letter to Henry Lee, 8 May 1825, *Collected Works,* Ford edition, Volume 10, p. 343.

> *These are what are called revolution principles. They are the principles of Aristotle and Plato, of Livy and Cicero, and Sidney, Harrington, and Locke; the principles of nature and eternal reason; the principles on which the whole government over us now stands. It is therefore astonishing, if any thing can be so, that writers, who call themselves friends of government, should in this age and country be so inconsistent with themselves, so indiscreet, so immodest, as to insinuate a doubt concerning them.*
>
> -- John Adams, *Novanglus,* No. 1.

We often read what the Founders of the country wrote. But what were they reading themselves? What were the intellectual influences on thinkers like Thomas Jefferson, George Washington, James Madison, James Wilson, Robert Yates, and Alexander Hamilton? The answers shed an unusual light on what they were trying to do when they initiated the American experiment in self-government.

The mostly-brief readings for this course are selected mostly from James Madison's famous reading suggestions to the Continental Congress (the "Report on Books.") I have also drawn from the favorites of John Witherspoon, "the schoolmaster of the republic," who was a university mentor to several of the Founders, as well as from works which the Founders are known to have studied in college and from political sermons which the Founders are known to have admired. These controversial readings about politics, history, ethics, religion, and law provide an intriguing way to enter into the minds of the men who began the new nation.

For background, if you have never read the Founders, I recommend *The Federalist,* essays 1, 2, 6. 9, 10, 14, 15, 16, 23, 37, 39, 47, 48, 49, 51, 62, 63, 70, 78, 84, and 85. Perhaps the best of the Anti-Federalist writers is Brutus (probably Robert Yates), whose letters are contained in Herbert Storing, ed., *The Anti-Federalist.*

REQUIREMENTS

- Unit 1: Required analytical outline of the readings, 10-20 pages in 14-point font (25%).
- Unit 2: A take-home essay, 4-5 pages in 14-point font (25%). Extra credit for analytical outlines.
- Unit 3: A *whole-semester* reflection journal (25%). Extra credit for analytical outlines.
- Lots of ultra-short scheduled 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 only 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 required 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 for – 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. Rach 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. Scholastic dishonesty results in a failing grade for the course.

A guide to analytical outlining is available at http://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.

TEXTS

All of the required texts are either in the FILES section of our Canvas page.

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 used 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 is it located, bearing in mind that 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. More information about emergency procedures and evacuation routes can be found at www.utexas.edu/emergency

CALENDAR

PRELIMINARIES **(1 session, 2 pages)**		
Session 1	Mon 26 Aug	Introduction to the course. As soon as you can, read "My Pledge" and "Your Norms," both of them in the FILES section of our Canvas page.
This calendar provides study suggestions for each day. The suggestions are not meant to be exhaustive; they are just to get you started. Some of them are about the readings, some about the lectures. Of course you should be reading the assignments and using the study questions about the readings *before* you come to class. It is always a good idea to read the assignment several times, doing each reading on a different day. Don't try to read it over coffee just before coming to class, because you will understand and retain very little. By the way, you will find this advice helpful in all courses, not just mine!		
UNIT 1: CLASSICAL INFLUENCES ON THE AMERICAN FOUNDERS **(9 sessions, 116 pages)**		
I was taught in school that the Founders *originated* all sorts of ideas they really derived from much, much earlier thinkers, such as the moral idea of natural rights and the political idea checks and balances. As you will see, this is far from the case.		
Session 2	Wed 28 Aug	Aristotle, *Politics,* Book 4 (9 pages) AND Aristotle, *Politics*, Book 5, excerpts (9 pages). Like all of the readings, these are in the FILES section of our Canvas page **Quiz 1 is today. All of the quizzes are ultra-short. ALSO REQUIRED:** Bring in one printed reflection for the day. I won't keep putting this

