



## THE UNIVERSITY OF TEXAS AT AUSTIN

GOV312P (38225)

Constitutional Principles: Core Texts

Fall 2023

M/W/F 1:00-2:00pm at Mezes Hall: MEZ 1.216

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Office Hours: M 3-4:30 (or by appointment) Location TBD

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

### **Course Texts**

John Locke, *2<sup>nd</sup> Treatise on Government* ISBN: 9780915144860

Alexander Hamilton, John Jay, James Madison, *The Federalist: with Letters of Brutus* ISBN: 978052100212

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 shaped 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 performance on quizzes.

\*\*\* n.b. This is an in-person seminar 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. Study/Guiding questions will be posted weekly in the ‘Module’ section on CANVAS.

\*\*\*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 (including Quizzes)	20%
Reflection Paper	(app. 800 words)	15%
Op. Ed Paper	(app. 800 words)	15%
Interpretive Essay	(app. 1200)	25%
Final Exam		25%

### 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 **practical or administrative questions**. However, please allow time for a reply. 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. Fundamental Principles: Establishing Good Government**

- *Week 1*

Aug. 21<sup>st</sup> (M) “U.S. Bicentennial Remarks of Thurgood Marshall”; Gordon Wood, “1776: Out of Many, One”

Aug. 23<sup>rd</sup> (W) John Winthrop, “A Model of Christian Charity”; “On Liberty”

Aug. 25<sup>th</sup> (F) Thomas Jefferson’s “Original Draft of the Declaration of Independence”; The Declaration of Independence

### **II. Modern Intellectual Influences**

- *Week 2*

Aug. 28<sup>th</sup> (M) John Locke, *Second Treatise on Government*, Chapters 1-4

**\*\*\*Reflection Paper guidelines available on CANVAS\*\*\***

Aug. 30<sup>th</sup> (W) John Locke, *Second Treatise on Government*, Chapters 5-8

Sept. 1<sup>st</sup> (F) John Locke, *Second Treatise on Government*, Chapters 9-14

- *Week 3*

Sept. 4<sup>th</sup> (M) LABOR DAY HOLIDAY—NO CLASSES TODAY

Sept. 6<sup>th</sup> (W) John Locke, *Second Treatise on Government*, Chapters 15-19

Sept. 8<sup>th</sup> (F) Bernard Mandeville, “The Grumbling Hive: or, Knaves turn’d Honest”, “Supplementary Remarks” in *The Fable of the Bees*

- *Week 4*

Sept. 11<sup>th</sup> (M) 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*.

Sept. 13<sup>th</sup> (W) David Hume, ‘Of Parties in General’, “Of the Parties of Great Britain”, “Of Superstition and Enthusiasm” in *Essays Moral, Political, Literary*

Sept. 15<sup>th</sup> (F) Montesquieu, “The Tale of the Troglodytes” in *Persian Letters*, Unpublished Sequel in *My Thoughts*

- *Week 5*

Sept. 18<sup>th</sup> (M) Montesquieu, *The Spirit of the Laws*, Preface, Books 1-4

Sept. 20<sup>th</sup> (W) Montesquieu, *The Spirit of the Laws*, Books 9, 11.1-11.7, 12.1-4

Sept. 22<sup>nd</sup> (F) Montesquieu, *The Spirit of the Laws*, Books 19.27, 20.1-4

### III. Constitutional Design: Republican Constitutionalism

- *Week 6*

Sept. 25<sup>th</sup> (M) ‘Articles of Confederation’; Madison, Report on ‘Vices of the Political System’ (Apr. 1787)

**\*\*\*Reflection Paper Due at 11:59:59pm\*\*\***

Sept. 27<sup>th</sup> (W) The U.S. Constitution: Preamble, Articles V-VII; Benjamin Franklin Remarks 9/17/1787 in *Madison’s Notes at the Federal Convention*; ‘Letter of Brutus’ No. 1, ‘Federalist’ Nos. 1 & 2 in *The Federalist: with Letters of Brutus*

Sept. 29<sup>th</sup> (F) ‘Letter of Brutus’ No. 3 & ‘Federalist’ No. 10 in *The Federalist: with Letters of Brutus*

- *Week 7*

Oct. 2nd (M) The U.S. Constitution: Article I, §8, Clause 3 & 18; Article IV; 10<sup>th</sup> Amendment; ‘Federalist’ Nos. 37, 39, and 42 in *The Federalist: with Letters of Brutus*

**\*\*\*OP-ED Guidelines Available on CANVAS\*\*\***

Oct. 4<sup>th</sup> (W) ‘Federalist’ Nos. 47, 48, 49, 51 in *The Federalist: with Letters of Brutus*

Oct. 6<sup>th</sup> (F) The U. S. Constitution: I & Amendments XVII, XXIII, XXVIII; ‘Federalist’ Nos. 52-54 in *The Federalist: with Letters of Brutus*

- *Week 8*

Oct. 9<sup>th</sup> (M) ‘Federalist’ Nos. 62,63 in *The Federalist: with Letters of Brutus*; ‘Federal Farmer’ No. 11

