Interests and Ideas in the American Founding

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Mondays and Wednesdays 1:30 - 2:45 PM, 793 Kimball Tower

“It has been frequently remarked, that it seems to have been reserved to the people of this country to decide, by their conduct and example, the important question, whether societies of men are really capable or not, of establishing good government from reflection and choice, or whether they are forever destined to depend, for their political constitutions, on accident and force.”—A. Hamilton

“Government is not reason, it is not eloquence, it is force; like fire, a troublesome servant and a fearful master. Never for a moment should it be left to irresponsible action.”—G. Washington, reputedly

Course Objectives

This 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 not only for understanding the past, but also the founding’s power in the present.

Of course, that means it is a very challenging class. The readings are dense and come from multiple traditions: historical documents, historical analysis, empirical analysis and some philosophy, and because this reading comes from a truly wide array of intellectual traditions students may find it to be unusually challenging. With that warning out of the way, 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.

Often professors give lists of objectives for 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- Historical documents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

Improve your ability to think critically, write about, and discuss all of this material
The list is serviceable but 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?

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.

The course will be conducted primarily as a seminar. This means students need to have carefully read the material before each class period (hence the quizzes—see below) and come prepared to contribute some opinions on the reading each week.

These opinions should, at least some of the time, be critical of the readings. This course will expose students to a wide variety of approaches to American politics that are not always compatible or consistent with one another. It is the nature of political science to have a diversity of models, theories and approaches. The job of the student is to learn what is useful about all of them and to discard what is not useful.

Office Hours and Consultations

Office hours are on Mondays and Wednesdays from 3:15 - 4:15 p.m., and by appointment.¹

Prerequisites

This course has no technical prerequisites in the course catalog. This is technically an error. It should list PL SC 328 as a prerequisite, but does not do so largely because of a bureaucratic snafu. If you have never been exposed to the quantitative reasoning you may find portions of this class (mostly later in the semester) very difficult, if not impossible. Please see me before continuing if you do not have that experience. PL SC 202 is highly recommended, but also not technically required.

Course Texts

This course has several texts, all outlined below. Five texts in particular should be purchased and kept for reference. Beard (1913) is one of the oldest available social science accounts of the Convention. Though he does not hold the same kind of power that he once did, it is no exaggeration to say that Beard initiated the study of the Constitution from a social science perspective. Rakove (1996) gives a much more historical account, but one that is far more informed by modern political science. Rakove, more than any of the other authors, blends the best of history and social science into both a narrative and an analysis of the Convention and its outcomes. Jillson (2002) wrote one of the first treatments of the Convention using really modern social science techniques. His contributions cannot be overstated. Dahl (2003) is a very critical account of the Constitution. Is it a document worthy of its veneration? Is it enough for the modern era? Or does it need substantial revision? Wood (2003) serves as our reference on the American Revolution. That conflict is not our focus, but the period cannot be understood without reference to those events. Finally, Larson and Winship (2005) provide an abbreviated review of the notes to the Convention. They

¹I strongly encourage you to take advantage of these hours.
edit Madison’s notes into a readable format. Every student should read the entire book before our class Constitutional Convention beginning on October 8.

Most other texts may be found on www.jstor.org or will be posted to the web for downloading.

Course Outline

August 27: Course Introduction

Why study the Constitution? And if we do study it, how should we study it?

September 5: Interests vs. Ideas; Social Science vs. History

There are at least two models of thinking running throughout this class: historical reasoning and social science reasoning. Today’s readings are to contrast those two models of reasoning. Wood (1966) presents us the very model of historical thinking on the revolution. His work is a narrative essay about the difficulties of understanding the past. Beard (1913, chapter 1), by way of contrast presents a much more direct and parsimonious view of the Federal Convention. For Beard, very few things matter. For Wood, almost all of it matters.

September 10: Intellectual Foundations

Though we cannot spend as long on it as I might like, it is essential that we spend some time considering the way revolutionary Americans thought about government. In 1765 the conflict between the mother country and the no longer quite fledgling colonies begins in earnest. Though the ideas would important, the conflict begins with a fight over taxes (of Burgesses, 1765; Congress, 1765). This beginning was far from the end. By 1776 it was clear that the two nations would separate and thinkers were already turning their minds to the kind of government that would replace the colonial arrangements. Adams (1776) argues that republican government is not merely possible but is the best form of government—as long as the government is carefully designed.