		instruction on the calendar, but you will do this each class day EXCEPT for scheduled discussion days.
What are the good forms of regime? What are the bad or perverted forms of regime? How are they related? Is there a mixed form of regime? What are the criteria for classification? In what way do considerations of moral virtue enter into Aristotle's understanding of politics? What causes revolutions and changes in the form of the regime? What are the different senses of equality? When people quarrel about justice, do they disagree about *everything*, or just some things?		
LABOR DAY	Mon 2 Sept	No class.
Enjoy your break, but don't stop thinking about the readings!		
Session 3	Wed 4 Sept	Cicero, *De re publica* ("On the Commonwealth"), excerpts (2 pages), AND Cicero, *De legibus*, ("On the Laws"), excerpts (14 pages). **Quiz 2.**
In *De re publica* ("On the Commonwealth"): Why do you think Marcus Tullius Cicero sets this fictional dialogue in his country's past, rather than in his own times? What sort of attitude toward external possessions does the famous Roman statesman in the dialogue, Scipio Africanus, view as the mark of the truly wise and fortunate man, and for what reason does he think this attitude is so fortunate? What is meant by natural law and natural justice? In what sense are they natural (and in what sense not)? What objections does Philus raise *against* believing in their existence? How does Laelius *defend* the belief in their existence? In *De legibus* ("On the Laws"): What arguments do the partners in this conversation offer about what nature has granted to man, about the best things the human mind encompasses, about the service we have been born to perform, about the relation between men and gods, about the natural fellowship among men, and about the source of laws and right (rightness)? What is the significance of the argument that whatever the definition of man is, just one applies to all people? Can anyone attain virtue? Can anyone do so by himself, without assistance? Does knowledge of what it is to be good make people better? Can nature by corrupted by bad habit and bad custom? Can it be wholly destroyed by them? Can natural justice change? Are laws just because they are enacted by governments? Should justice and virtue be pursued for their own sake, or because they are useful or pleasant? Do modesty, temperance, self-control, shame, decency, and chastity exist *by* nature, or are they *contrary* to nature?		
Session 4	Mon 9 Sept	

		Cicero, *De officiis* ("On Duties"), excerpts (13 pages). **Quiz 3.**
Cicero's discussion roams all over, so one of your tasks will be simply following the thread without getting lost. Here are some questions to consider: Are any truths self-evident? What are the four principal virtues? How do we differ from the beasts? Did private property arise by nature? Did it arise *contrary* to nature? Do we live for ourselves alone? What are the two kinds of injustice, and what are the motives for which people commit them? What kinds of duties do we have? Have we any duties to those who wrong us? Can it ever be right not to keep a promise? Is there any right and wrong in war? What kinds of bonds are there among human beings, and which have priority? What is the difference between justice and consideration? What does Cicero mean when he says that each of us is endowed with two characters? Can it ever be expedient to do wrong? What are "mean duties" and how is practicing it different from perfect goodness? *De officiis* was enormously influential throughout ancient, medieval, and early modern times, and is still widely read today.		
Session 5	Wed 11 Sept	Sallust, *The War with Cataline*, excerpt (6 pages) AND Sallust, *The War with Jugurtha*, excerpts (3 pages). **Quiz 4. ALSO** bring in printed copies, showing your names, of every reflection you have turned in so far. I will collect them, give some anonymous feedback, and return them. This is not for a grade.
These readings are much too short for a continuous historical narrative – which is too bad, because the American Founders did read Roman history in detail. Instead, I want you to notice themes and motifs. Pay particular attention to what Sallust says about the motives of glory and renown, of ambition as a vice "not so far removed from virtue," of avarice as a much more detestable vice, of the importance of both virtue and "fortune" (luck) in politics, of the disadvantages of leisure and prosperity, and of the degeneration of the moral character of the commonwealth. Notice too Sallust's view of the calling of the historian.		
Session 6	Mon 16 Sept	Plutarch, "Life of Cato the Elder" from *Parallel Lives* (21 pages). **Quiz 5. ALSO** bring in printed copies, showing your names, NOT of your reflections, but of your analytical outlines so far. I will

