

**WINTER 2007-2008**  
**HC 217 THE AMERICAN FOUNDING:**  
**PHILOSOPHICAL ORIGINS AND ORIGINAL INTENT**

**Syllabus**

**PART I: Introduction**

**Discussion Topics:** After a brief introduction and discussion of the historical periods under review, we will parse the text of the Declaration of Independence, considering the essential elements of the argument for separation from England and consider its relationship to the other two documents.

**Week I**

**Texts:** Declaration of Independence\*  
Preamble to the Constitution of the United States\*  
Lincoln, "Gettysburg Address"\*

**PART II: Liberal Democratic Theory**

**Discussion Topics:** We will compare and contrast the views of human nature and the origins of government presented by the founders of liberal democratic theory. We will also consider how they sought to arrange the powers of government based on their respective understandings of human nature.

**Week II - Hobbes**

**Texts:** Hobbes, Leviathan, Introduction, Chs. 1, 4-6, 11-19, 29-30

**Week III - Locke**

**Texts:** Locke, Second Treatise, Chs. 1-5, 8-9, 11-13, 18 (19)

**Week IV – Additional Considerations**

**Texts:** Winthrop, "Little Speech of Liberty" (Frohnen)  
Montesquieu, Spirit of Laws, Bks. I-V, XI  
[www.constitution.org/cm/sol.htm](http://www.constitution.org/cm/sol.htm)  
Blackstone, Commentaries, Bk. I, Ch. 1; Bk. II, Ch. 2  
<http://www.lonang.com/exlibris/blackstone/>

**PART III: Revolutionary Theory**

**Discussion Topics:** We will review how the revolutionary generation applied the principles of their intellectual forebears.

### **Week V – Early Writings**

**Texts:** Otis, “Rights of the British Colonies” (Frohnen)

Downer, “A Discourse at the Dedication of the Tree of Liberty . . . “ (Frohnen)

Declaration and Resolves of the First Continental Congress (Frohnen)

Paine, Common Sense (Frohnen)

Jefferson, A Summary View of the Rights of British America  
<http://libertyonline.hypermall.com/Jefferson/Summaryview.html>

Burke, “Speech on . . . Conciliation With The Colonies”  
<http://press-pubs.uchicago.edu/founders/documents/v1ch1s2.html>

## **PART IV: The Constitution**

**Discussion Topics:** We will review the transition from the Declaration to the Constitution, considering whether the latter was a “reaction” to the former. We will then consider the arguments for and against ratification.

### **Week VI – Articles and Constitution**

**Texts:** Articles of Confederation (Frohnen)

Adams, Thoughts on Government (Frohnen)

Braxton, A Native of This Colony  
[http://press-pubs.uchicago.edu/founders/print\\_documents/v1ch18s10.html](http://press-pubs.uchicago.edu/founders/print_documents/v1ch18s10.html)

Madison, Vices of the Political System of the United States  
<http://teachingamericanhistory.org/library/index.asp?document=802>

Virginia and New Jersey Plans (Frohnen)

### **Week VII – Federalist and Anti-Federalist**

**Texts:** Federalist Nos. 1, 9, 10, 39, 47-51, 70-78 (Frohnen)

Brutus I, V (Frohnen)

**PART V: Post-Constitutional Issues**

**Discussion Topics:** We will consider several related issues relating to the maintenance of Union, especially the debate on slavery

**Week VIII - Federalism**

**Texts:** Chisholm v. Georgia (Frohnen)  
Virginia and Kentucky Resolutions (Frohnen)  
Jefferson, Opinion on the Bank (Frohnen)  
McCulloch v. Maryland (Handout)

**Week IX - Union and Slavery**

**Texts:** Dred Scott (Frohnen)  
Sawyer, “The Relative Position and Treatment of Negroes” (Frohnen)  
Lincoln, Speech at Columbus, Ohio, September 16, 1859 (Handout)  
Calhoun, “Fort Hill Address” (Frohnen)  
Lincoln, House Divided Speech (Handout)

**Week X - Final Considerations**

**Texts:** Fifth Lincoln-Douglas Debate (Frohnen)  
Gettysburg Address  
<http://www.yale.edu/lawweb/avalon/gettyb.htm>  
Second Inaugural  
<http://www.yale.edu/lawweb/avalon/presiden/inaug/lincoln2.htm>