

Transformation of American Politics
Government 230
The Fund for American Studies
Engalitcheff Institute on Comparative Political and Economic Systems
Georgetown University

Course Description: This course will study the theoretical ideas that informed the creation and development of America's political system as well as how the country's national institutions function. Topics to be treated include the political thought of the American Founders, contemporary political ideologies, Tocqueville's analysis of American democracy, constitutionalism, and the roles of Congress, Courts, and the President. A majority of the readings will be important historical documents.

Instructor: Daniel DiSalvo, Assistant Professor
The City College of New York—CUNY

Meeting Times: Monday, Wednesday 6-9pm; Friday 9-12pm

Requirements: Midterm: Wednesday, July 14 (50%)—1 ½ hour
Final Exam: Monday, July 26 (50%)—1 ½ hour

Texts for Purchase:

1. Alexis de Tocqueville, *Democracy in America*, Trans. George Lawrence, Perennial Classics, 2000.
2. Reading Packet—available on TFAS Website

Reading Schedule:

UNIT I: THE BASIC UNITS OF POLITICS

Monday, July 5

Session I

The Basic Units of Politics

- Pierre Manent, "The Idea of a Political Form" *A World Beyond Politics*
- Aristotle, *Politics* (selection)
- Plutarch, "Life of Lycurgus" (excerpt)

Reading Questions

- 1) What are the major political "forms" identified by Pierre Manent? What follows from each form?
- 2) What is a political "regime" or "constitution"?
- 3) What are the different types of regimes as outlined by Aristotle?
- 4) How does Plutarch's "Life of Lycurgus" illustrate the idea of a regime?

Session II

- Tocqueville, *Democracy in America*, pp. 9-20; 50-60; 241-245; 503-508; 690-695; 702-705

Reading Questions

1. What does Tocqueville mean when he speaks of a shift from aristocracy to democracy?
2. What are the three different possible regimes (or governments) of modern times?
3. In what sense does Tocqueville consider modern despotic government to be democratic?

UNIT II: THE PHILOSOPHIC UNDERPINNINGS OF AMERICAN DEMOCRACY

Wednesday, July 7

Session I

Natural Rights and the Philosophic Underpinnings of the American Republic

- Thomas Jefferson, “Declaration of Independence” (1776)
- Jefferson, Letter to Henry Lee (1825)
- Jefferson, Letter to Roger Weightman (1826)
- Jefferson, “Minutes from a meeting of the Board of Visitors of the University of Virginia” (1825)

Reading Questions

- 1) What were the grounds for declaring independence?
- 2) What does the Declaration mean by a natural right to liberty? By the truth that all men are created equal?
- 3) Does the protection of rights require a certain kind of citizen?

Session II

The Large Versus Small Republic Debate

- *Federalist Papers*, Nos. 10, 51 (section)
- Centinel, “Argument against an extended republic” (1789)
- Herbert Storing, *What the Anti-federalists were for* (selection)

Reading Questions

- 1) What type of citizen is necessary in the new republic?
- 2) Why is the “extended republic” of the Constitution an innovation?
- 3) What were some of the main objections to the Constitution?
- 4) What were Publius’ chief arguments against the Articles of Confederation?
- 5) Why study the Anti-Federalists?

UNIT III: CONSTITUTIONALISM

Friday, July 9

Session I

Constitutionalism

- *Federalist Papers*, No. 49
- Thomas Jefferson, “Letter to Samuel Kercheval” (1816)
- Constitution, Article V

Reading Questions

- 1) What is a written Constitution? How does it alter the relationship between government and the people?
- 2) Should a constitution be rigid (i.e., difficult to amend) or flexible (i.e., easily amendable)?

Session II

Who Should Interpret a Constitution?

- *Federalist*, No. 78
- *Marbury v. Madison* (1803), (excerpt)
- Jefferson, “Letters on Judicial Power” (1820-22)
- Andrew Jackson, “Veto of the Bank Bill” (1832), (excerpt)
- Abraham Lincoln, Sixth Debate with Douglas (1858)
- Lincoln, “First Inaugural Address” (1861)

Reading Questions

- 1) Who should be responsible for interpreting a constitution?
- 2) Should constitutional interpretation be the province solely of the judiciary, or do the executive and legislative branches also have a responsibility to engage in independent constitutional interpretation?