		collect them, give some anonymous feedback, and return them. This is not for a grade.
Plutarch was famous for his *Parallel Lives,* a collection of 48 brief paired biographies of Greek and Roman thinkers. For example, the Roman statesman Marcus Lucius Cato ("Cato the Elder") for instance was paired with the Greek statesman Aristeides ("Aristeides the Just"). The purpose of this pairing was to persuade Romans that their civilization and that of the Greeks had much in common. We aren't reading what Plutarch wrote about Aristeides, but only what he wrote about Cato, who was revered for virtue not only among the Romans themselves but also among the American Founders. I do not expect you to remember all the details of Cato's biography. Pay attention, rather, to what Plutarch's words tell us about how the Romans thought about statesmanship and moral character. Interestingly, Cato was so concerned about the Carthaginian threat to the security of Rome that he ended every one of his speeches in the Senate, no matter the topic, with the same words: "Moreover, I am of the opinion that Carthage should be destroyed."		
Session 7	Wed 18 Sept	Plutarch, "Life of Cicero" from *Parallel Lives* (32 pages). **Quiz 6.**
Plutarch paired the life of the Romans statesman and rhetorician Marcus Tullius Cicero with the life of the much earlier Greek statesman and rhetorician Demosthenes. As with Cato the Elder, again we are reading only the Roman element of the paired biographies. Cicero, however, was more than a politician and speaker. He wrote treatises on numerous subjects, inventing an entire set of Latin equivalents for Greek ethical and philosophical terms. You have already read parts of his *De officiis* ("On Duties"). As in the case of Cato, I do not expect you to remember all the details of Cicero's biography. Again, pay attention to what the biography tells us about how the Romans thought about virtue. One thing this biography shows us, though, is that they didn't always take the same views of who had virtue and who didn't, any more than we do. As you saw earlier, Cicero revered the statesman Scipio Africanus, making him his spokesman for wisdom and virtue in one of his philosophical dialogues. But as you have also seen, Cato the Elder detested Scipio Africanus and brought about his removal from office!		
Session 8	Mon 23 Sept	Tacitus, *Histories*, excerpts (3 pages) AND Tacitus, *Annals*, excerpt (1 pages). **Quiz 7.**

As with Sallust, so with Tacitus, I want you to focus on themes and motifs, not the details of who did what to whom. What circumstances contribute to the writing of truthful history and what circumstances undermine it? What does Tacitus take political "freedom" to be? (Hint: He doesn't take it to be getting to do as you please.) Do people always desire liberty? Does the attitude of public men toward virtue change from age to age, or is it always more or less the same? Can there be civic peace without good moral character?		
Session 9	Wed 25 Sept	Justinian's *Institutes*, excerpts (3 pages). **Quiz 8.**
The Emperor Justinian commissioned what we now call the *Corpus Juris Civilis* in order to summarize and harmonize a sprawling mass of legal material that had accumulated over a period of a thousand years, including case law, enacted law, senatorial consults, judicial interpretations, and imperial decrees. Written under the supervision of the jurist Tribonian, his advisor, the *Corpus* includes four parts: The *Codes*, a collection of imperial "constitutions" or legislation dating from the time of the Emperor Hadrian; the *Institutes*, a manual for students of law; the *Digest*, or *Pandects*, a collection of excerpts from Ulpian, Gaius, and thirty-seven other great Roman jurists; and the *Novels*, a collection of "new" legislation added later. The *Institutes* and the *Digest* remained influential for centuries, long after the demise of the Roman empire. Pay particular attention to your reading's explanation of justice, one of the four cardinal virtues. Today many people claim that justice cannot be defined, because it is in the eye of the beholder. Well, the *Institutes* define it. Compare its understanding of justice with those of the previous authors we have read.		
Session 10	Mon 30 Sept	Unit 1 discussion day. **REQUIRED:** Bring in two copies of a brief printed discussion question, one to use during discussion, one to turn in.
You may ask raise highly focused questions if you wish, but on discussion days I also encourage you to bring up broader issues related to the readings of the unit.		
UNIT 2: EARLY MODERN SECULAR INFLUENCES ON THE AMERICAN FOUNDERS (11 sessions, 164 pages)		
A certain influential view in the history of ideas makes much of the so-called quarrel between the ancients and the moderns. There really are some sharp differences. In particular, some of		

