



THE UNIVERSITY OF TEXAS AT AUSTIN

GOV312P (38225)

Constitutional Principles: Core Texts

Spring 2024

M/W/F 10:00-11:00am at Jackson Geological Sciences Building JGB 2.202

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Office Hours: Monday 4-5pm at Union Building or on Zoom by appointment

CANVAS SITE: <https://utexas.instructure.com/courses/1372323>

Course Texts

Alexis De Tocqueville, *Democracy in America* ISBN: 9780226805368

All other reading materials for this course will be accessible on CANVAS

I. Course Description

This course will introduce students to the study of politics by considering the constitutional order of the United States. We will begin by examining the ideational roots of the United States' foundational principles as instantiated in the Declaration of Independence, the U.S. Constitution, and in classic political and legislative writings that informed the Founders' Constitutional Designs. We will then study some of the most important theoretical works on the United States: *The Federalist Papers*, Alexis de Tocqueville's *Democracy in America*, and selected writings by Frederick Douglass and Abraham Lincoln.

Throughout the semester, students will interrogate the relationship between practical politics and constitutional design by reflecting upon the following questions: How does the U.S. Constitution lay the foundation of American government and organize its powers? How democratic was the founding? Is democratization always conducive to deliberation? Does institutional rivalry rooted in separation and blending of constitutional powers foster increased deliberation in republican self-government, or does it merely cause political gridlock? What is the relationship between economic and individual freedom. When is a constitutional commitment to limited government in tension with the necessities required to protect our civil rights and liberties? What makes a democratic outcome legitimate? Careful reflection upon these important questions will enable students to establish meaningful connections between foundational ideas in classic political texts and established theories of liberty and equality.

II. Learning Objectives

The course seeks to accomplish the following goals:

- Students will develop the reading skills necessary for following arguments in classic texts which helped shape the formation of institutional life in the United States
- Students will acquire fresh perspectives for critically assessing the moral and ethical dimensions of contemporary issues in American politics
- Students will develop a healthy skepticism towards fashionable ideas and ideologies, while building the confidence to enlarge and publicly defend their civic outlook in a spirit of civility and mutual respect

III. Course Requirements

A. Attendance and Participation Grade

Attendance is mandatory. Attendance is worth 50% of the overall participation grade. The remaining 50% will be based on student engagement and/or performance on Cultural Diversity Flag-themed mini pop quizzes to be issued randomly at the instructor's discretion throughout the semester.

*** n.b. This is an in-person class*** Students are required to attend each class session, and to participate in class discussions—listening attentively, asking good questions, proposing and defending answers, and taking notes. All readings for each class session must be prepared *in advance*, according to the Schedule of Readings.

Unexcused absences will result in a grade reduction. More than 2 absences will result in a full letter grade deduction from the overall ‘Attendance and Participation Grade’, with an additional letter deduction for subsequent absences. Failure to be present at the start of each class, following a warning, will be treated as an absence.

B. Grading Percentages

Attendance	Participation Grade	20%
In class test		25%
Comparative Essay (1500 Words)		25%
Final Exam		30%

C. Reading and Studying

Class discussions depend on your presence and participation, as well as preparation. For each hour of class time per week, successful students will spend at least three hours outside of class preparing, reading, and writing. Endeavor to think seriously about what you are reading.

D. Graded Work

Assignments and guidelines for essays/exams will be distributed in advance. Late submissions that are not pre-approved will be deducted one-half letter grade per day, and will not be accepted after five days (including weekends). Students should retain all assignments until the final course grade is available; if, for any reason, a review of a final course grade is requested or required, all of the original graded material must be made available to the professor upon request.

E. Grade Scheme

A: 85-100
A-: 80-84
B+: 76-79
B: 73-75
B-: 70-72
C+: 67-70
C: 63-66
C-: 60-62
D+: 58-60
D: 54-57
D-: 50-53
F: <50

IV. Miscellaneous

Students are strongly encouraged to visit me during office hours or to make an appointment for some more convenient time to discuss any aspect of the course, especially any assigned readings. I'll look forward to hearing your questions and thoughts on the readings. My office hours are provided at the head of the syllabus. Feel free to contact me by e-mail with **administrative questions**, if you are unable to find the answer on the syllabus or Canvas. Finally, reading closely and marking your written assignments takes time; please be patient.

