This seminar will introduce you to some of the foundational documents informing American federalism and America's founding public philosophy, "federal liberty." In some cases, colonies might be described as basing their political relationships on a view of the community as a covenanting body, in other instances the idea of a social contract seems to have guided the form of government. We will look at early formulations of compacts, covenants, contracts, and constitutions and derive from these more general propositions about how self-government might work and what difference it makes to think about political institutions in terms of covenants or contracts. Recent historical scholarship shows that ideas about the proper basis of government (covenant or contract) varied throughout the American colonies. These differences not only led to the federal form of government itself, but also account for the variety in legal systems that we see within the various states of the federal Union. In addition to differences in the conception of citizenship (and notably the idea of person in the slave-holding states), contractualists and covenantal thinkers held different views about the places of women and families in the polity. These gendered views of political society had an impact on American's understanding of what is private and what is a matter for public regulation, resulting in differences among colonies and states in family law and political approaches to issues of gender equality. Issues of racial diversity and multiculturalism, more generally have also been considered by covenantal theory and practice. Covenants and the federal institutional form that covenantal thinking promotes have been viewed as important foundations for the political integration of diverse groups. These are among the issues that we will explore in the course.

The following books have been ordered for the course:


On Reserve:


Requirements: You must meet three requirements in POSC 100: complete all assigned readings for each day of class, write three essays (5 pages maximum), and write various "focus" assignments given in class as aides to discussion. There is no final exam in this course. The last essay is due in class on the last day of our scheduled meetings. Grades are based on a satisfactory, credit, no credit system and will be assessed as follows.

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<th>Requirement</th>
<th>Weight</th>
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<tr>
<td>Essays 20 points each</td>
<td>60%</td>
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<tr>
<td>Focus assignments</td>
<td>40%</td>
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<td>Total</td>
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Essays: You will write three essays (5 typed, double-spaced pages maximum for each): the first essay will cover early representations of covenantal thinking in the Ancient Near East and the effect of these ideas on modern constitutionalism; essay two will cover the materials read and discussed in the second and parts of the course on the development of federal liberty and federalism in America; the third essay will discuss the idea of liberty in covenantal thinking and how it might be manifested in modern claims for civil rights.

Readings

Tues Sept 14 **Part 1 The Covenant Idea and Ancient Law**

Read Elazar V 1, 30-32

Thur Sept 16 Covenant in Politics

Read Elazar V 1, Ch 1-2

Tues Sept 21 1. Ancient Law and Covenant

Read: Weinfeld Intro and Ch 11

Speicer, "Intellectual ... Progress"

"Authority... Mesopotamia"

"Religion and Government" all on reserve.

2. Hobbes and Covenant

Read: Leviathan Ch 1-6

Thur Sept 23 Covenant and Modern Commonwealth: Overview

Read Elazar V 2 Ch 1-3; Hobbes (human nature)Leviathan Ch 7-16

Tues Sept 28 Covenant and Modern Constitutionalism: Overview
Read Elazar V 3 Ch 1-3; Hobbes (Conflict) Leviathan Ch 17-25

Thur Sept 30 Part 2 Covenants and Compacts in Early America

1. Hobbes (Cooperation) Leviathan Ch 26-31

2. The Mayflower Compact and the Puritan and Calvinist Founding
   Read Lutz Ch 2 "Constitutions, Covenants, and Compacts"
   Ch 3 "From Covenant to Constitution"

****************************************************************************** First Essay Due in Class ******************************************************************************

Tues Oct 5 1. Hobbesean Covenant and Social Contract

    Read Leviathan Ch 32, 40-43 an Conclusion

    2. Constitutional Development in North America

        Read Lutz Ch 4 "Charters and the First Constitutions"

        Ch 5 "Constitutional Development During the Colonial Era"

        Elazar V 3, Ch 4, 7

Thur Oct 7 Covenant and American Theory of Politics

    Read Lutz Ch 6 "A Coherent American Theory of Politics"

Tues Oct 12 Part 3 Covenant and Commonwealth: Federal Liberty and Federalism

    The Federalist View

    Read Federalist 1, 10, 15, 23, 47, 51

Thur Oct 14 Covenant and Commonwealth: Tocqueville's Observations of America's Covenantal Origins

    Read Democracy in America V1 intro, Ch 1, 2, 3

Tues Oct 19 The Federal Form

    Read Democracy in America V1 Ch 4, 5

    Elazar, Federalism and Political Integration Intro. (on reserve)

Thur Oct 21 America as Covenantal Polity

    Read Elazar, Fed. and Pol Integration Ch 1 (on reserve)

Tues Oct 26 The Dilemmas of Democracy

    Read Democracy in America V1 Ch 15; V2 Bk 2, Ch 1-8 and V2, Bk 4

    Elazar V 3 Ch 5, 6

    Ostrom, "Fed Principles of Org. and Ethnic Communities (reserve)
Thur Oct 28 Covenant, Federal Liberty and Problems of Self-Government
   Read Elazar, Fed and Pol Integration Ch 2

Tues Nov 2 Federal Solutions to the Democracy's Dilemmas
   Read Democracy in America V1 Ch 16, 17 and V. Ostrom, The Meaning of American Federalism
   Ch 2, 3, 4

Thur Nov 4 Covenant and Constitutionalism: Institutional Arrangements and Self Government
   Read Ostrom Ch 8, 9

************************** Second Essay Due in Class ***********************

Tues Nov 9 Part 4 Covenant and Civil Society
   Liberty and Right in a Covenantal Community
   Read Elazar V 4, 10-13
   V. Ostrom, The Meaning of American Federalism, 5

Thur Nov 11 Covenant, Civil Rights and Civil Liberties
   Read King "Letter" and King and Kilpatrick debate "The Nation's Future"

Tues Nov 16 America today: Covenant and Contract

************************** Third Essay Due in Class ***********************