the understandings of natural law most influential in the early modern period were much "thinner" that the classical view of it. On the other hand, the Founders themselves didn't seem to consider these differences so sharp. As Jefferson wrote, all of the authority of the Declaration of Independence rested on "the harmonizing sentiments of the day, whether expressed in conversation, in letters, printed essays, or in the elementary books of public right, as Aristotle, Cicero [who were ancients], Locke, Sidney, &c. [who were moderns]." You may notice that between Unit2 1 and 2, we have skipped the entire medieval period. This is because the American Founders rarely referred to medieval thinkers. However, we should not think that they were not influenced by them. For example, the early modern writer Richard Hooker, whom you will read, "channeled" many of the teachings of the medieval thinker Thomas Aquinas, whom you will not read. Moreover – something not widely known – the college education of the American Founders was shaped by medieval Scholasticism. For those who may be interested, I have posted James J. Walsh's fascinating article, "Scholasticism in the Colonial Colleges," to the FILES section of our Canvas page. The Walsh article is an optional reading, not required.		
Session 11	Wed 2 Oct	Machiavelli, *Discourses on the First Ten Books of Titus Livius*, excerpts.doc (14 pages). **Quiz 9. ALSO** this is the deadline to turn in your required Unit 1 analytical outlines for a grade. **ALSO** bring in printed copies, showing your names, of every reflection you have turned in so far. I will collect them, give some anonymous feedback, and return them. This is not for a grade.
How does Niccolo Machiavelli's classification of republics resemble Aristotle's, and how does it differ from it? Are the variations in the forms of government due to consideration and planning, or due to chance? How then do changes in the form of government come about? If a nation is founded on an imperfect constitution, how might it become better? Can this happen without danger? What does Machiavelli mean in speaking of the "circle" in which republics are governed and will be governed? What does Machiavelli mean by religion? Can a civilization be established without religion? Which needs to come first, religion or military strength?		
Session 12	Mon 7 Oct	Hooker, *Laws of Ecclesiastical Polity*, Book 1, Chapter 10 (15

		pages) AND Hooker handout (2 pages). **Quiz 10.**
Do natural laws bind men because they are men, or because they have agreed to them? What are the two foundations of "public" (political) societies? What must we assume about the will of man in order to make good laws? Richard Hooker says all men desire to lead a happy life, but what kind of life is happy? According to Hooker, what were men's first and second concerns after they were created? How does our ability to learn the important things about life depend on our moral condition? Could we have lived without government if there had never been any sin? Could we live without government as we are? If there is no government, may we defend ourselves against wrong? Why is this an inadequate way for men to defend themselves against wrong? Do the forms of government arise from chance, as Machiavelli thought, or from consideration and consultation? Does natural law dictate one form of government, or does it allow choice, on grounds of experience? What is necessary for a particular form of government to become lawful and authoritative? What does Hooker mean when he says "in laws, that which is natural bindeth universally, that which is positive not so"? What does he mean by laws "merely human" and laws "mixedly human"? What is the difference between primary and secondary law, and what is the relation of each kind to human nature? Is natural law our only guidance for enacting human laws, or has God provided another kind of guidance too?		
Session 13	Wed 9 Oct	Harrington, *Oceana*, excerpts (23 pages). **Quiz 11.**
Don't get hung up in all of the details of James Harrington's discussion of the governmental institutions of the Spartans, Hebrews, Romans, Greeks, et cetera. Instead, read for the conclusions he draws from his study of these institutions. What is the difference between the "empire" or government of laws, and the "empire" or government of men? Does Harrington classify Machiavelli as a proponent of the former or of the latter? Using as a foil the author he calls Leviathan (Thomas Hobbes, the author of the book of that title), how does he refute the argument that since even the law must be enforced by men, all governments are governments of men? On what grounds do some say that Aristotle's distinction between the three good and three perverted forms of government is imaginary? Does Harrington agree with these critics or disagree with them? What does he mean by the twofold distinction among the principles of government, internal and external? What does he mean by saying that the balance of property in land determines the nature of the government? Does he think the statement is still true if we consider forms of property other than in land, such as money? In what way does he criticize Machiavelli's theory of mixed government? What does he mean when he says that government is nothing other than the soul of a nation or a city? In what does the liberty of a man – and in what does the liberty of a commonwealth – consist? What is the difference between private reason, reason of state, and the common reason, or reason of mankind? What does he mean when he says, "The Senate then having divided, who shall choose? Ask the girls." (Hint: He is referring to a custom among children for enforcing fairness when sweet		