Oct. 11<sup>th</sup> (W) “Federalist” No. 70 in *The Federalist: with Letters of Brutus*; ‘Cato’ No. IV

Oct. 13<sup>th</sup> (F) The U.S. Constitution: Article III & Amendment XI; ‘Federalist’ No. 78, ‘Letter of Brutus’ Nos. 11-12 in *The Federalist: with Letters of Brutus*

#### IV. Alexis de Tocqueville, *Democracy in America*

- *Week 9*

Oct. 16<sup>th</sup> (M) Pericles, ‘Funeral Oration’ in Thucydides’ *History of the Peloponnesian War*; Alexis de Tocqueville, *Democracy in America* Vol 1, Part I, Introduction

**\*\*\*Op. Ed. Assignment Due at 11:59:59pm\*\*\***

Oct. 18<sup>th</sup> (W) Tocqueville, *Democracy in America*, Vol. I Part I, Ch. 2 (pp. 27-44), Ch. 3 (pp. 45-52)

Oct. 20<sup>th</sup> (F) Tocqueville, *Democracy in America*, Vol 1, Part I, Ch. 4 (pp. 53-55), Ch 5 (55-65), (82-93)

- *Week 10*

Oct. 23rd (M) Tocqueville, *Democracy in America*, Vol 1, Part II. Ch. 1-4

**\*\*\*Interpretive essay guidelines available on CANVAS\*\*\***

Oct. 25<sup>th</sup> (W) Tocqueville, *Democracy in America*, Vol. 1, Part II, Ch. 5 pp. 187-96 & 210-20

Oct. 27<sup>th</sup> (F) Tocqueville, *Democracy in America*, Vol. 1, Part II. Ch 6

- *Week 11*

Oct. 30<sup>th</sup> (M) Tocqueville, *Democracy in America*, Vol. 1, Part II. Ch 7

Nov. 1<sup>st</sup> (W) Tocqueville, *Democracy in America*, Vol. 1, Part II. Ch. 8

Nov. 3<sup>rd</sup> (F) Tocqueville, *Democracy in America*, Vol. 1, Part II. Ch 9

- *Week 12*

Nov. 6<sup>th</sup> (M) Tocqueville, *Democracy in America*, Vol. 1, Part II. Ch 9 Cont. & Ch. 10 (selected passages)

Nov. 8<sup>th</sup> (W) Tocqueville, *Democracy in America*, Vol. II ‘Notice’ Part I, Ch. 1-6

Nov. 10<sup>th</sup> (F) Tocqueville, *Democracy in America*, Vol. II Part I, Ch. 8-10 (426-38)

- *Week 13*

Nov. 13<sup>th</sup> (M) Tocqueville, *Democracy in America*, Vol. II Part I, Ch 15-20, Part II Ch. 1-2, Ch. 4-5, Ch 8-15

Nov. 15<sup>th</sup> (W) Tocqueville, *Democracy in America*, Vol II Part II, Ch 19-20, Part III, Ch. 1-2,5, and 8

Nov. 17<sup>th</sup> (F) Tocqueville, *Democracy in America*, Vol II. Part III, Ch 17-21, Part IV, Ch 1-3, 6-8

**\*\*\*INTERPRETIVE ESSAY PRE-WORK ASSIGNMENT DUE AT 11:59:59PM\*\*\***

- *Week 14*

Nov. 20<sup>th</sup>-25<sup>th</sup> THANKSGIVING HOLIDAY: NO CLASSES!

## V. The Political Thought of Frederick Douglass

- *Week 15*

Nov. 27<sup>th</sup> (M) Frederick Douglass' Life and Political Thought

“Letter to Henry C. Wright” (1847)  
“Letter to My Old Master” (1848)  
“Is Civil Government Right?” (1851)  
“What is My Duty as an Anti-Slavery Voter?” (1856)  
“Why Should a Colored Man Enlist?” (1863)  
“The Blessings of Liberty & Education” (1894)

Nov. 29<sup>th</sup> (W) Frederick Douglass (Constitutionalism, Slavery, and Rights)

“The Constitution and Slavery (1849)  
“What to the Slave is the Fourth of July?” (1852)

Dec. 1<sup>st</sup> (F) Abraham Lincoln’s Constitutionalism

“Inaugural Address” (1861), “Emancipation Proclamation” (1863), “Gettysburg Address” (1863), “Second Inaugural” (1876)

**\*\*\*Interpretive Essay Due at 11:59:59pm\*\*\***

- *Week 16*

Dec. 4<sup>th</sup> (M) Frederick Douglass (Lincoln, Civil War, and the Reconstruction)

“The New President” (1861)  
“The Inaugural Address” (1861)  
“Remarks [on the Emancipation Proclamation]” (1863)  
“Sources of Danger to the Republic” (1866)

**\*\*\*Take-Home Final available on CANVAS\*\*\***

## **FINAL EXAM PERIOD**

**Dec. 11<sup>th</sup> : Take-Home Final due at 2:00pm.**