Course Overview

The political theory articulated by James Madison has been identified by many scholars as the most influential of the theoretical foundations of the version of the U.S. Constitution that emerged in the Eighteenth Century and the early nineteenth century. This course will explore that political theory and its relationship to that original Constitution. It will also explore the history of the use of Madison’s ideas about the Constitution in critical periods of American history—the Civil War era, the early Progressive era, and today.

Students will be exposed to essays, speeches, and Supreme Court opinions that have attempted to apply Madisonian concepts to an array of political problems. Students will write such things themselves.

Course requirements:

1. Six quizzes on the required reading will be given. Together the quizzes will account for 48% of the course grade. Missed quizzes can be made up during office hours the next week.

2. Two short (about 400 words) historical analysis are required. Each is worth 4% of the grade. Together these short papers are worth 8% of the final grade.

3. Two Opinion Pieces (about 600 words) addressing specified applications of Separation of Powers or Federalism are required. Each is worth 6% of the total grade. Together they are worth 12% of the grade.

4. Two Op-Ed pieces (about 800 words) dealing with the Secession Crisis and with Religious Liberty are required. Each is worth 7% of the grade. Together they account for 14% of the grade.

5. A draft topic paragraph introducing the final paper is required. It will account for 3% of the grade.

6. A final paper (about 1200 words on a topic of the student’s choice related to Madisonian thought) is required. It will account for 15% of the student’s grade.
Required texts:

There are three required textbooks. Other required reading will be available on the class Blackboard or in hyperlinks embedded in the syllabus. The required texts are:


The amount of time a student should expect to spend on this class:

This is a three credit course. The University guidelines for three credit courses indicate that a student should spend 7.5 hours a week in the combination of preparation and class time for such a course. We are in class for 110 minutes, so that leaves 5 hours and 40 minutes for class preparation time. There is an average of about 50 pages of reading each week which should take the student about 3 minutes per page for about 150 minutes. This is a writing course the remaining 3 hours of preparation time the student will be engaged in research and writing and studying for quizzes.

Learning objectives: Upon successful completion of this course, students will be able to:

- identify the role of James Madison’s political theory in the formation of the Constitution,
- specify ways in which that theory has been used by others to attempt to deal with subsequent problems that confronted American government,
- specify ways in which Supreme Court justices and other influential leaders have used or adapted Madisonian thought,
- express in their own words the relevance (or lack of relevance) of Madison’s theories to contemporary problems,
- identify the perspectives of classic and contemporary writers who have attempted to use or to dismiss Madison’s theories,
- articulate in writing some perspectives about past controversies in American government and about current affairs in the context of past controversies about American government.

Grading of writing assignments: Some considerations in grading assignments will be:

- Assignments are time sensitive. Late assignments will be docked one full grade.
- Sarcasm and irony are discouraged. Arguments opposed to your position should be presented fairly and with kindness and respect.
- The issue discussed should be well-specified.
- The use of direct quotes from historical figures should be used to support arguments. Extreme care should be taken to present these quotes accurately and with appreciation of the context.
- Typos, misspellings, grammar mistakes and incorrect word usages will be taken into account but accuracy in content will be counted more heavily.
Tentative Course Outline

Week 1. Introduction: the roles of public opinion and argument in the political theories of David Hume and James Madison (1/19).

- Class procedures and requirements explained.
- Discussion of David Hume’s “Of the First Principles of Government.”
- Discussion of Federalist 1.
- Questions to be answered by the short historical opinion due next week will be assigned.

Week 2. The role of public opinion and argument in the political theories of James Madison (1/26).

- Discussion of Stewart’s Madison’s Gift Part I (Alexander Hamilton)
- Discussion of the Federalist Papers 37.
- Discussion of excerpt from Tocqueville’s Democracy in America.
- Discussion of Thomas Aquinas’s Summa Theologica Question 96 Article 2.
- Short (about 400 words) historical analysis of specified issues about the attitudes of the framing generation is due (6 p.m., 1/25).

Week 3. Madison’s explanation of the Constitution (2/2).