treats are to be divided.) On what does the perfection of a government depend? What is the proper role of the senate, the people, and the "magistracy" or executive? Why does Harrington see no inconsistency between respecting private religious conviction, and having a national religion? How does he refute the argument that having few laws leaves too much to arbitrary power?		
Session 14	Mon 14 Oct	Locke, *Second Treatise of Government* (38 pages). **Quiz 12.**
What does John Locke mean by the state of nature? In what sense is does he call it "of nature" or natural? In what sense are all men free in it? How do our natural rights depend upon God? (Hint: Read Section 6 very carefully.) Does the state of nature have a law of nature to govern it? If so, who enforces it? What are the limits of punishment? What is the solution to the problem that Hooker mentions, that men must not be judges in their own cases? What would men have to do in order to leave the state of nature? (And if it is natural, how can it be right to do so?) How can anyone come to have private property? What are the natural limits of property? How does the invention of money get around these limits without actually violating them? What consequences do its invention have for equality and inequality of property? What power do people transfer by consenting to leave the state of nature and form a political community? What are they trying accomplish by doing so? Does consent have to be explicit, or can it be tacit? How does Locke refute the argument that men couldn't ever have been in a state of nature because we have no records of their doing so? How did kingships spring up? Can it ever be right to dissolve the government? Can it ever be right to return to the state of nature? What is the difference between governments being dissolved from without, and governments being dissolved from within? What is the difference between rebellion and revolution? What conditions must be satisfied for revolution to be just? How does Locke refute the argument that by presenting a possible justification for revolution, he is producing a ferment for frequent rebellion?		
Session 15	Wed 16 Oct	Sidney, *Discourses on Government*, excerpts (7 pages). **Quiz 13.**
Algernon Sidney is often compared with John Locke; in fact, the Founders tended to mention them both in the same breath. What do you find in Sidney that you do *not* find in Locket (whether or not Locke would have agreed with it)?		
Session 16	Mon 21 Oct	Hume, *Essays, Moral and Political* (12 pages). **Quiz 14.**

What does Hume mean by reducing politics – especially the design of government -- to a science? On what grounds do his critics argue that it can't be? How does he refute their argument? Does he then think that the goodness of the rulers is irrelevant to the goodness of the government? In his opinion, to what degree does public spirit depend on public virtue? Why does he think moderation in politics is more important than enthusiasm, and that passion is a greater danger to it than apathy? How does his view of the origins of government differ from those of Hooker and of Locke? What does he think the roles of necessity, natural inclination, and habit are in the origin of government? By what other inclinations must the inclination to justice be aided? To what degree can a sound understanding of government be reached by pure reflection, and to what degree does it depend on experience? Concerning the political maxim that we should assume that every man is a knave (a scoundrel), he comments that "it appears somewhat strange, that a maxim should be true in politics, which is false in fact." If it is false in fact, what makes it true in politics?		
Session 17	Wed 23 Oct	Burlamaqui, *Principles of Natural and Politic Law* (21 pages). **Quiz 15.**
Conveniently for us, Jean-Jacques Burlamaqui begins with an outline of the questions he is going to investigate: Is man, by his nature, really subject to laws that are natural and yet truly laws? What are these laws? Who is the superior who imposes them on us? How can we find out what they are? Where does the duty to follow them come from? Try to work out, too, what bad consequence may result from not following them, and what advantages may result from faithfully observing them.		
Session 18	Mon 28 Oct	Montesquieu, *The Spirit of the Laws* (21 pages). **Quiz 16.**
As in the case of your other readings, I don't want you to get lost in the minutiae of different historical governments, but to grasp the conclusions which Charles, baron de Montesquieu, draws from examining them, and why he draws them. He distinguishes between the nature of each form of government, and its "principle." What does he mean by this distinction? What then does he consider the principle of democracy? Of aristocracy? Of despotism? Why does he say that virtue is *not* the principle of monarchy, and of what form of government *is* it the principle? In a monarchy, then, what is it that takes the place and performs the function of virtue? Something Montesquieu also discusses (but not in our excerpts) is how does the mode of education under each form of government must correspond to the principle of that form of government. Try to work out why is education is especially crucial in a republic, and what is meant by the virtue that republics inculcate? (Do you think our own education inculcates it?		