September 12: Social Science and the Convention

Though we cannot possibly put the debates between history, philosophy and social science behind us, it is imperative that we understand what social scientists are trying to do. Beard (1913, chapter two) lays out his own project. Though Beard came from the discipline of history, in many respects, he was searching for a parsimonious, “social science-esque” explanation. That helps explain some of his appeal and power over a hundred years later. Jillson (2002, chapters one and two) is asking similar questions but is going to use a much different method to explain what is going on. Both explanations may be “social science,” but they are not terribly similar. Careful attention will show how their thinking differs.

September 17: Originalism

In a speech at the New York ratifying convention Alexander Hamilton said that “Constitutions should consist only of general provisions. The reason is that they must necessarily be permanent and that they cannot calculate for the possible changes of things.” Ever since the Constitutional Convention Americans have been debating just what the Constitution could mean. Rakove (1996, chapter 1) offers a useful introduction to the idea of thinking about “originalism’s” opportunities and perils.

2Actually, there is clearly a third model—philosophy—that is running through this course, but is not quite as prominent as the other two models.
September 19: Fomenting a Revolution

It is impossible to really understand the Constitutional Convention without some study of the events that led up to it. In principle, this could probably extend to England’s Glorious Revolution, the Magna Carta, or even some pre-Hellenic philosophers. The reading list for that course would be substantial indeed. Beginning a bit closer to the event, Wood (2003, chapters 1 - 3) provides a condensed discussion of the causes and events of the American Revolution.

September 24: Virtue and Institutions

During the American Revolution the states had to develop new theories of government. Without the cover of the English system. The next section of Wood (2003, chapters 4 - 6) give us an account of how those theories developed.

September 26: The Articles of Confederation

The Articles of Confederation (1778) became the first American government. It does not take much reading to see the weaknesses and problems of this arrangement. If a reading of the original document alone is not convincing, Jillson and Wilson (1987) provide a very clear account of how institutional design can be the downfall of the best intentions.

October 1: American Constitutionalism

The key actor at the Convention is James Madison and he deserves careful attention. We begin by reading his own memo. Madison (drafted in 1787, republished in 1999) offers up Madison’s private thinking (it was never published in his lifetime) on the state of American government in the early spring of 1787. Rakove (1996, chapters two and three) and Jillson (2002, chapter three) both give very sympathetic accounts of Madison’s thinking as he prepares for the Convention.

October 3: Electing Delegates to the Convention

What kind of men participated in the debates? To better understand this group students will write a paper on a delegate from one of the delegations. Beyond that it is worth reviewing Beard’s (1913) account of the selection of delegates (see chapters three and four). His opinions and findings are not without dispute, but they are a useful place to begin.

October 8 - 10: “Our” Constitutional Convention I

For two days we will hammer out a few compromises of our own to better familiarize ourselves with the debates and how they might have functioned. Students will be assigned to a delegation and may select a founder for their paper based on that assignment. Students should not try to read all of Larson and Winship (2005) word for word. However, students should read enough of that book to become familiar with the arguments. The book serves as a wonderful reference to the key moments and speeches of the Convention.

October 15: Bargaining for Representation

The central feature of the debate was the argument over representation. Rakove (1996, chapter 4) gives very close attention to how the bargain came about, and does so with special attention to both the interests and ideas at the Convention. Robertson (2005) outlines the specific contribution of Roger Sherman to that event.
Recommended: Though, not strictly a required course reading, Dougherty and Heckelman (2006) provides a rejoinder to Robertson’s ideas about Sherman. Pope and Treier (2011) provide a view of the Convention debates more focused on the voting patterns.

October 17: Midterm Examination
This will be given in class (or another specified location). More details on the format will be made available shortly before the examination.

October 22: Economic Interpretations I—Motivations
To come.

October 24: Economic Interpretations II—How many motivations?
To come.

October 29: Economic Interpretations III—Rehabilitation
To come.

October 31: Ideological Interpretations I—Backgrounds
To come.

November 5: Ideological Interpretations II—National Institutions
To come.

November 7: Ideological Interpretations III—Regionalism vs. Nationalism
To come.

November 12: Ratification—the debate
To come.

November 12: Ratification—the voting
To come.

November 14: Ratification—the voting
To come.

November 19: Founding the Party Systems
To come.
November 26: The Bill of Rights and Religion
To come.

November 28: Assessing the Founding I—The Worldview of the Framers
To come.

December 3: Assessing the Founding II—The Constitution Today
To come.

December 5: Original Meaning, in light of the empirical literature
To come.

