

BARD COLLEGE

Popular Sovereignty in Theory and Practice (Spring 2018)

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The principle of popular sovereignty posits that legitimate political authority rests with the people, the very people who are subject to that same authority. It is the principle underlying the idea of a government that would be “of the people, by the people, and for the people.” In this course, we employ a diversity of materials and methods to interrogate this principle, examining its origins in antiquity; the philosophical arguments, both ancient and modern, that have been advanced for and against it as a governing ideal; and the relationship between this principle and the practice of representational democracy in a constitutional republic such as the United States. Questions we shall address include: what constitutes “a people,” in what sense can it be regarded as sovereign, and how is inclusion within, or exclusion from, this group determined? In what sense has rule by the people been regarded as legitimate or good? In what sense and to what degree do institutions of representation such as legislatures embody the ideal of popular sovereignty? How is the will of the people conceptualized and expressed? What is the relationship, if any, between “public opinion” and popular sovereignty? The course will encompass both theoretical analysis and empirical research, aiming to bring diverse modes of investigation into conversation. Readings will range from canonical texts of ancient and modern philosophy (e.g. Plato, Aristotle, Hobbes, Rousseau, the Federalists, Tocqueville) to contemporary works in history, theory, and political science.

I. Readings, Public Lectures, Film

Books

- Plato, *Republic* (Allan Bloom, translator) (Reading excerpts, see below)
- Jean Jacques Rousseau, *The Social Contract* (Donald A. Cress, translator)

Pdfs (distributed in class or by email or available online)

- Charles Taylor, “Political Identity and the Problem of Democratic Exclusion” (2016)
- Jill Lapore, “Politics and the New Machine: What the turn from polls to data science means for democracy” (2016)
- Edmund Morgan, *Inventing the People: The Rise of Popular Sovereignty in England and America* (1988), excerpts (see below)
- Aristotle, *Politics* (Carnes Lord, translator), excerpts (see below)
- Thomas Hobbes, *Leviathan*, (Richard Tuck, editor), excerpts (see below)
- American Founding Documents: *Declaration of Independence* and *Federalist Papers*, excerpts (see below) from Hamilton, Alexander, John Jay, James Madison, George W. Carey, and James McClellan. 2001. *The Federalist*. Indianapolis, Ind: Liberty Fund
- Alexis de Tocqueville, *Democracy in America*, (Eduardo Nolla, editor; James T. Schleifer, translator), excerpts (see below)
- David van Reybrouck, “Why elections are bad for democracy,” *The Guardian*, <https://www.theguardian.com/politics/2016/jun/29/why-elections-are-bad-for-democracy>
- John Gerring, “What is a Case Study and What is it Good For?”
- Robert Miler and John Brewer, “Empiricism” and “Theory,” from *The A–Z of Social Research* (2003)
- Stuart Rice, “Quantitative Methods in Politics”
- Excerpts on slavery, prejudice, and abolition (from Thomas Jefferson’s *Notes on the State of Virginia* (1780); George St. Tucker’s *Plan for Gradual Emancipation* (1803); *Plan for liberating the negroes within the united states*, by Ferdinando Fairfax (1790); John Taylor’s *Arator, Being a Series of Agricultural Essays* (1815); George

Washington Woodward, *speaking in favor of disenfranchising African American voters (1838)*; Alexis de Tocqueville, *Democracy in America* (1835)

— Diana J. Schaub, "Abraham Lincoln's Commentary on the 'Plain Unmistakable Language' of 'The Declaration of Independence,'" (chapter from edited volume manuscript, Atanassow/Kahan, eds.)

— Eric Schickler, *Racial Realignment*; Introduction (1-23); Chapter 5 (pp101-128)

— Avidit Acharya, Matthew Blackwell, Maya Sen, *The Political Legacy of American Slavery*, pp. 621-641

— David A. Bateman, "The White Man's Republic" (chapter from manuscript in progress)

— Anol Bhattacharjee, "Popular Research Designs," from *Social Science Research: Principles, Methods, and Practices* (2012). Textbooks Collection. 3, pp. 38-41. http://scholarcommons.usf.edu/oa_textbooks/3

Lectures

—Ira Katznelson, "Who is the people? Reflections on popular sovereignty"

<https://www.youtube.com/watch?v=Kfj4Lg1WWXc>

— David van Reybrouck, "Why Elections Are Bad For Democracy," in person at Bard College

Film

—Lars von Trier, *Dogville*

Non-required Reading

—Aristotle, "The Constitution of Athens"

—Chilton Williamson, *American Suffrage from Property to Democracy* by Chilton Williamson.