- Continued discussion of Stewart’s Madison’s Gift Part I (Alexander Hamilton).
- Discussion of the Federalist Papers Numbers 10, 14, and 15.
- Discussion of Washington’s Circular Letter on Disbanding the Army.
- First Quiz

Week 4. Marbury v Madison and originalism (2/9)

- Discussion of Chief Justice Marshall’s opinion in Marbury v Madison.
- Discussion of Federalist Papers 78 and 84.
- Short (about 400 words) historical analysis and opinion piece on some aspect of Marbury v Madison, or originalism, or the Bill of Rights is due (6 p.m., 2/8).

Week 5. The role of public opinion in Madisonian thought (2/16)

- Discussion of Dionne’s “The Founder’s True Spirit.”
- Discussion of Federalist 39.
- Discussion of Colleen Sheehan’s “Madison v. Hamilton: The Battle Over Republicanism and the Role of Public Opinion.”
- Second Quiz.

Week 6. Madison’s theory and Supreme Court Opinions (2/23).

- Discussion of Chief Justice Taft’s opinion of the Court in Myers v U.S.
- Discussion of Chief Justice Burger’s opinion of the Court in Immigration and Naturalization Service v Chadha.
- Federalist 47, 48, 49 and 51.
- Opinion Piece (about 600 words) addressing specified applications of Separation of Powers is due (6 p.m., 2/22).
Week 8. Madison and the potential flaws in majority rule (3/2).
- Discussion of Weiner’s *Madison’s Metronome*; Chapter 1.
- Discussion of the Federalist Papers Numbers 55, 62, 63, and 84.
- Third quiz.

Week 7. Madison’s theory and Supreme Court Opinions (continued 3/9)
- Discussion of Excerpts from the opinions in the Affordable Care Act cases.
- Discussion of the opinions in Gonzales v Raich.
- Discussion of the opinions in U. S. Term Limits v. Thornton.
- Discussion of the opinions in Printz v U.S.
- Discussion of excerpts from Justice Anthony Kennedy’s opinion of the Court and other opinions in Citizens United v Federal Elections Commission.
- Opinion piece (about 600 words) addressing specified applications of Federalism or issues of Separation of Powers is due (6 p.m., 3/8).

- Discussion of Weiner’s *Madison’s Metronome*; Chapters 2, and 3.
- Discussion of Stewart’s *Madison’s Gift*; Part II (George Washington)
- Discussion of Washington’s “Farewell Address” (3/22).
- Fourth Quiz

Week 10. Madison, the Constitution, and the Secession Crisis. (3/30)
- Discussion of Madison letter to Daniel Webster of March 15, 1833
- Discussion of Madison letter to William Cabell Rives of March 12, 1832
- Discussion of Abraham Lincoln’s Speech on the Dred Scott decision.
- Discussion of Frederick Douglass’s speech, “The constitution of the United States; Is it Pro-Slavery or Anti-Slavery?” http://www.blackpast.org/1860-frederick-douglass-constitution-united-states-it-pro-slavery-or-anti-slavery
- Discussion of Lincoln’s First Inaugural Address.
- Discussion of Lincoln’s Second Inaugural Address.
- Op-Ed piece (about 800 words) addressing some specified aspect of the Secession Crisis is due (6 p.m., 3/29).

- Discussion of Madison’s “Against Religious Assessments” (available in the Electronic Reserves section of the Blackboard and in Rakove p.29).
- Discussion of Jonathan Haidt’s ”The Age of Outrage."
- Fifth Quiz

- Discussion of Woodrow Wilson’ speech “What is Progress?”
• Discussion of Excerpts from Charles Beard’s An Economic Interpretation of the Constitution.
• Discussion of Jonathan Haidt’s TED talk “The Moral Roots of Liberals and Conservatives”
• Op-Ed (about 800 words) dealing with specified issues about Religious Liberty or polarization is due (6 p.m., 4/12).

Week 13. Reviewing other relevant material (including our own) (4/20).
• Discussion of Martin Luther King’s “Letter from Birmingham Jail.”
• Discussion of Weiner’s Madison’s Metronome; Chapters 4 and 5.
• Final paper topic paragraphs are due (6 p.m. 4/19).

Week 14. Further Reviewing of newly written material (including our own) (4/27).
• Some articles appearing in the popular press written during the semester will be discussed.
• Sixth Quiz

Final Paper
Final papers (about 1200 words on a topic of the student’s choice related to Madisonian thought) are due on 5/7 at five p.m.