

SYLLABUS
CGCL 6160 - Roots of the American Regime

M.A., Constitutional Government, Civics, and Law
Utah Valley University

Dr. Robert John Burton

Overview. The purpose of this course is to explore the place of the American social and constitutional regime within the Western tradition of political and legal philosophy from which it emerged. To focus (and thus, deepen) our study, we will centre our course on two important traditions: the natural law tradition, rooted in Ancient/Medieval political philosophy, and the natural rights tradition, rising as a key element of modern political philosophy in the wake of the Protestant Reformation. We will then explore the ways in which the American regime is a product of, or innovation (even synthesis) of these two traditions in legal and political philosophy.

Course Objectives: a) to explore core ancient and modern texts in political philosophy and theology that are foundational to the political thought of the American Founding; b) to understand the American form of government both as a regime and in comparison with other regimes; c) to understand role of America in the history of political philosophy.

All that is gold does not glitter,
Not all those who wander are lost
The old that is strong does not wither,
Deep roots are not reached by the frost.
J.R.R. Tolkien

Texts

- Harvey C. Mansfield, *A Student's Guide to Political Philosophy*. ISI, 2000. (ISBN 1882926439)
- Thomas Aquinas, *Summa Theologica, De Veritate, Summa Contra Gentiles, On the Commandments* (selections provided in PDF)
- C.S. Lewis, *Abolition of Man*. Harper, 2015. (ISBN 9780060652944)
- Niccolo Machiavelli, *The Prince*. 2nd Ed. Trans. Harvey C. Mansfield. Chicago, 1998. (ISBN 0226500446)
- Locke, *Second Treatise of Government*, Hackett, 1980. (ISBN 0915144867)
- Other essays/selections as needed

Assignments

Assignment 1: Reading Log: students must complete all readings *before* coming to Oxford; to track reading progress, the students will complete an online reading log in Canvas.

Assignment 2: Reading Journal: prior to our time in Oxford, students will keep a journal with reflections on the readings to aid in recall and facilitate discussion in Oxford.

Assignment 3 Evaluative précis: each class, 1-2 students will write an evaluative précis (thoughtful summary) of an assigned part of the readings; they will present their précis to the class and share 3 questions to guide our discussion.

Daily Session Times in Oxford:

Session 1 (9:00-10:20 am)

Session 2 (1:40 - noon)

Session 3 (7:00 - 9:00 pm)

Oxford Daily Schedule

PART I: POLITICAL PHILOSOPHY AND NATURAL MORALITY

Day 1

Session 1 Introduction to Natural Law and Natural Rights Traditions
- Mansfield, *A Student's Guide to Political Philosophy*

Session 2 Natural Law: The Problem
- C.S. Lewis, *Mere Christianity*, Ch. 1
- C.S. Lewis, *Abolition of Man*, (first half)

Session 3 Natural Law and Education
- C.S. Lewis, *Mere Christianity*, (second half)

PART II: AQUINAS AND THE NATURAL LAW

Day 2

Session 1 Aquinas, "Man's End, Which Is Happiness"
- *Summa theologiae* I-II, q. 1, a. 1; q. 2, aa. 6-7; q. 3; q. 5, a. 5.

- Session 2 Aquinas, “Synderesis and Conscience”
- *Summa theologiae* I, q. 79, aa. 12-13; *De veritate* (On Truth), q. 16; q. 17, aa. 1-3 excerpts & a. 4.
- Session 3 Aquinas, “Law in General, the Eternal Law, and the Natural Law”
- *Summa theologiae* I-II, q. 90; q. 91, aa. 1-2; q. 92, a. 1; q. 93, aa. 1-3 & aa. 5-6; q. 94.

Day 3

- Session 1 Aquinas, “Politics and the Natural Law”
- *Summa theologiae* I-II, q. 91, a. 3; qq. 95-97; q. 105, a. 1.
- Session 2 Aquinas, “Revealed Divine Law and the Natural Law”
- *Summa theologiae* I, q. 1, a. 1; I-II, q. 91, a. 4; q. 98, aa. 1 & 5-6; q. 99; q. 100, aa. 1-3.
 - Aquinas, “Grace, Charity, and the Natural Law,” concluding reflections
 - *Summa theologiae* I-II, q. 91, aa. 5-6; qq. 106-107; q. 109, a. 3; *Sermons on the Commandments*, prologue.

INTERLUDE: MACHIAVELLI AND MODERN POLITICAL PHILOSOPHY

- Session 3 Machiavelli and Modern Politics
- Machiavelli, *The Prince* (selections)
 - Hobbes, *De Cive* (selections)

PART III: RIGHTS BY NATURE AND THE NATURAL RIGHTS REGIME

Day 4

- Session 1 Locke, *Second Treatise of Government*, ch. 1-4
- Session 2 Locke, *Second Treatise of Government*, ch. 5-9
- Session 3 Locke, *Second Treatise of Government*, ch. 10-19

PART IV: NATURAL LAW AND RIGHTS: AMERICAN SYNTHESIS OR ANTITHESIS?

Day 5

- Session 10 Natural law and Rights: The American Founding
- John Adams, “Dissertation on the Canon and Feudal Law”
 - Hamilton, “The Farmer Refuted”
 - Declaration of Independence
- Session 11 Natural Law and the Civil War
- Abraham Lincoln & Stephen Douglas, “Freeport Debates”
- Session 12 Natural Law and Rights: The Civil Rights Movement
- Elizabeth Cady Stanton, “Declaration of Sentiments”
 - Martin Luther King Jr., “Letter from Birmingham Jail”