Monday, July 12

Session I

The Constitution and the Individual

- David Cole and James X. Dempsey, *Terrorism and the Constitution* (selection)
- Richard A. Posner, *Not a Suicide Pact* (selection)

Reading Questions

- 1) Is the slippery-slope argument that underlies Cole and Dempsey's argument—that we put up with small restrictions on civil liberties only to find incremental restrictions acceptable, until they add up to significant curtailments—persuasive?
- 2) How about the inverse of the slippery-slope argument that Posner might find more persuasive—if we do not take steps to protect ourselves, we risk more attacks that could lead to real restrictions on civil liberties?

UNIT IV: AMERICA'S DEMOCRATIC INSTITUTIONS

Session II

Federalism

- Martha Derthick, "Federalism" in *Understanding America*
- James Madison, *Federalist* # 46

Reading Questions

- 1) What is federalism?
- 2) How has federalism developed since the Founding?
- 3) What are the advantages and disadvantages of government decentralization?

Wednesday, July 14

Session I

Congress

- *Federalist*, Nos. 52, 57, 63
- David Mayhew, *Congress: The Electoral Connection* (selection)
- Sample of a Special Rule
- Sample of a Unanimous Consent Agreement
- Gary W. Cox, "On the Effects of Legislative Rules" *Legislative Studies Quarterly*
- Sarah Binder, "The Dynamics of Legislative Gridlock" *American Political Science Review*

Reading Questions

- 1) If members of Congress are motivated by the desire to be re-elected, is this such a bad thing?
- 2) Does the quest for reelection have a positive or negative impact on "representation"?
- 3) Why are organizational procedures so important in Congress?
- 4) Do you think complex processes affect Congress' popularity with the public?
- 5) Is "gridlock" good or bad? What is the case for it? What is the case against it?

Session II

Presidency

- James W. Ceaser, "The Presidential Nomination Mess," *The Claremont Review of Books* (2009)
- Constitution, Article II
- *Federalist* #70.
- Presidents on the presidency (selection)
- Abraham Lincoln, "Letter to Albert Hodges" (1864)
- *Ex Parte Milligan* (excerpts)
- Marc Landy, "Terror and the Executive," *National Affairs*

Reading Questions

- 1) What are the different modes of selecting the president? What are the advantages and disadvantages of each?
- 2) What is the relation of executive power to the Constitution? Is it harmonious or is it a threat?
- 3) What are two different conceptions of presidential power?
- 4) To what degree do liberal democracies need energetic executive power?

Friday, July 16

Session I

Supreme Court

- Alexander Hamilton, *Federalist* #78
- David O'Brien, "The Court in American Life," *Storm Center*
- Antonin Scalia, "Common Law Courts in a Civil Law System" (2005)
- Stephen Breyer, "Our Democratic Constitution" (2007)

Reading Questions

- 1) Can the Supreme Court be counted on to make sweeping policy changes?
- 2) What is the idea of a "living Constitution"?
- 3) What is the theory of "original intent"?

Session II

MIDTERM EXAM

UNIT V: MODERN IDEOLOGIES IN AMERICAN POLITICS

Monday, July 19

Session I

Conservatism

- James W. Ceaser, "Four Heads and One Heart" *Heritage Papers*
- Russell Kirk, *The Conservative Mind* (excerpt)
- Milton Friedman, *Capitalism and Freedom* (selection)
- Irving Kristol, "The Neoconservative Persuasion"

Reading Questions

- 1) What are the "foundational ideas" that underpin the four schools of conservatism?
- 2) How does the conservative intellectual movement hold together?