— Richard Swedberg, "Tocqueville as an Empirical Researcher"

II. Writings

Essays

Three essays are required for this course. For **Essays I (5-6 pages) & III (7-10 pages)**, students submit a first version on the date specified, then meet with the Writing Fellow, Natalie Tereshchenko, then submit a revised final version. These conferences are mandatory and progress from the first to the final version may be factored into the final grade.

Other writing

Shorter writing work, assigned at various points throughout the semester, may include short response papers and writing in a variety of genres, as well as in-class writing.

Scribe

The scribe takes notes on the in-class discussion and presents a summary at the start of the next class. Each student performs the role of scribe at least twice during the semester.

III. Research Project and Presentation

Each student will work with a group on a research project, the results of which will be presented in class in the final days of the semester. Details will be given in class as the time approaches. (See below)

IV. Course Requirements

1) Reading all assigned texts: students are expected to come to **every** class having done the assigned reading, prepared to discuss it and to write about it.

2) Writing (see above).

3) Research Project and Presentation (see above).

4) Attendance at all class sessions and active participation.

*If you anticipate that extraordinary circumstances will compel you to miss a class—such as a **documented** medical or family emergency—discuss this with TB in person or by email **in advance** of that class meeting and provide*

documentation at the next class. Acceptable documentation comes from a health professional or from the Dean of Students office.

5) Two meetings with the course Writing Fellow.

V. Grading

Grades will be calculated as follows: Essay I (20%); Essay II (10%); Essay III (25%); Research Project & Presentation (25%); Participation (20%). Unexcused absence will diminish the absentee's final grade (and may be the source of profound and painful remorse of many years to come).

Provisional Schedule

(precise assignments for each class meeting will be given verbally during the preceding class)

Monday, 29 January	Introduction
	1) Charles Taylor, "Political Identity and the Problem of Democratic Exclusion" (2016) 2) Jill Lapore, "Politics and the New Machine: What the turn from polls to data science means for democracy" (2016) 3) Morgan, <i>Inventing the People: The Rise of Popular Sovereignty in England and America</i> , Preface (1988)
Wednesday, January 31	
Monday, February 5	Plato, <i>Republic</i> , Book I-III
Wednesday, February 7	Plato, <i>Republic</i> , I-III; V-VI (up to 489d); Plato, <i>Republic</i> VIII-IX
Monday, February 12	Plato, <i>Republic</i> VIII-IX Essay I Assigned
Wednesday, February 14	Aristotle <i>Politics</i> , Book I, §§1-2
Monday, February 19	Aristotle, <i>Politics</i> , Book III
Tuesday, February 20	Essay I due by 5pm in Hegeman 303
Wednesday, February 21	Aristotle, <i>Politics</i> Book III [and "Constitution of Athens/Athenian Constitution"]
Monday, February 26	Hobbes, <i>Leviathan</i> —Introduction, Chapter & 13-21 (class visit by Ioannis Evrigenis)
Tuesday, February 27	Essay I Final Revision due by 5pm in Hegeman 303
	Hobbes, <i>Leviathan</i> —Chapters 22-24; 26
Wednesday, February 28	
Monday, March 5	Hobbes, <i>Leviathan</i> —Chapters 29-31; Review and Conclusion
Wednesday, March 7	Rousseau, <i>The Social Contract</i> Essay II (Essay in Miniature) assigned
Monday, March 12	Rousseau, <i>The Social Contract</i>
Wednesday, March 14	Rousseau, <i>The Social Contract</i> ; CLASS DEBATE
Thursday, March 15	Essay II (Essay in Miniature) due by 5pm in Hegeman 303
Monday, March 19	<i>Spring Break</i>
Wednesday, March 21	<i>Spring Break</i>
	American Founding Documents: <i>Declaration of Independence</i> ; <i>Federalist Papers</i> 10, 51 (excerpts)
Monday, March 26	
	American Founding Documents: <i>Declaration of Independence</i> ; <i>Federalist Papers</i> (excerpts); Morgan, Chapters 6, 10 & 11
Wednesday, March 28	
	Tocqueville, <i>Democracy in America</i> , vol. 1 part 1 ch. 4; part 2 ch. 1, 7 (pp. 91-97, 278-279, 402-426)
Monday, April 2	
	Tocqueville, <i>Democracy in America</i> , vol. 1 part 2 ch. 10 (515-522, 582-627); — Diana J. Schaub, "Abraham Lincoln's Commentary on the 'Plain Unmistakable Language' of 'The Declaration of Independence'"
Wednesday, April 4	
Monday, April 9	
	John Gerring, "What is a Case Study and What is it Good For?"; Robert Miler and John Brewer, "Empiricism" and "Theory";
Wednesday, April 11	

