

UNIVERSITY OF MICHIGAN
POLITICAL SCIENCE DEPARTMENT

ADVANCED TOPICS IN DEMOCRATIC THEORY

POLISCI 495, SECTION 2
WINTER SEMESTER -- 2007

JENNET KIRKPATRICK

SYLLABUS

This seminar will focus on the concept of democracy. What is meant by the term democracy? How democratic is the American political system? What are the elements of American-style democracy that facilitate or resist “exporting” it to other parts of the world? To address these questions, we will examine works by a range of democratic theorists and will pay particular attention the concept of popular sovereignty, the nature of republican governments, the necessity of popular participation, and the role of the rule of law. We will also examine contemporary and historical events in order to sharpen our theoretical insights and conclusions.

This is a reading and writing intensive course designed for political science majors with a strong background in political theory. Class meetings will focus primarily on discussing the readings. Careful preparation and active participation is required.

Course Requirements and Mechanics

This class meets Tuesdays from 1:00 to 3:00 p.m. in the Prefunctorium Room in the Political Science Department (Room 5569 Haven Hall). The first class is on January 9, 2007. The last class is on April 17, 2007.

Contact Information:

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Office Hours: Tuesdays, 3-4 p.m., 7758 Haven Hall and by appointment

The following texts are required and can be purchased at Shaman Drum Bookstore. They have also been placed on reserve at the Shapiro Library:

Cunning, Don Herzog (Princeton University Press, ISBN13: 978-0-691-12415-5)

Democracy in America, Alexis de Tocqueville (Bantam Classics, ISBN: 0553214640)

Federalists and Antifederalists: The Debate Over the Ratification of the Constitution, Second edition, John P. Kaminski and Richard Leffler, editors (Madison House Publishers, Inc., ISBN: 0945612575)

The Higher Law, Henry D. Thoreau (Princeton University Press, ISBN: 0691118760)

The People Themselves: Popular Constitutionalism and Judicial Review, Larry Kramer (Oxford University Press, ISBN: 0195306457)

Strong Democracy: Participatory Politics for a New Age, Benjamin R. Barber, 20th Anniversary edition (University of California Press, ISBN: 0520242335)

Torture: A Collection, Sanford Levinson, editor (Oxford University Press, ISBN: 0195306465)

Two Treatises of Government, John Locke, Student edition (Cambridge University Press, ISBN: 0521357306).

Article-length required readings can be found on the electronic course reserve (<http://www.lib.umich.edu/reserves/>) and are marked below by (R). Recommended readings are not required.

The course requirements are as follows:

1. Class Participation. You are expected to come to each class meeting prepared to discuss the day's readings and to make thoughtful contributions to our discussion of the material. You will also be responsible for leading one class discussion and for preparing a summary (5-10 pages) of the assigned reading for that day. Summaries and discussion questions are due Monday before class by 3:30 p.m. All written work (including the summaries and discussion questions) will be submitted electronically through the course website on CTools (<https://ctools.umich.edu/portal/>). Written work should be typed and double-spaced. Late assignments will not be accepted without my permission. Class participation will count for 20% of your final grade.
2. Midterm Paper. The midterm paper (10-20 pages) will count for 40% of your final grade.
3. Final. The final exam (10-20 pages) will count for 40% of your final grade.

Evidence of cheating or plagiarism will result in disciplinary action.

Introduction and Course Overview

- Jan. 9 Assignment:
Freire, Paulo, “Chapter 2: The ‘Banking’ Concept of Education,” in *Pedagogy of the Oppressed* (Continuum International Publishing Group Inc., pp. 71-86), (R).

Popular Sovereignty and Democracy

- Jan. 16 Assignment:
John Locke, *Two Treatises of Government*, Second Treatise, Chapters 1-13 (pp. 267-374).
- Recommended:
Joshua Miller, *The Rise and Fall of Democracy in Early America, 1630-1789: The Legacy for Contemporary Politics* (Pennsylvania State University Press, 1991).
Louis Hartz, *The Liberal Tradition in America: An Interpretation of American Political Thought since the Revolution* (Harcourt Brace, 1955).
J. G. A. Pocock, *Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition* (Princeton University Press, 1975).
Rogers M. Smith, *Civic Ideals: Conflicting Visions of Citizenship in U.S. History* (Yale University Press, 1997).