V. Accessibility and Inclusivity Statement

The university is committed to creating an accessible and inclusive learning environment consistent with university policy and federal and state law. Please let me know if you experience any barriers to learning so I can work with you to ensure you have equal opportunity to participate fully in this course. If you are a student with a disability, or think you may have a disability, and need accommodations please contact Disability and Access (D&A). Please refer to D&A's website for contact and more information: <http://diversity.utexas.edu/disability/>. If you are already registered with D&A , please deliver your Accommodation Letter to me as early as possible in the semester so we can discuss your approved accommodations and needs in this course.

VI. CANVAS Resources

For a list of important resources for students as they engage with and navigate courses and the university, click on the following url: <https://utexas.instructure.com/enroll/TP964H>

VII. Honor Code

The University of Texas at Austin strives to create a dynamic and engaging community of teaching and learning where students feel intellectually challenged; build knowledge and skills; and develop critical thinking, creativity, and intellectual curiosity. As a part of this community, it is important to engage in assignments, exams, and other work for your classes with openness, integrity, and a willingness to make mistakes and learn from them. The UT Austin honor code champions these principles:

I pledge, as a member of the University of Texas community, to do my work honestly, respectfully, and through the intentional pursuit of learning and scholarship.

The honor code affirmation includes three additional principles that elaborate on the core theme:

- I pledge to be honest about what I create and to acknowledge what I use that belongs to others.
- I pledge to value the process of learning in addition to the outcome, while celebrating and learning from mistakes.
- This code encompasses all of the academic and scholarly endeavors of the university community.

The honor code is more than a set of rules, it reflects the values that are foundational to your academic community. By affirming and embracing the honor code, you are both upholding the integrity of your work and contributing to a campus culture of trust and respect.

VIII. Course Flag: Ethics & Cultural Diversity in the United States

This course carries the **Ethics** flag. Ethics courses are designed to equip you with skills that are necessary for making ethical decisions in your adult and professional life. You should therefore expect a substantial portion of your grade to come from assignments involving ethical issues and the process of applying ethical reasoning to real-life situations.

This course also carries the flag for **Cultural Diversity in the United States**. The purpose of the Cultural Diversity in the United States flag is for students to explore in depth the shared practices and beliefs of one or more underrepresented cultural groups subject to persistent marginalization. In addition to learning about these diverse groups in relation to their specific contexts, students should engage in an active process of critical reflection. You should therefore expect a substantial portion of your grade to come from assignments covering the practices, beliefs, and histories of at least one underrepresented cultural group in the U.S.

IX. Schedule of Required Readings

I. Introduction

- *Week 1*

Jan. 15th (M) Martin Luther King, Jr. Day; no classes

Jan. 17th (W) Introduction. Review Course Syllabus

Jan. 19th (F) “U.S. Bicentennial Remarks of Thurgood Marshall”; Gordon Wood, “1776: Out of Many, One”

II. Modern Intellectual Influences

- *Week 2*

Jan. 22nd (M) John Winthrop, “A Model of Christian Charity”; “On Liberty”

Jan. 24th (W) Declaration of Independence; Thomas Jefferson’s Original Draft; John Locke, *Second Treatise on Government*, Chapters 1-3 **CD***

Jan. 26th (F) John Locke, *Second Treatise on Government*, Chapters 4-6

- *Week 3*

Jan. 29th (M) John Locke, *Second Treatise on Government*, Chapters 7-9

Jan. 31st (W) Montesquieu, “Tale of the Troglodytes,” in *Persian Letters*

Feb. 2nd (F) Montesquieu, *The Spirit of the Laws*, Preface, Books 1-3, 4.1-6

- *Week 4*

Feb 5th (M) Montesquieu, *The Spirit of the Laws*, Books, 9, 11.1-7, 12.1-4

Feb 7th (W) Montesquieu, *The Spirit of the Laws*, Books 19.27, 20.1-4

Feb 9th (F) David Hume, “Of the Liberty of the Press” (*read endnote “d” carefully*), “Of the First Principles of Government”, “Of the Origin of Government”, in *Essays Moral, Political, Literary*.