Monday, April 16	Eric Schickler, <i>Racial Realignment</i> ; Introduction (1-23); Chapter 5 Avidit Acharya, Matthew Blackwell, Maya Sen, <i>The Political Legacy of American Slavery</i> ; David A. Bateman, "The White Man's Republic"
Wednesday, April 18	Eric Schickler, <i>Racial Realignment</i> ; Introduction (1-23); Chapter 5 Avidit Acharya, Matthew Blackwell, Maya Sen, <i>The Political Legacy of American Slavery</i> ; David A. Bateman, "The White Man's Republic"
Monday, April 23	David von Reybrouck Lecture
Wednesday, April 25	Class visit by David Bateman
Monday, April 30	<i>Advising Day — No Class Meeting</i>
Wednesday, May 2	Screening of Lars von Trier's <i>Dogville</i>
Monday, May 7	Discussion of Lars von Trier's <i>Dogville</i> Essay III Assigned
Wednesday, May 9	Anol Bhattacharjee, "Popular Research Designs," from <i>Social Science Research: Principles, Methods, and Practices</i> (2012). Textbooks Collection. 3, pp. 38-41. http://scholarcommons.usf.edu/oa_textbooks/3
Monday, May 14	STUDENT PRESENTATIONS OF EMPIRICAL RESEARCH
Tuesday, 15 May	Essay III due by 5pm in Hegeman 303
Wednesday, May 16	Completion Days
Monday, May 21	Completion Days
Tuesday, May 22	Essay III Final Revision Due by 5pm in Hegeman 303

ESSAY ASSIGNMENTS

FIRST ESSAY

Choose one (1) of these topics

1) **Democracy and Freedom:** Socrates says that one of the primary characteristic of democracies—perhaps the fundamental characteristic—is that the citizens are “free” and “there is license in it to do whatever one wants” (557b). What does Socrates mean by this? Does he regard this as a good or bad quality (or both), and why, according to you, does he present it as positive or negative (or both)? What, according to Socrates, are the causes and consequences of this freedom? You may also, after discussing the text, take up the question of whether you agree with Socrates about the causes, effects, and evaluation, of freedom in democracies.

2) **Democracy and Equality:** Socrates says that democracies dispense “a certain equality to equals and unequals alike” (357a). What does he mean by this? Why, on the basis of what is said in the *Republic*, is this characteristic of an *inferior* regime? In other words, what’s wrong with this dispensing of equality, according to Socrates?

3) **Noble Lie:** Why does Socrates introduce the “noble lie” into the discussion (414b)? What function does this “lie” serve? Is it, according to Socrates, necessary in order for a just city to come into being? Why or why not? You may also, after discussing the text, take up the question of whether such a “noble lie” is necessary for every form kind of regime. If so, why? If not, under what circumstances is it not necessary? What are the potential strengths and weaknesses of a regime that is not based on a noble lie?

Due in HARD COPY **Thursday 22 February** by 5pm in Hegeman 303.

Final revision due in HARD COPY **Friday 2 March** at 5pm in Hegeman 303

Essay should be 5-6 pages, double-spaced, 12 point font, 1-inch margins all around, and stapled. **Write your name on the back of the final page only.** In the upper right corner of the first page, include: Bartscherer//Sovereignty//Spring 2018.

ESSAY IN MINIATURE

I cannot keep my subject still...If my mind could gain a firm footing, I would not make essays, I would make decisions; but it is always in apprenticeship and on trial. —Michel de Montaigne, "Of Repentance"

The essay is a judgment, but the essential, the value-determining thing about it is not the verdict (as is the case with the system) but the process of judging. —György Lukács, "On the Nature and Form of the Essay"

The word *Versuch*, attempt or essay...thought's utopian vision of hitting the bullseye is united with consciousness of its own fallibility and provisional character. —Theodor Adorno, "The Essay as Form"

I recommend you treat this as a strictly timed 2 hour assignment, though of course you can take longer with it if you wish. Compose a draft of an essay: a form of considering, questioning, puzzling out, conjecturing, arguing, any or all of these, by means of writing. Draw on the work (and play)—the reading, writing, discussing, researching, attending, cooking, debating, etc.—you have been doing in the seminar thus far. Due Tuesday, 3 April

Do the following in an order that makes sense to you:

1. Look over the texts we've read and the notes you've taken and mark passages you find of particular interest in relation to the questions that now seem most significant to you in this material.