For that matter, would Montesquieu even say that we do have a republic, as we like to think we do?)		
Session 19	Wed 30 Oct	Blackstone, *Commentaries on the Laws of England*, excerpts (11 pages). **Quiz 17.**
According to William Blackstone, what is wrong with the way English gentlemen – men of good birth and upbringing -- are educated in the laws of their own country? How should they be educated instead? What is the general meaning of the term "law"? Why is man necessarily subject to the laws of his Creator? Does Blackstone think that the Creator could have imposed any laws He pleased? How can the natural law be found out – does one have to be a philosopher, or is there another way? Why then don't we do this better – what has gone wrong? In what way is the law of revelation a corrective? What third kind of law is necessary because we live in society, but not in a single society but in different nations? What are the only true and natural foundations of society? Does Blackstone accept or reject Locke's idea of an original "state of nature"? How is something like a social contract implicit in the act of associating together? Did there have to be a formal social contract, as Locke thinks? What are the different forms of government? Does Blackstone accept or reject the view of Tacitus that they can never lastingly be blended? What is it that makes laws compulsory? What is the difference between mala in se and mala prohibita? Are there such things as unwritten laws? What are they? By whom is their validity to be determined? What is the doctrine of English law regarding precedents? What is the reason for it?		
Session 20	Mon 4 Nov	Wilson, *Lectures on Law*, excerpts (18 pages). **Quiz 18.**
James Wilson is not just an influence on the Founders – he was one of them, and one of the most profound legal thinkers of his generation. We do not have time in this course to study the full range of *Lectures on Law,* but they would justify an entire semester. Wilson takes up everything from philosophy and psychology of knowledge to the detailed structure of political institutions. He was also, along with Alexander Hamilton, both a strong defender of natural rights and a strong opponent of adding a *bill* of rights to the Constitution. Intriguingly, they thought a bill of rights would not strengthen the protection of natural rights against a potentially tyrannical government, but weaken it.		
Session 21	Wed 6 Nov	Unit 2 discussion day. **REQUIRED:** Bring in two copies of a brief printed discussion

