

THE AMERICAN FOUNDING
School of Civic and Economic Thought and Leadership
Arizona State University
Fall 2022

Professor Sheehan
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Coor Hall. 6th Floor
Office Hours: By appointment

I. COURSE DESCRIPTION

This course examines the fundamental issues of the American founding era, and in particular, focuses on these ideas as manifested in the constitutional ratification debates of 1787-88. These issues include: the nature of the federal union, the meaning of sovereignty, the problem of majority faction, the practicability of the extended republic, the idea of representation, the efficacy of separation of powers and checks and balances, the institution of slavery, the character of popular government and the need (or lack thereof?) for civic responsibility/civic virtue. Our focus this semester is on *The Federalist*; we will also read selections from The Anti-federalists and “other” Federalists.

II. READINGS

Required:

- Hamilton, Madison & Jay, *The Federalist Papers*, ed. Clinton Rossiter and Charles Kesler (Signet Classics, 1999). ISBN: 80451528810
- *The Essential Antifederalist*, eds. Willian B. Allen and Gordon Lloyd (Rowman & Littlefield, 2002). 2nd Ed. ISBN: 9780742521889
- *Friends of the Constitution*, eds. Colleen Sheehan and Gary McDowell (Indianapolis: Liberty Fund Press, 1998). ISBN: 9780865971554
- Highly Recommended Resource:
<http://teachingamericanhistory.org/library/constitution/>

III. CLASS PREPARATION AND CONTRIBUTION

- A. This class will contain a significant portion of in-class discussion and dialogue. Please attend class regularly, complete the readings for each class, and spend time thinking about the issues raised in the materials you have read.

IV. PAPER

Term Paper: Your paper should be approximately 12-15 pages and focus on one essay (or possibly a small grouping of the essays) of *The Federalist*, the Anti-federalist essays, or the “Other” Federalist essays. It should be philosophical and analytical (not merely descriptive); it is due the last week of class (see schedule below). Please submit your paper on CANVAS by the last day of class.

NOTE: As you prepare to write for these class assignments, please be sure you are familiar with the university policy about writing with integrity. Plagiarism will not be tolerated in this course.

V. Debates

Each student will be responsible for two debates, taking the side of either The Federalists or Anti-federalists. Each segment will feature such a debate; you and your debate partner will craft a specific question related to the general theme of the segment and present your arguments to the class in the following format:

Federalist: opening statement: 1 min

Antifederalist: opening statement: 1 min.

Federalist argument: 4 min.

Antifederalist argument: 4 min.

Open argumentation: 3 min.

Federalist: closing argument: 1 min.

Antifederalist: closing argument: 1 min.

A sign up sheet for the debates will be made available the second week of class.

VI. Final Oral Exam

There will be a comprehensive final oral exam in this course.

VII. GRADING FOR THIS COURSE

Class Contribution	20%
Debates	20%
Paper:	40%
Final Exam:	20%

VIII. LEARNING OUTCOMES

- Upon successful completion of this course students will be able to identify the key figure and political events of the American Founding period.
- Upon successful completion of this course students will be able to identify the core political ideas and prescribed political practices of the key figures of the American Founding period.
- Upon successful completion of this course students will understand the essential point of agreement and disagreement between the Federalists and Anti-federalists.

- Upon successful completion of this course students will understand and be able to articulate the central principles and process of the United States Constitution.

IX. SCHEDULE

The following reading segments reflect the approach of an exegesis of the text of *The Federalist*. Some segments will require more time than others.

Segment 1: Introduction and Historical Background

Readings: The Declaration of Independence; Articles of Confederation

Alexander Hamilton, June 18th speech

(<http://teachingamericanhistory.org/library/constitution/>); James Wilson, “State House Speech” (in *Friends*); The Constitution.

Segment 2: The Nature of the Union

Federalist 1-9

Segment 3: The Extended Republic

Federalist 10-14

Segment 4: Federal Union

Federalist 15-36

Segment 5: The New Federal Republic

Federalist 37-46

Segment 6: Inventions of Prudence, Justice, & the General Good

Federalist 47-51

Segment 7: Legislative Power

Federalist 52-66 (pay attention to *Fed.* 54 & 55 on morality and republican government)

Segment 8: Executive Power

Federalist 67-77

Segment 9: Judicial Power

Federalist 78-84

Segment 10: Summary

Federalist 85

Following is an overview of selected Antifederalist, “Other” Federalist essays,

and secondary source readings, as they are to be read in context with The Federalist essays.

