Introduction

Much like the American founding this class is an experiment. The class is based on the premise that there is no more vital subject than the creation of the American Republic and that a proper understanding of that moment is vital to understanding not only the past, but the founding’s power in the present.

This is going to be a very challenging class. It has a great deal of dense reading coming from multiple traditions: some original historical documents, historical analysis, empirical analysis from other disciplines (political science, economics and sociology) and some philosophy. In total, the course contains almost two thousand pages of reading. And because this reading comes from a truly wide array of intellectual traditions students may find it to be unusually challenging.

Warnings aside, if you are interested in a deeper understanding of the founding this class will reward that interest, even if it will demand your rigorous attention.

Professor—Jeremy C. Pope
842 Spencer W. Kimball Tower
Brigham Young University
Provo, Utah 84602
email—jpope@byu.edu
office hours—Mondays and Wednesdays 11:00 - 11:50, and by appointment

Course Purposes

Often we give lists of purposes for our courses. This course is, in principle, no different and the list is easily offered.

- Obtain a working knowledge of the American founding through a thorough consideration of each of the following
  - historical documents
  - historical treatments of the period
  - empirical models of the convention
- Connect this working knowledge of the period to more modern political science questions about the nature of democracy and governance

1 So if this is not your cup of tea now is the time to rethink your life.
• Improve your ability to think critically, write about, and discuss all of this material

But the truth is that list does not really explain what this course is about. This is a course for people who want to think deeply about the American Founding. Why did things turn out the way they did? What could have easily changed? And what motivated the individual and collective decisions?

Was it the vital interests of society that structured each founder’s thinking on key questions like slavery, commerce, national power and the role of Republican government?

Or was it the potency of the ideas derived from many sources like Scottish philosophers, the British inheritance or Montesquieu or someone else?

These are not questions that are easily answered. And of course any tentative conclusions we draw will inevitably be contingent on time, place, circumstance and many other things—not the least of which will be our own interpretations of matters. The difficulty in answering the questions only makes the more interesting. But at the end of the day this course is really about an experience: carefully immersing yourself in the period and rigorously thinking about the mixture of interests and ideas that went into America’s founding.

Pre-requisites: Technically, this course has no pre-requisites. However, it will draw heavily on several different bodies of knowledge: history, statistics and (to a lesser degree) philosophy. Previous completely of PL SC 328 is not required, but strongly recommended. Previous completion of PL SC 202 is also recommended.

Course Readings

The course has several required texts.


2To me anyway: your mileage may vary.

Each of them is listed on the course calendar. Suffice it to say now that Beard is a classic in the field. He was among the first to persuasively argue that economic forces shaped the American founding—though we will encounter many who disagree. Some of those are historians like Wood and Rakove or political scientists like Jillson who wish to carefully trim and modify Beard’s claims. The course concludes by reviewing Dahl’s arguments to investigate his claim that the constitution is fundamentally flawed. Larson and Winship is an abridged version of the notes of the convention and will be crucial for our own reference to the debates and your short essay on a particular founder.

The reading load is obviously heavy and it is diverse (please consult the course calendar for more on this point). The point of each reading is not to memorize it as one would with an introductory textbook on history or calculus. The point is to engage the author’s main points and arguments. Students who struggle through the text and come away with a few reactions and questions will be in good shape. But there is no getting around the fact that this topic requires a great deal of reading to treat in-depth.

**Evaluation and Grading**

The course has several assessment components listed below.

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**Paper Assignments:** The course will have four paper assignments described in turn.

*Hypotheses paper:* Given our central course question—which mattered the most, interests or ideas?—what can we actually test? In other words, what is a proposition that we should expect to see verified in the debates or patterns of speech or really anything (you may feel free to let your imagination roam here). The only requirement is that the hypothesis you select actually be falsifiable.³ For instance,

- Because ideas were paramount in the founders’ thinking on slavery we should observe that the patterns of voting are strongly connected to ideas about Republicanism. Or ...

³This means the hypothesis must be capable of being proven false.
• Because interests matter more than ideas, we should not be able to find convention
delegates who voted against their obvious state or class interests.

Students may be tempted to simply offer opinions about what mattered, but that is not the
point of this paper. You are required to offer a testable hypothesis and then defend it on
the following grounds.

1. Is it testable?
2. Is it feasible?
3. Would it actually reveal something about the role of interests or ideas at the con-
   vention?

This essay can be no more than three pages of double-spaced text using reasonable fonts
and margins.4

Founder biography: Draft a short description of how a delegate participated at the conven-
tion. The Larson and Winship summary of debate will be your most helpful guide here.
Although Farrand’s notes on the convention are available online.5 This fairly descriptive
paper must answer four questions.