Grade Policy

The course has several assessment components. Each is listed below along with its total number of points.

- midterm examination ........................................ 50 points
- hypothesis paper ............................................. 50 points
- biography paper ............................................. 50 points
- voting explanation paper (rough draft) .................... 75 points
- class participation & quizzes ................................ 100 points
- final examination ........................................... 100 points
- voting explanation paper (final draft) ..................... 125 points

Midterm examination: It will be given on October 15. All course readings and discussions are eligible for inclusion, though a fairly heavy emphasis will be placed on the readings. Students may not use the texts in answering the questions, but all personal notes on the text may be used during the midterm.

Hypothesis paper: One of the central elements of the course is to build a theory or explanation of votes or voting patterns or some other element of the founding. This very short assignment is to outline a possible theory of the convention or the revolution. The point is to develop a testable hypothesis about an event. Further discussion of the assignment will happen in class. The paper may be 2 pages, but no more. It is due on Monday, September 17.

Biography paper: Every student will be assigned to a delegation. You must choose one delegate from your delegation for a short biography paper. This should be an even balance of summary and analysis focusing on their background, ideas and contribution to the Convention. It must be no longer than eight pages including references. Students should consult as many outside sources as they can find. This will vary quite a bit between delegates and that will be taken into account on the grading. The paper must be no longer than eight pages, including references.

Voting explanation paper: The central bit of work in the course will be a short analysis of the voting at the Convention (no more than ten pages, excluding tables and figures). Students will 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. It is the key component of grading as the rough draft (due on November 14) is worth seventy-five points and the final draft (due on December 6) is worth one hundred and twenty-five points.
Participation and Quizzes Six quizzes on the readings will be randomly given throughout the semester. The quizzes will be completely focused on the readings and consist of five short answer questions. Quizzes cannot be made up or given late. Participation points will be assigned at the end of the semester based on student contributions to the seminar and the quiz scores. The quizzes largely serve as a check on whether or not student preparation of the readings is adequate. In calculating a participation grade, the lowest quiz score will be dropped completely.

Students who do a good job of participating in the discussions on a regular basis will receive a large number of participation points. Students whose participation is not of the same quality will receive proportionally fewer points. Quantity of comments is not the only (or even the strongest) consideration. Thoughtful comments will receive the greatest reward. Some students are not as comfortable participating in class. That is why the two components are linked. A perfect score on the quizzes with relatively little participation will still earn a very high score on this component. Missing a few quizzes, but with excellent participation will also score well. Skipped quizzes and little participation will mean a relatively low grade on this score.3

Final examination Given on terms similar to the midterm examination it is worth one hundred points and will be given on December 11. Please bear in mind that it cannot be given early and can only be given late under circumstances for an incomplete grade. Events in your control will not count as a valid reason for rescheduling.

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.

Disabilities

Brigham Young University and its faculty are committed to providing a learning atmosphere that reasonably accommodates qualified persons with disabilities. If you have any disability that may impair your ability to complete this course successfully, you are responsible for making your needs known to us and seeking available assistance from the university in a timely manner. In addition to notifying us, you must contact the University Accessibility Center (UAC) at 422-7065, 1520 WSC. The UAC reviews requests for reasonable academic accommodations for all students who have qualified documented disabilities, and any accommodations for this class must be coordinated with the UAC office. See http://uac.byu.edu/ for more information.

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 discrimination and sexual harassment extends not only to employees of the university but to students as well.4 If you encounter sexual harassment or discrimina-

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3 To be as clear as possible, I will assign the total points based on your quiz scores and my assessment of your participation at the end of the course. Students interested in their grade may inquire before the end of the semester.

4 Please see: http://www.byu.edu/hr/directory/equal-employment-opportunity for many more details.
tion, please talk to a faculty member; contact the Equal Employment Office in D-282 ASB or by telephone at 422-5895 or 367-5689 (24-hours); or contact the Honor Code Office at 422-2847.

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 professor 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.

Important Dates

Add/drop Deadline .....................................................September 10
Hypothesis paper .....................................................September 17
Biography paper ......................................................October 15
Midterm examination ..................................................October 17
Withdrawal Deadline ..................................................November 5
Voting explanation paper (rough draft) .........................November 14
Discontinuance Deadline ............................................November 20
Last day of classes / voting paper final draft .................December 6
Final examination .....................................................December 11

References


Last updated: August 25, 2012
http://scholar.byu.edu/jcpope/classes/pl-sc-422-interests