Segment 2: Nature of the Union and Sovereignty (Emphasis: *Fed.* 1-9, 20, 39)
The Essential Antifederalist (EA): Chapter One recommended; Chapter Two: Intro, Federal Farmer: Letters I and XVII; Patrick Henry (pp. 75-96; 127-140).
Friends of the Constitution (Friends) 1-5, 65-70, 71-87, 88-92, 250-256.

Segment 3: Parties, Factions, Proper Size of a Republic: (Emphasis: *Fed.* 10, 14)
EA: Centinel: 96-105, Brutus: 105-115, Agrippa: 122-123;
Friends 183-195, 332-336, 340-344, 345-348, 349-354, 491-497, 52-56.

Segment 6: Justice & the General Good: (Emphasis: *Fed.* 47-51)
EA: Brutus III, V; Federal Farmer VII, IX; Cato V, VII. *FP* #s 47-51.
Friends 179-182, 217-226.

Segment 6, continued: Contemporary Sources
Martin Diamond, "Ethics and Politics" in Robert Horwitz, ed., *Moral Foundations of the American Republic* (University of Virginia Press, 1986). ISBN-10: 081391082X, http://www.citizenship-aei.org/wp-content/uploads/Diamond_American_Way.pdf

William Allen, "Justice and the General Good: *Federalist* 51 in Charles R. Kesler, ed., *Saving the Revolution* (Free Press, 1987). ISBN-10: 0029197309
http://williambarclayallen.com/chapters/Justice_and_General_Good.htm

Alan Gibson, "Veneration and Vigilance: James Madison and Public Opinion, 1785–1800," in *Review of Politics*, 67:01, Winter 2005. (Including Matthews' and Sheehan's responses).
<https://www.jstor.org/stable/pdf/25046381.pdf?refreqid=excelsior%3A57965b080097e349fee73283485839c0>

Matthews' Response:
<https://www.jstor.org/stable/pdf/25046383.pdf?refreqid=excelsior%3Afe42efe1d65f44a24b88c9f616eb70d>

Sheehan's Response:
<https://www.jstor.org/stable/pdf/25046382.pdf?refreqid=excelsior%3A768d6c252a288e9fe641d6f9f2a527e>

Gibson's Response to Matthews and Sheehan:

<https://www.jstor.org/stable/pdf/25046384.pdf?refreqid=excelsior%3Aafb9ffe3f9231bdeecfa0dfba41f0ee2>

Larry Kramer, "The Interests of Man," *Valparaiso University Law Review*, Winter 2007, Vol. 41, No. 2.

<https://scholar.valpo.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1174&context=vulr>

Segment 7: Representation of the People (Emphasis: *Fed.* 35, 57, 62, 63)

EA: Federal Farmer III; Brutus IV. *Friends* 196-200, 201-216, 322-327.

Segment 7+: The Nature and Character of Popular Government; Bill of Rights; Liberty, Property, and Slavery; Civic Virtue (Emphasis: *Fed.* 54, 55)

EA: Federal Farmer IV; Brutus II; Maryland Farmer III (Part 2) and VII (Part 1) - pp. 281-88. *FP* #s 11, 12, 54, 55.

Friends 366-372, 441- 449, 450-456, 457-458, 484-486, 410-413, 421-424, 477-479, 487-491.

Segments 8 & 9: The Executive and the Judiciary, including judicial review (Emphasis: *Fed.* 71, 73, 78, 84)

EA: Brutus XV.

Final Oral Exam Schedule TBA

X. SCETL ATTENDANCE POLICY

The ASU leadership has encouraged departments and schools to consider how to convey to students the important benefits of intensive participation from students in ASU Sync courses and iCourses. Because courses in the School of Civic & Economic Thought and Leadership emphasize discussion-based learning, student attendance and active participation are crucial for all students to receive the distinctive benefits of a SCETL education.

For SCETL courses offered via ASU Sync, students must have a working video camera, and it must be used and turned on in order to receive attendance and participation credit.

SCETL iCourses also attempt to provide a more engaging and discussion-oriented experience for students than do many other iCourses. Instructors may require regular check-ins or other assignments that ensure continuous and regular engagement by

enrolled students.

XI. ASU GENERAL INFORMATION & POLICIES

Technology Requirements for CEL598

ASU has a laptop and WiFi hotspot checkout program available through ASU Library.

Who is eligible?