1. What was his personal background?
2. What issues interested him the most?
3. What were his positions on those issues?
4. Is his participation more consistent with the importance of ideas or interests?

This essay can be no more than three pages of double-spaced text using reasonable fonts
and margins.6 You may feel free to select any delegate, but some of the most interesting
were: Roger Sherman (CT), John Dickinson (DE), Abraham Baldwin (GA), Luther Martin
(MD), Rufus King (MA), Elbridge Gerry (MA), Alexander Hamilton (NY), Robert Yates (NY),
William R. Davis (NC), Gouverneur Morris (PA), John Rutledge (SC), Charles Pinckney (SC),
James Madison (VA), George Mason (VA) and Edmund J. Randolph (VA).

Obviously, the point of this paper is not to prepare an exhaustive biography, it is merely to
gain an appreciation for their background, ideas and interests. The nature of the paper will

4 You will find that less is better since I am grumpy when I encounter errors or pontificating. Both of
those problems are more likely to occur in longer papers.

5 They can be found many places. This is one place: http://memory.loc.gov/ammem/amlaw/lwfr.html

6 My attitude about length has not changed since the last footnote on paper length (and it won’t for
any of the subsequent assignments, either).
not require a standard thesis / argument structure, but should be a readable description of the chosen delegate.

Voting explanation: Take one of the sixteen key votes discussed by McDonald and argue for interests or ideas as the decisive factor with respect to that vote. More details on this assignment will be available later on.

This essay can be no more than five pages of double-spaced text using reasonable fonts and margins.

Final paper: What mattered more: interests or ideas? Obviously, this short prompt gives you a lot of room to experiment. You can take up a few specific votes, try to make a broader case, look at ratification votes or focus only on speeches at the convention. How and what you argue is up to you, but the thesis of this essay must address the main question of the course: interests or ideas? And how?

This essay can be no more than eight pages of double-spaced text using reasonable fonts and margins (not counting tables and figures, of course).7

Paper Grading Logistics: Please note that all papers require a cover-sheet—which does not count against the page limit—with your name there (and only there).8 Though this is not a course in writing, deviations from the high standard set in PL SC 200 will be penalized (at least they will eventually, one or two mistakes are inevitable). The particular style of the paper is left to the author, although citations must be clear (even though the bibliography never counts against the page limit). Electronic copies of the paper are not acceptable without Prof. Pope’s prior approval.

Late papers will be penalized in such a fashion that any late paper will not receive a higher grade than a paper submitted on time.9

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7 You will find that less is better since I am grumpy when I encounter errors or pontificating. Both of those problems are more likely to occur in longer papers.

8 I am a great believer in blind grading.

9 Obviously there are exceptions to this pattern. If the Provo police wrongly arrest you and you’re in jail and unable to submit your paper on time I will probably grant an exception. Similar exceptions will be made for illness, Turkish prison sentences or alien abductions (though you may be required to provide proof of illness or abduction). The one point on which I cannot grant exceptions is computer problems. It is impossible to check and would essentially grant a license to constantly submit late work. Learn to back up your work and get it done on time.
**Final examination:** This final will be challenging, but probably not the most difficult one you have ever faced. Students may use their notes (but not the original texts). In other words, students should keep notes taken in class, notes taken on the text and any other notes they can think of to prepare for this final examination. The purpose of the final is to test your knowledge of the literature on the founding, so having a record of that literature will be very helpful.

The examination will consist of about five short answer questions for you to answer. The questions will focus on the major points related to historical or empirical readings. Additional details will be available shortly before the final exam.

**Class participation:** Like any seminar you get out of it what you put into it. Each class will begin with some notes and comments from Prof. Pope, but transition quickly to discussions. Sometimes these discussions will be highly structured, but more often they will be free-form and it will be expected that you come ready to participate by asking your own questions and offering your judgments of the debates. This means that participation is crucial. Participation contains two components which are given equal weight.

- **Reading presentations:** Every student will be asked—on a regular basis, about a week ahead of time—to present some of what was found in each of the readings and start the discussion. It is not necessary for the student’s presentation to perfectly summarize the article, just to present an outline and provoke a few questions for the class to discuss.

- **Class comments:** Another component of participation will be your class comments and questions. Students may be uncomfortable with a great deal of class participation. That is acceptable as long as you make an effort and the quality of your reading presentations is consistently high. But students should come to class expecting to participate.

- **Email comments:** Students are encouraged to send email messages to Prof. Pope responding to some of the reading questions. Periodically we will discuss some email in class. This avenue of participation is not a substitute for the first two components, merely a supplement (specifically designed for people who prefer participating in writing to participating vocally).

