

POSC 4811 (5811) - 701: The Best Constitution

Professor Darrell Dobbs
Office Hours: by appointment
Office: 421 Wm. Wehr Physics

Marquette University, Fall 2020
Class time: 5:00-7:30 pm TH
Classroom: Online via Teams

Course Rationale

Governments have been instituted to achieve many ends. These include public safety, martial prowess, religious orthodoxy, imperial hegemony, natural rights, and even the cultivation of a master race! But constitutions exist to *limit* what agents of government may do in pursuit of such ends. The importance of keeping government constitutional was evident even to the ancients, who formulated the basic question of constitutional analysis: *Who will guard us from our guardians?* Two responses to this question have proven most effective. One approach is pedagogical; its intention is to cultivate in office-holders virtues of righteousness, servant-leadership, and worldly prudence. The other approach is institutional; its intention is to harness social custom and countervailing political forces to mitigate conflicts of interest between elites and the people they rule. Presumably, the best constitution will make the best use of both approaches. In this class, we shall consider how these approaches are combined in the aristocratic constitution outlined in Plato's *Republic* and in the American compound republic as it existed prior to the Civil War.

Policies, Expectations, and Grading

You are expected to attend every meeting of this class, to arrive on time and to be prepared to discuss the assigned readings. As you prepare for class, remember that wisdom awaits the diligent seeker. So, read carefully! Grades will be based on: 1) five short papers that you will present to the class on readings specifically assigned to you as a member of a company of "text detectives" (50%); 2) your attendance, punctuality, and contribution to the quality of class discussion (30%); and 3) a comprehensive final essay or exam (20%). Absences may be excused by emailed request, time-stamped prior to class time on the day of your absence. Count on spending *an average* of five hours per week outside of class preparing for discussion and preparing your assignments.

Course Outline, Schedule, and Assigned Readings

Week

- 1 I. Introductions; Politics, human nature, and happiness: Aristotle *Politics* I ch.1, *Ethics* I chs.1-2
- II. Constitutional decline and human misery
- 2 A. Timocracy slouches to oligarchy, oligarchy to democracy: Plato's *Republic* 544d-555b (A), 555b-562a (B)
- 3 B. Democracy slouches to tyranny, the most wretched of all: 562a-569c (C), 571a-580c (D)
- III. Constitutional decline begins in the ruling class, so we must ask: "who will guard us from our guardians?"
- A. The Socratic safeguard: liberal education & communism for the ruling class
- 4-5 1. Education in music & gymnastics: 372e-383c (E), 386a-403c (A); 403c-412b (B), 412b-427d (C)
- 6-7 2. Women, communism, & the philosopher king: 449a-459b (D), 459c-470e (E); 471a-476d (A), 476d-480a (B)
- 8-10 3. Mathematics: 497d-504a (C), 504b-509c (D); 509d-518c (E), 518d-522e (A); 522e-532d (B), 532d-541b (C)
- B. The American safeguard: an extended federal republic, within a civic culture
1. Geographically extended compound government mitigates factional threat to the common good
- 11 a. Social equality as a "providential fact" raises danger of *majority* tyranny:
Tocqueville, *Democracy in America* pp. 235-249, 407-410 (D) 640-645, 661-665 (E)
- 12 b. Federalism promotes pluralism, institutional design checks passion & interest: *Federalist Papers* #10 (A)
- c. Administrative decentralization, the legal profession & juries: Tocqueville, pp.82-93 (B)
- 13 2. Cultural mores provide civic education in the arts of self-government
- a. Religion combats the democratic tendency to materialism: pp.275-288 (C), pp.517-524 (D)
- b. Voluntary associations combat democratic isolation and dependency: pp.485-492, 496-503 (E)