2. Choose 3-5 passages from texts we've read and consider the following:

Why is this important to this writer?

How does it fit in the context of the text in which it appears?

How might it relate to other texts or matters we've been discussing in this seminar?

How does it bear on your understanding of the idea of a "citizen of the world"?

Why do you care about it?

Why should others care about it?

3. Frame a question (ideally, a surprising, intriguing, even playful—seriously playful—question) that will be the title and beginning of your essay-in-miniature.

4. a) identify portions from the texts and your notes that help you think about your question; b) note other potential sources, to be consulted later or referenced in your draft from memory, that might contribute to your thinking.

5. Elements and Constraints:

Draft an essay of about three pages.

Begin with your question.

Use material from texts, conversations, encounters, etc., that you encountered during the seminar.

Incorporate, if you wish, things you encountered outside of the seminar that seem pressingly relevant.

Include direct quotations with citations.

Use material from the writing you've done throughout the semester.

End with a new question or cluster of questions.

6. Once you've completed the essay in miniature, formulate a topic for your final essay, anticipating an essay of about 1800 words. Consider the topics of the earlier essay assignments as models for how to craft your own essay topic.

To prepare for the discussion, answer (in writing) the following questions, in relation to Federalist #10 and # 51

1) What is (are) the practical problem(s) that the author is addressing?

2) What solution(s) does he propose?

3) What, in your estimation, are the strengths and weaknesses of the proposed solution(s)?

FINAL ESSAY ASSIGNMENT

Compose a 7-9 page essay that examines a question that has emerged from our discussions that is of importance to you. It should engage at one of the texts we've examined this semester. Secondary research is permissible, and if your topic calls for it, it is encouraged, but it's not required.

Your topic should be formulated as a question. It must be approved by me and should be submitted by 5pm Tuesday 7 May. The essay is due to Hegeman 303 in hard copy by 5pm on 15 May; the revised version is due to Hegeman 303 in hard copy by 5pm 22 May.

The first version is not graded; Natalie Tereshchenko will be in touch to arrange the mandatory meeting with her after the first version has been submitted.

Essay should be double-spaced, 12 point font, 1-inch margins all around, and stapled. **Write your name on the back of the final page only.** In the upper right corner of the first page, include: Bartscherer//Sovereignty//Spring 2018.

Some Discussion Questions

On Morgan and Taylor

“What does Morgan mean by the “fictional qualities” of popular sovereignty? Morgan says popular sovereignty is a fiction. Taylor calls it “the regnant legitimacy idea of our time” (p. 6). Can both be true? Why or why not?”

On Plato's Republic

Book II:

Why, in Book II, does the conversation turn to the construction of a “city in speech”? What are the steps that bring Socrates and his interlocutors from their initial encounter to the task of constructing a city? What are they trying to ascertain and why is this the way to do it?

(372e) What is the distinction between the healthy and the feverous city, and why does the discussion shift to the latter, which is also called a luxurious city?

(376c-d) Why does education enter the conversation, and what is the purpose of the educational program Socrates proposes?

Book III:

(414b) What does Socrates mean by a lie “that comes to being in the case of need?” What “lie” does he propose and why? What do you think about this, in light of the conversations we’ve had thus far?

Book V:

(473c) Socrates says that “unless philosophers rule as kings of those now called kings and chiefs genuinely and adequately philosophize, and political power and philosophy coincide in the same place... there is not rest from ill for the cities.. nor ...for mankind.” What is his argument for this? Do you agree? Why or why not?

Book VI

(488 a-e) Socrates paints an image of what we might call “the ship of state.” Study that image carefully. What does it say about governance? Who is in charge? Who should be in charge? For whose benefit?

Book VIII

(555b-556c)

What, according to Socrates, are the chief characteristics of a democratic regime and a “democratic man”? Why and how, according to Socrates, do democracies devolve into tyrannies?

On Aristotle's Politics

Book I, Chapter 2, p. 3, the paragraphs that begins “A complete community...” and ends with “both end and best”. Summarize the paragraph in your own words.