Class participation is vital for the success of this class and so it is worth a fairly large percentage of the points—equal to that of the final examination. Students who take participation seriously will be rewarded. Students who do not take it seriously will also receive rewards (of a sort). Periodically, students will receive some feedback on their participation to get a sense of where they stand in the course. As time goes on, if the quality of the responses remains high, feedback will lessen.
Academic Integrity: Academic honesty is at the heart of academic life and the honor code at this university. Some students who would never think of a violation of the Word of Wisdom will not hesitate to cheat on an exam or plagiarize a paper. See the section of the BYU homepage devoted to the honor code for details on the academic honesty policy. Assume that clear cases of dishonesty will result in a failing grade in the course.

Course Logistics

Incompletes: This course adheres to University policy on “incompletes,” which is that an incomplete (I) is given only when circumstances beyond the student’s control make it impossible to complete the required work within the prescribed time. Arrangements must be made between the course coordinator and the student prior to the end of the semester. The “I” is never given when a student is failing or has failed the course.

Preventing Sexual Harassment: Title IX of the Education Amendments of 1972 prohibits sex discrimination against any participant in an educational program or activity that receives federal funds. The act is intended to eliminate sex discrimination in education. Title IX covers discrimination in programs, admissions, activities, and student-to-student sexual harassment. BYU’s policy against sexual harassment extends not only to employees of the university but to students as well. If you encounter unlawful sexual harassment or gender based discrimination, please talk to your professor; contact the Equal Employment Opportunities Office at 422-5895 or 367-5689 (24-hours); or contact the Honor Code Office at 422-2847.

Students With Disabilities: Brigham Young University is committed to providing a working and learning atmosphere that reasonably accommodates qualified persons with disabilities. If you have any disability which may impair your ability to complete this course successfully, please contact the Services for Students with Disabilities Office (422-2767). Reasonable academic accommodations are reviewed for all students who have qualified, documented disabilities. Services are coordinated with the student and instructor by the Students with Disabilities Office. If you need assistance or if you feel you have been unlawfully discriminated against on the basis of disability, you may seek resolution through established grievance policy and procedures. You should contact the Equal Employment Office at 422-5895, D-282 Abraham O. Smoot Administration Building.

A Note on Studying

This is an elective, so presumably you are here because you find the subject matter reasonably compelling. The best way to do well in this class is to immerse yourself in the past. Think hard about all of these questions. Find a study partner to meet outside of class and discuss the readings. Do not hesitate to visit Prof. Pope. But, above all, do not fall behind.
This pace will be difficult and stretch your abilities. Once you have fallen very far behind you will find it quite difficult to catch up. If this requires adjustments to your schedule or commitments please make them. After all, this class is an elective.

Course Calendar

This calendar not set in stone but is a pretty good reflection of the route the course will take. But please keep in mind that as circumstances change the course calendar may be updated.

August 31       Course Introduction: Interests and Ideas – What is our central course question? How did the interests and the ideas matter in the American founding?

September 1     Interests vs. Ideas in the Founding – What are some of the interests and ideas that might have mattered?

“Historical Interpretation in the United States,” Beard, chapter I


10 Unless otherwise noted articles may be found via JSTOR.
September 8  Social Science Hypotheses?—What would a hypothesis about “ideas” look like? And how well can we get into the perspective of the founders to come up with these hypotheses?

“A Theory of Institutional Change,” Mark Blyth in Great Transformations: Economic Ideas and Institutional Change in the Twentieth Century.11

“The Perils of Originalism,” Rakove, chapter I

September 13  Hypothesis Possibilities—What are some of the competing possibilities?

“A Survey of Economic Interests in 1787,” Beard, chapter II


September 15  Fomenting a Revolution—What were the relevant ideas and economic conditions at the moment of revolution? What was the initial design of government—the baseline status quo for the constitutional debates?


Hypothesis paper due in class

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11 This reading is available on blackboard.
September 20  From the Revolution to the Articles – What sort of government initially came out of the revolution?


The Articles of Confederation


September 22  Republican Virtue vs. Well-Designed Institutions – What sorts of ideas motivated the founders at the moment of the Federal Convention?

“Thoughts on Government,” John Adams

“Vices of the Political System of the United States,” James Madison

“Republicanism” and “Republican Society,” The American Revolution, Gordon S. Wood, chapters V - VI

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12 This article may be found here: http://avalon.law.yale.edu/18th_century/artconf.asp

13 This article may be found here: http://www.constitution.org/jadams/thoughts.htm

14 This reading is available on blackboard.
September 27  American Constitutionalism and the Road to Philadelphia — What specifically motivated politicians to push for constitutional change?

“The Movement for the Constitution,” “Property Safeguards in the Election of Delegates,” Beard, chapters III - IV

“The Road to Philadelphia” & “The Madisonian Moment,” Rakove, chapters II - III

“James Madison and the Origins of the Virginia Plan,” Jillson, chapter 3

Note: we will also begin preparing for our constitutional convention during this session.