Participation

- Jan. 23 Assignment:
Benjamin R. Barber, *Strong Democracy*, Preface (xxiii-xxx), Chapter One (pp. 3-25), Chapter Four (pp. 67-92), Chapter Five (pp. 93-114), Chapter Ten (pp. 261-311).
Daniel Kemmis, “Barn Raising,” in *Education for Democracy* (Kendall/Hunt Publishing Company, pp. 120-127), (R).
- Recommended:
Carole Pateman, *The Problem of Political Obligation: A Critique of Liberal Theory* (Polity Press, 1985).
- Jan. 30 Assignment:
Larry Kramer, *The People Themselves: Popular Constitutionalism and Judicial Review*, Introduction (pp. 3-8), Chapter One (pp. 9-34), Chapter Two (pp. 35-72), Chapter Eight (pp. 207-226), Chapter Nine (pp. 227-248), Epilogue (pp. 249-253).

Recommended:

Jürgen Habermas, "Constitutional Democracy: A Paradoxical Union of Contradictory Principles?" *Political Theory*, Vol. 29, No. 6. (Dec., 2001), pp. 766-781.

Bonnie Honig, "Dead Rights, Live Futures: A Reply to Habermas's "Constitutional Democracy," *Political Theory*, Vol. 29, No. 6. (Dec., 2001), pp. 792-805.

Paul Butler, Racially Based Jury Nullification: Black Power in the Criminal Justice System, *The Yale Law Journal*, Vol. 105, No. 3. (Dec., 1995), pp. 677-725.

Sanford Levinson, *Constitutional Faith* (Princeton University Press, 1988).

Equality and Inequality

Feb. 6 Assignment:
Alexis de Tocqueville, *Democracy in America*, Introductory Chapter (pp. 3-17), Three Races (pp. 384-390, 412-442), Equality (pp. 613-642), Women (pp. 728-753).

Feb. 13 Assignment:
Alexis de Tocqueville, *Democracy in America*, Tyranny of the Majority and Unlimited Power (pp. 295-326, 828-880).

Shirley Jackson, "The Lottery," in *The Lottery and Other Stories* (New Modern Library, pp. 281-292), (R).

Recommended:

Lani Guinier, *The Tyranny of the Majority: Fundamental Fairness and Representative Democracy* (New York: Free Press, 1994).

Richard Maxwell Brown, *Strain of Violence: Historical Studies of American Violence and Vigilantism* (Oxford University Press, 1975).

Sheldon S. Wolin, *Tocqueville Between Two Worlds: The Making of a Political and Theoretical Life* (Princeton University Press, 2001).

Feb. 20 In-Class Film: *Born Rich*

Feb. 23 Midterm Paper Due, 3:30 p.m.

Feb. 27 No class – Winter Break

Prerogative Power and Exceptional Circumstances

Mar. 6 Assignment:
John Locke, *Two Treatises of Government*, Second Treatise, Chapters 9 - 19 (pp. 350-428).

Recommended:
Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford University Press).

Mar. 13 Assignment:
Torture: A Collection, Henry Shue, "Torture" (pp. 47-60), Michael Walzer, "The Problem of Dirty Hands" (pp. 61-75), Jean Bethke Elshtain, "Reflections on the Problem of 'Dirty Hands'" (pp. 77-89).

Mar. 20 Assignment:
Torture: A Collection, Part V, "Legalizing Torture" (pp. 257-327).

Recommended:
Henri Alleg, *The Question*, with an Introduction by Jean-Paul Sartre (G. Braziller, 1958).
Hannah Arendt, "On Violence" in *Crises of the Republic* (Harcourt Brace and Company, 1969).

Resistance

Mar. 27 Assignment:
Henry D. Thoreau, *The Higher Law*.
Leon, Friedman, "The Abolitionists," in *The Wise Minority* (Dial Press, pp. 28-50), (R).

Recommended:
Martin Luther King, Jr., "Letter from Birmingham Jail," in *Why We Can't Wait* (New York: Mentor, 1963).
Michael Walzer, *Obligations: Essays on Disobedience, War, and Citizenship* (Harvard University Press, 1970).
Robert Paul Wolff, *In Defense of Anarchism* (University of California Press, 1998).

Trust and Corruption

Apr. 3 Assignment:
Don Herzog, *Cunning*.

If People Were Angels . . .

- Apr. 10 Assignment:
Federalists and Antifederalists: The Debate Over the Ratification of the Constitution, “The Constitution and the Nature of Republican Government” (pp. 3-36), “The Judiciary,” (pp. 120-150).
- Apr. 17 Assignment:
Federalists and Antifederalists: The Debate Over the Ratification of the Constitution, “The Bill of Rights” (pp. 151-177), “The Constitution: Debate Over Property, Class, and Government” (pp. 178-291).
- Apr. 20 Final Paper Due, 3:30 p.m.