		question, one to use during discussion, one to turn in. **ALSO** the required Unit 2 essay will be assigned today.
As in the Unit 2 discussion day, be bold in the questions you raise for discussion.		
UNIT 3: NEARLY CONTEMPORARY RELIGIOUS INFLUENCES ON THE AMERICAN FOUNDERS (7 sessions, 77 pages)		
Most of the readings for Unit 3 are drawn from "election day sermons." "Election day" meant not the day on which citizens voted, but the day on which the newly elected legislatures were inaugurated. On such days, it was customary for the legislature to invite a distinguished minister to present a long address to the assembled legislators on their political duties in the light of the Holy Scriptures. Some students become impatient with "all this dull and irrelevant religious stuff." Some teachers don't teach it. Some textbooks ignore it. The point to remember is that to politically concerned citizens of the founding generation, "this stuff" was neither dull nor irrelevant. If you want to understand their political thought and their approach to government, it is no less crucial to understand their political theology than to understand their political philosophy. Take each author seriously, just as you should any author, whether or not you are predisposed to his premises. By the way, these writers were highly educated – a minister of that time would probably have spoken English, Greek, Hebrew, and Latin – and were familiar not only with theological works, but with the sorts of writers we have been studying previously. For example, consider how Langdon weaves together biblical themes with Lockean philosophical themes and with legal arguments about the rights of Englishmen.		
Session 22	Mon 11 Nov	Winthrop, *A Model of Christian Charity*, excerpts (6 pages). **Quiz 19.**
This address was written by Massachusetts Bay Colony Governor John Winthrop while still aboard the ship *Arbella*, and delivered at Holyrood Church in Southampton in 1630. Though it was known and influential among the Founders, it was not published until the 1830s. Often it is called the "City on a Hill Speech," because it alludes to the words of Jesus to His followers, "You are the light of the world. A city set on a hill cannot be hid. Nor do men light a lamp and put it under a bushel, but on a stand, and it gives light to all in the house. Let your		

light so shine before men, that they may see your good works and give glory to your Father who is in heaven." (Matthew 5:13-16, RSV-CE)

Pay close attention to the vision of a Christian outpost in the New World which Winthrop sets out. Interestingly, the idea of American as a beacon to the rest of the world persists today – though most writers and speechmakers are thinking not so much a beacon of the Gospel, as Winthrop was, but of a beacon of some economic or political ideal such as free enterprise or democracy. Notice how Winthrop applies the promises and warnings God gave the Hebrew people concerning obedience or disobedience to His law not just to the biblical Chosen People, but to the Puritans themselves.

And interesting feature of how the sermon is written is its "teacherly" style. It is written in the form of an outline – "first, second, third" – not just so that it could be more easily understood, but so that it could be remembered.

Session 23	Wed 13 Nov	Langdon, *Government Corrupted by Vice, and Recovered by Righteousness* (12 pages). **Quiz 20. ALSO** this is the deadline to turn in your required Unit 2 essay for a grade.

How does Samuel Langdon apply Isaiah 1:26, which concerns the oppressed Hebrew nation in Old Testament times, to the plight of the British colonies in America? Why does Langdon consider the original government of Israel to have been a perfect republic? What is his view of the original British constitution, and of its present state? How do his views of the relation between civil virtue and just government compare with those of other writers whom we have studied? What, in his view, is the true cause of the troubles that beset the colonies?

What does Langdon think of the theory of the divine right of kings? Without saying that he is doing so, how does Langdon demonstrate that Locke's conditions for justifying a revolution have been satisfied? Are there really natural rights? What is their relation to British law? What is his evidence for British vice, as well as for American vice? What would the restoration of American liberty require?

Session 24	Mon 18 Nov	Wesley, *A Calm Address to Our American Colonies* (6 pages). **Quiz 21.**

John Wesley was one of the founders of the Methodist movement, which to this day is also called "Wesleyan." Although the other religious writers we have studied were sympathetic to the cause of the American colonies, Wesley thinks the colonists are making some