- *Week 5*

Feb. 12th (M) David Hume, ‘Of Parties in General’, “Of the Parties of Great Britain”, “Of Superstition and Enthusiasm” in *Essays Moral, Political, Literary*

Feb. 14th (W) Articles of Confederation; Madison, Report on ‘Vices of the Political System’ (Apr. 1787)

Feb 16th (F) Midterm Test

III. Constitutional Design: Republican Constitutionalism

- *Week 6* •

Feb. 19th (M) The U.S. Constitution: Preamble, Articles V-VII; ‘Letter of Brutus’ No. 1, ‘Federalist’ Nos. 1 & 2 in

Feb. 21st (W) Letter of Brutus’ No. 3 & ‘Federalist’ No. 10

Feb. 23rd (F) The U.S. Constitution: Article I, §8, Clause 3 & 18; Article IV; 10th Amendment; ‘Federalist’ Nos. 37, 39, and 42 **cd***

- *Week 7*

Feb. 26th (M) ‘Federalist’ Nos. 47, 48, 49, 51

Feb. 28th (W) Federal Convention 1787: 3/5 Clause Debates; ‘Federalist’ Nos. 52-54

March 1st (F) NO CLASS TODAY

- *Week 8*

March 4th (M) ‘Federalist’ Nos. 62,63 ‘Federal Farmer’ No. 11

March 6th (W) Fed. No. 70; ‘Cato’ No. IV

March 8th (F) ‘Federalist’ No. 78, ‘Letter of Brutus’ Nos. 11-12

- *Week 9*

March 11-15: Reading Week: NO CLASSES

IV. Alexis de Tocqueville, *Democracy in America*

- *Week 10*

March 18th (M) Alexis de Tocqueville, *Democracy in America* Vol 1, Part I, Introduction

March 20th (W) Tocqueville, *Democracy in America*, Vol. I Part I, Ch. 2 (pp. 27-44), Ch. 3 (pp. 45-52)

March 22nd (F) Tocqueville, *Democracy in America*, Vol 1, Part II. Ch. 1-4

- *Week 11*

March 25th (M) Tocqueville, *Democracy in America*, Vol. 1, Part II. Ch 6

Comparative Essay Topic/Instructions Available on Canvas

March 27th (W) Tocqueville, *Democracy in America*, Vol. 1, Part II. Ch 7

March 29th (F) Tocqueville, *Democracy in America*, Vol. 1, Part II. Ch. 8

- *Week 12*

April 1st (M) Tocqueville, *Democracy in America*, Vol. 1, Part II. Ch 9 (Selected Passages)

April 3rd (W) Tocqueville, *Democracy in America*, Vol. 1, Part II. Ch. 10

April 5th (F) Tocqueville, *Democracy in America*, Vol. 1, Part II. Ch. 10 (cont)

- *Week 13*

April 8th (M) Tocqueville, *Democracy in America*, Vol. 1, Part II. Ch. 10 (cont)

April 10th (W) Tocqueville, *Democracy in America*, Vol. II ‘Notice’ Part I, Ch. 1-6

April 12th (F) Tocqueville, *Democracy in America*, Vol. II Part I, Ch. 8-10 (426-38)

- *Week 14*

April 15th (M) Tocqueville, *Democracy in America*, Vol. II Part I, Ch 15-20, Part II Ch. 1-2, Ch. 4-5, Ch 8-15

April 17th (W) Tocqueville, *Democracy in America*, Vol II Part II, Ch 19-20, Part III, Ch. 1-2,5, and 8

April 19th (F) Tocqueville, *Democracy in America*, Vol II. Part III, Ch 17-21, Part IV, Ch 1-3, 6-8

V. The Political Thought of Frederick Douglass and Abraham Lincoln

- *Week 15*

April 22nd (M) Frederick Douglass/Abraham Lincoln (Dred Scott)

Douglass, “Speech on the Dred Scott Decision

Lincoln, “Reply to the Dred Scott Decision

Lincoln, “House Divided” Speech (1858)

April 24th (W) Frederick Douglass (Constitutionalism, Slavery, and Rights)

Douglass: “The Constitution and Slavery” (1849)

Douglass “Change of Opinion Announced” (1851)

Douglass “The Constitution of the United States: Is it Pro-Slavery or Anti-Slavery?” (1860)

April 26th (F) Abraham Lincoln’s Constitutionalism: “Inaugural Address” (1861), “Emancipation Proclamation” (1863)

Comparative Essay Due Today at 11:59:59pm

- *Week 16*

April 29th (M) “Gettysburg Address” (1863), “Second Inaugural” (1876)

FINAL EXAM: May 3rd (To be confirmed)