Book I, Chapter 2, p. 4. Aristotle writes, "It is evident from these considerations, then, that a city-state is among the things that exist by nature, that a human being is by nature a political animal, and that anyone who is without a city-state, not by luck but by nature, is either a poor specimen or else superhuman."

Howso? In other words, why, according to Aristotle, do the “previous considerations” make this conclusion evident?

What does Aristotle mean when he says that human beings are “political animals.”

According to Aristotle, some master-slave relationships are in accordance with nature, others are not. On what basis does he make this distinction?

According to Aristotle, some master-slave relationships are in accordance with nature, others are not. On what basis does he make this distinction?

What, according to Aristotle, is a citizen? (Book 3 Chapt 1)

What, according to Aristotle, is a city-state? (Book 3, Chapt 3)

Is the virtue (i.e., the goodness, the excellence) of a citizen the same as the virtue of a human being? Why or why not?

What is true justice in a democracy (Book 3, Chapt 9)

According to Aristotle, what part of the state should have authority? In other words, what part should rule? In other words, what part should have SOVEREIGNTY? (Chapter 10). And, should the many/the people/the multitude have the authority? Why or why not?

On American Founding Documents + Tocqueville + Morgan

Respond to each part of the question in one or two sentences. Print it out, but it can be in note or list form. It need not be polished.

Drawing on the readings we've done so far:

- 1) List three political problems or dilemmas to which the American system of popular sovereignty in the form of a constitutional republic with government by representation provides a solution.
 - a. Why (from what perspective, according to which author(s), in what sense) is each regarded as a problem?
 - b. What, if any, further problems are introduced by the proposed solution?
- 2) List three dangers or weaknesses or shortcomings of the American system of popular sovereignty in the form of a constitutional republic with government by representation?
 - a. From what perspective, according to which author(s), in what sense) is each regarded as a problem?
 - b. What, if anything, can guard against each danger, ameliorate the weakness, compensate for the shortcoming?

CLASS DEBATE INSTRUCTIONS

We're going to be debating the following proposition: "only the general will can direct the forces of the state according to the purpose for which it was instituted, which is the common good." (Taken from the first sentence of Rousseau, Social Contract, Book II, Chapter 1).

You should prepare notes that consist of arguments both for and against this proposition. Your arguments FOR the proposition should be taken from Rousseau. Your arguments AGAINST the proposition should be taken from Hobbes. In other words, Hobbes would not agree with this. Why? How would he argue against it?

The purpose, of course, is to get us all thinking deeply and clearly about the differences between Hobbes and Rousseau on a question central to the theme of popular sovereignty.

I'm attaching the debate guidelines. There are a couple of modifications:

- we'll have two teams, three people each; and the remainder of the class will be "judges"
- each speaker will have ONLY 2 MINUTES to speak
- the team will have 10 minutes to prepare

Remember, you should prepare both sides. Teams will be determined on Wednesday.

Empirical Research Proposal Assignment

For the empirical research proposal, each student will have 10 minutes to present the proposal. Any unused time will be for question and answer.

You should prepare both an oral presentation and a written document to hand in. The written document should be about 2 pages.

In preparing your proposal, bear in mind both the rationales, and the variety of methods, for conducting empirical research in political studies that we have encountered this semester. The method you choose should be modeled either on the methods described in the attached document ("Popular Research Designs" already distributed in class) or on one of the studies we've read.

Your proposal should be realistic and rigorous. It should be something you could accomplish in a reasonable amount of time with reasonable financing available. You should anticipate questions and challenges to the legitimacy of your approach.

The question or problem you propose to investigate should have emerged from our readings and discussions.

In preparing the proposal and the presentation, be sure the following components are included:

- 1) **research question or problem:** explain how the question or problem has emerged from our studies and why it is significant.
- 2) **literature review:** if you were to pursue this project, you would have to look to see what relevant academic work had already been published. Where would you look and what would you look for? (If you wish, you may actually do some of this review, but that's not required; an account of how you would do it is sufficient).
- 3) **hypotheses:** what are you setting out to prove or disprove?
- 4) **research method(s):** what method or methods will you employ? Describe with some specificity.
- 5) **research plan:** how do you propose to conduct this research? Include details about the assistance you would need (if any) and the timeline.

Your presentation should include some visual material to help clarify your plan (separate from the written document that you hand in). This may be simply an outline on a handout that you distribute to the class, or something more elaborate; it may for example include powerpoint slides).