unsupportable claims. "Let us put away our sins," he pleads, "the real ground of all our calamities! Which never will or can be thoroughly removed, till we fear God and honor the king" – "fearing" God not meaning being afraid of Him, but holding Him in reverent awe. However, the grounds on which he argues that the colonists' attitude is *inconsistent* with such reverent awe rest not so much on theological as on philosophical premises. On what considerations does he base his argument? Why do you think the Founders rejected it?		
Session 25	Wed 20 Nov	Witherspoon, *The Dominion of Providence Over the Passions of Men* (18 pages). **Quiz 22.**
John Witherspoon quotes Psalm 76:10, which declares that in some sense, human wrath praises God – that despite the intentions of the wrathful, it glorifies His providence. What are the three things Witherspoon thinks that this passage means? How does he apply it to the American situation – that is, what lessons from the passage, taken in context, does he view as having bearing on the plight of the colonies with respect to England? Your reading will be easier if you notice that Witherspoon's sermon is written in the same outline style as Winthrop's – just not as obviously.		
THANKSGIVING BREAK	Mon 25 & Wed 27 Nov	No class
Enjoy your vacation – but don't stop thinking about the material we've been studying! After all, you want to be ready if Grandma asks during Thanksgiving dinner, "What have you been learning, dear?"		
Session 26	Mon 2 Dec	Edwards, *The Necessity of the Belief of Christianity* (17 pages) AND Washington, *Thanksgiving Proclamation* (1 page) AND Adams, *Address to the Massachusetts Militia* (1 page). **Quiz 23.**
Our author, Jonathan Edwards, Jr., and his father, Jonathan Edwards, Sr., were both famous theologians. The father, who died in 1758, shortly after becoming president of what is now Princeton University, was an evangelist in the First Great Awakening. Although his writings are still influential among many Calvinists, he is perhaps best known today for the terrifyingly powerful sermon, "Sinners in the Hands of an Angry God." The son, who was born in 1745,		

was among other things an abolitionist -- unlike his father, who opposed the slave trade and wanted to limit slavery, but not to abolish it. Edwards the younger became an expert in several American Indian languages so that he could do ministry among them, and published a book about the language of the Mohicans. Our reading, however, is about a very different topic.

Edwards the younger goes further than some of our previous writers, in that he thinks the complete well-being of the republic depends not just on virtue (although he thinks it important), not just on some kind of belief in God (for some religions are quite wicked), not just on a religion that proclaims divine reward and retribution for good and evil deeds (which he considers good, but insufficient), but, specifically, on belief in Christianity. What reasons does he give for thinking this true? How would he reply to someone who says "I don't need God to be good?" Unlike a number of our previous writers, who accept both natural law and divinely revealed law, Edwards considers the two antithetical, saying that "it is a maxim of infidelity to follow nature." Why does he think so? Is he refuting what those previous writers believe, or is he "talking past" them, using some of the same words, but in different senses, as when one person says "the door is open," meaning the front door, while another insists "no, the door is closed," meaning the back door? How does Edwards distinguish among different types of infidelity? Why was ancient paganism so incapable of producing true virtue? How does Edwards reply to those who say that Christianity has made people not better, but worse? How does he reply to those who say that the pagans didn't persecute, but that Christians do? What was the state of ancient civilization with regard to the principal moral virtues of temperance, chastity, truth, justice, and humanity? What religion does Edwards consider "the only rival of Christianity with any among us"? Edwards draws the conclusion that both citizens and officials should encourage Christian faith, yet he does not propose official enforcement of Christian faith. What means of encouraging it, and what means of avoiding injury to it, does he have in mind?

How far do Washington and Adams, whom you are also reading for today, agree with Edwards' main themes?

Session 27	Wed 4 Dec	Unit 3 discussion day. **REQUIRED:** Bring in two copies of a brief printed discussion question on Unit 3, one to use during discussion, one to turn in.

As I tell students in one of my other courses, "Religion and Politics in American Thought, from the Colonies to the Culture Wars," the combination of religion and politics can be explosive for believers and nonbelievers alike. Yet we can't simply treat them as though they have nothing to do with each other. If God is really God, and God really says P, then it doesn't make much sense for our politics to say Q.

For this reason, as we embark on the Unit 3 discussion day, I want to remind you that you may bring up *almost anything* for discussion. You are welcome to agree or disagree with the views

of the authors, your fellow students, or me, so long as you give reasons for your opinions. It isn't discourteous to disagree, but only to say "Because I say so."		
FINISHING UP **(1 session)**		
Session 28	Mon 9 Dec	Whole-course discussion day. **REQUIRED:** Bring in two copies of a brief printed discussion question on the whole course, one to use during discussion, one to turn in. **ALSO** this is the deadline to turn in your required whole-course reflection journals.
This is your chance to investigate and inquire -- your *last* chance. So anything goes. Talk! Ask! The sky's the limit.		