Session II

Liberalism

- Lester Frank Ward, Presidential Address to Sociological Association (excerpt)
- John Dewey, *Individualism Old and New* (selections)
- Woodrow Wilson, "Leaders of Men" (excerpt)
- Franklin Delano Roosevelt, "Commonwealth Club Address" (excerpt)
- Franklin Delano Roosevelt, "State of the Union Speech" (1944) (excerpt)
- Lyndon Johnson, "Great Society Speech" (1964) (excerpt)
- Paul Starr, "Why Liberalism Works," *American Prospect*

Reading Questions

- 1) What is the central philosophic underpinning of modern liberalism?
- 2) How does modern liberalism differ from classical liberalism?
- 3) What is the role of the state in modern liberal thought?

UNIT VI: RACE AND ETHNICITY IN AMERICAN POLITICS

Wednesday, July 21

Session I

Slavery and Affirmative Action

- Tocqueville, *Democracy in America*, pp. 316-363
- Samuel Huntington, *Who Are We?* pp. 141-157.

Reading Questions

- 1) What, according to Tocqueville, were the effects of slavery on the three races in America?
- 2) Should affirmative action in universities, employment, and government contracting be maintained?

Session II

Immigration and National Identity

- Samuel Huntington, "The Hispanic Challenge," *Foreign Policy*
- Louis Menand, "Native Son," *The New Yorker*
- Dan DiSalvo, "Four Traps: The Barriers to Immigration Reform," *The American Interest*

Reading Questions

- 1) In what ways is contemporary immigration different from past waves of immigration?
- 2) Does immigration today pose a challenge to America's national identity?
- 3) Why is immigration such a nettlesome public policy issue for Congress to deal with?

UNIT V: THE THEOLOGICAL-POLITICAL PROBLEM

Friday, July 23

Session I

- Tocqueville, *Democracy in America*, pp. 30-47.
- Mayflower Compact
- John Winthrop, "On Liberty" (1639)
- James Madison, "Memorial and Remonstrance against Religious Assessments"
- Jefferson, "Letter to Danbury Baptist's Association"
- George Washington, "Letter to Touro Synagogue"
- Washington, "Letter to Quakers"
- Washington, "Thanksgiving Day Proclamation"

Reading Questions

- 1) How did the Puritans understand the role of religion in politics?
- 2) What difficulties emerge when religious law is the *direct* foundation of political law?
- 3) How do you interpret the meaning of Jefferson's phrase about the "wall of separation" between church and state?

Session II

- *Lee v. Weisman* (1992) (excerpt)
- *Rosenberger v. Rectors of the University of Virginia* (1995) (excerpt)
- Barack Obama, "Keynote address, Call to Renewal Conference" (2006)
- Ramesh Ponnuru, "Secularism and Its Discontents" *National Review*

Reading Questions

- 1) Was the decision in *Lee v. Weisman* correct? What about *Rosenberger*?
- 2) Does the First Amendment go beyond the toleration of religious views to preclude public affirmation of religion?

- 3) What should be the status of the phrase “under God” in the Pledge of Allegiance? Of “In God We Trust” on the coins?

UNIT VI: TOCQUEVILLE AND AMERICAN EXCEPTIONALISM

Monday, July 26

Session I

Democratic Politics

- Tocqueville, *Democracy in America*, pp. 62-70, 87-98, 196-201, 231-245, 250-253, 429-436, 459-468, 509-517, 525-528, 530-541, 555-558, 671-678, 690-695.
- James Q. Wilson, “American Exceptionalism,” *American Enterprise Institute*

Reading Questions

- 1) What are the chief threats that Tocqueville identifies to the health of American democracy?
- 2) Tocqueville admits that decentralized administration is often inefficient. Why then does he prefer it to centralized administration?
- 3) What are the advantages and disadvantages of democratic government and society as observed in America, compared to aristocratic government and society?
- 4) How do features of American democratic culture such as associations, restlessness, spirituality, taste for physical comfort, and the pursuit of self-interest increase or decrease individualism? Which does Tocqueville want to encourage?
- 5) Why are democratic peoples drawn politically toward centralization, but culturally toward individualism and the love of equality? How do these trends contribute to the possibility of soft despotism?

Session II

FINAL EXAM