September 29  “Our” Constitutional Convention — This session (and the next one) will be devoted to a class debate mimicking the issues of the Federal Convention of 1787

Record of the Convention, Larson and Winship, pp. 11 - 92

October 4  “Our” Constitutional Convention — our convention continued ...

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13 This reading is an abbreviation of the notes on the convention (mostly) taken by Madison. It is not necessary that you read it with detail. Skim it: get a flavor for the debates and how people talked. Use it as preparation for our own convention in these two sessions.
October 6  **Bargaining for Representation I** – How did they arrive at the key bargain?


October 11  **Evaluating our Constitution and the Bargains** – How do we feel about final product and the key compromises that went into it?

Record of the Convention, Larson and Winship, pp. 93 - 164

The U.S. Constitution


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16 The instructions don’t change for this session.
October 13  
**Beard vs. McDonald I** – How convincing is Beard’s thesis?


**Founder biography paper due in class**

October 18  
**Beard vs. McDonald II** – How convincing is McDonald’s critique?


October 20  
**Beard v. McDonald v. McGuire?** – How convincing is McGuire’s rehabilitation of Beard’s thesis? Where is McGuire right? Where is he wrong?


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17 These chapters are occasionally frightfully dull. It is not your purpose to try to memorize any facts about the founders, but to examine Beard’s general thesis about the role of economic interests. Similar principles apply to McDonald’s critique.
October 25  **Representation & Commerce Compromises** – Do the compromises made represent a stronger mixture of ideas or of interests? Good or bad decisions?

Federalist 10

“The Mirror of Representation,” Rakove, chapter VIII

October 27  **Slavery Compromises** – How did they deal with slavery and what can we learn from the patterns in voting?


November 1  **Federalism Compromises** – Where did federalism come from?

Federalist 39

“Federalism,” Rakove, chapter VII
November 3  Presidency & Separation of Powers Compromises—What was the mixture of ideas and interests that went into the creation of the presidency and other national institutions?

Federalist 47 - 51

*The Spirit of the Laws*, book XI, chapter 6, Montesquieu

“Creating the Presidency,” Rakove, chapter IX

“The Role of the Executive in Republican Government,” Jillson, chapter 6

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November 8  Regional Voting Coalitions—What divisions occurred in the later days of the convention?

“Localist Periphery and Nationalist Center: On Restraining Government,” “Small State Fears and the States’ Rights Caucus,” Jillson, chapters 7 - 8

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November 10  Final conclusions about the convention—What about Jillson’s hypotheses regarding how interests and ideas worked at the convention?

“The Brearley Committee Report and a New Northern Majority” & “Summary and Conclusion,” Jillson, chapters 9 - 10

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18 This may be found here: [http://www.constitution.org/cm/sol_11.htm#006](http://www.constitution.org/cm/sol_11.htm#006)
November 15  Ratification I: Concepts and Arguments—How did ratification work and what were the arguments for it?

Federalist I

“The Concept of Ratification” & “Debating the Constitution,” Rakove, chapter V - VI

Voting explanation paper due in class

November 17  Ratification II: the Anti-Federalists—What was their side of the argument?

Brutus I, XI, XVI


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19 All of these documents may be found here: [http://www.constitution.org/afp/brutus00.htm](http://www.constitution.org/afp/brutus00.htm)

20 This reading is available on blackboard.
November 22  Ratification III: the Voting — What was the pattern in the voting for ratification? What explains it?

“The Process of Ratification,” “The Popular Vote on the Constitution,” “The Economics of the Vote on the Constitution,” “The Economic Conflict over Ratification as viewed by Contemporaries,” Beard, chapters VIII - XI


November 29  Founding the Party Systems Creating Rights — What happened after ratification?


21 All of these chapters are useful, but you should pay particular attention to chapter ten, the other chapters are more supplementary.
December 1  **The Bill of Rights & Religion** – Was the bill of rights a great idea? And how did the founders think about religion and religious liberty? Was the process of creating rights fundamentally more about ideas or interests?

“Rights,” Rakove, chapter X

“Conclusion,” Muñoz, *God and the Founders: Madison, Washington and Jefferson*

December 6  **Original Meaning** – How well can we understand the founding?

“Madison and the Origins of Originalism” &
“Coda,” Rakove, chapter XI and epilogue

December 8  **Assessing the Founding: Were they the Right Interests and Ideas?** — Well, were they?

*How Democratic is the American Constitution*, 2d ed.,
Robert A. Dahl

December 15  **Final Examination** 7:00 - 10:00 am

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22 This is another long text, but a very readable one. Please get started on it early and come ready to debate his thesis about the Constitution’s provisions.

23 I did not schedule this.