- Any currently enrolled ASU student is eligible to checkout a laptop. The current availability of laptops can be found here.
- Borrowing and returning laptop rules
- Laptops are lent on a first-come, first-serve basis, and cannot be reserved in advance. They can be returned at any time, but will be due at the conclusion of the fall 2020 semester.
- Rentals are limited to one laptop per student.
- Laptops are available for checkout at the following libraries on all four campuses. (Please check online for current library hours)
 - Downtown Phoenix campus Library
 - Polytechnic campus Library
 - Tempe: Hayden and Noble Libraries
 - West campus: Fletcher Library
- Return laptops to any ASU Library Information Desk (not at the drop box or other location)
- Refer to ASU Library Computer Use Policy and ASU Computer, Internet, and Electronic Communications Policy.
- Borrowers are responsible for loss, damage, and theft of the laptop while in their possession.
Borrowers should verify the condition of the laptop at the time of check-out and upon check-in.

Additional Requirements:

This course requires the following technologies:

- Web browsers (Chrome, Mozilla Firefox, or Safari)
- Adobe Acrobat Reader (free)
- Webcam, microphone, headset/earbuds, and speaker
- Microsoft Office (Microsoft 365 is free for all currently-enrolled ASU students)
- Reliable broadband internet connection (DSL or cable) to stream videos. Student Success To be successful:
 - read and respond to course email messages and Canvas announcements as needed
 - complete assignments by the due dates specified
 - communicate regularly with your instructor and peers
 - create a study and/or assignment schedule to stay on track

- access ASU Student Resources

Grading

Grades reflect your performance on assignments and adherence to deadlines. This course will be graded on an

A-E plus/minus scale. % Grade

97 to 100% A+; 93 to < 97% A; 90 to < 93% A- 87 to < 90% B+

83 to < 87% B 80; to < 83% B- 77 to < 80% C+; 70 to < 77% C

60 to < 70% D; Below 60 % E

Absences and/or late submissions

Please submit all work on time.

Excused absences related to religious observances/practices that are in accordance with ACD 304–04 “Accommodations for Religious Practices.”

Excused absences related to university-sanctioned vents/activities that are in accordance with ACD 304–02 “Missed Classes Due to University-Sanctioned Activities.”

Academic integrity

Academic honesty is expected of all students in all examinations, papers, and laboratory work, academic transactions and records.

The possible sanctions include, but are not limited to, appropriate grade penalties, course failure (indicated on the transcript as a

grade of E), course failure due to academic dishonesty (indicated on the transcript as a grade of XE), loss of registration privileges,

disqualification and dismissal. For more information, see

<http://provost.asu.edu/academic-integrity>

Accommodating students with disabilities

Students who feel they will need disability accommodations in this

class but have not registered with the Disability Resource Center

(DRC) should contact DRC immediately. The DRC Tempe office is

located on the first floor of the Matthews Center Building. DRC staff

can also be reached at (480) 965-1234 (V) or (480) 965-9000 (TTY).

For additional information, visit:

www.asu.edu/studentaffairs/ed/drc.

Expected classroom behavior

If we can and do so choose to meet on Zoom in addition to using

Canvas be sure to be online ontime for class. Excessive tardiness will be subject to sanctions.

Policy against threatening behavior

All incidents and allegations of violent or threatening conduct by an ASU student (whether on-oroff campus) must be reported to the ASU Police Department (ASU PD) and the Office of the Dean of Students. If either office determines that the behavior poses or has posed a serious threatto personal safety or to the welfare of the campus, the student will not be permitted to return to campus or reside in any ASU residence hall until an appropriate threat assessment has been completed and, if necessary, conditions for return are imposed. ASU PD, the Office of the Dean of Students, and other appropriate offices will coordinate the assessment in light of the relevant circumstances.

Reporting Title IX violations

Title IX is a federal law that provides that no person be excluded on the basis of sex from participation in, be denied benefits of, or be subjected to discrimination under any education program or activity. Both Title IX and university policy make clear that sexual violence and harassment based on sex is prohibited. An individual who believes they have been subjected tosexual violence or harassed on the basis of sex can seek support, including counseling and academic support, from the university. If you or someone you know has been harassed on the basis of sex or sexually assaulted, you can find information and resources at <https://sexualviolenceprevention.asu.edu/faqs>.

As a mandated reporter, I am obligated to report any information I become aware of regardingalleged acts of sexual discrimination, including sexual violence and dating violence. ASU Counseling Services, <https://eoss.asu.edu/counseling>, is available if you wish discuss any concerns confidentially and privately.

Policy on Sexual Discrimination

Arizona State University is committed to providing an environment free of discrimination, harassment, or retaliation for the entire university community, including all students, faculty members, staff employees, and guests. ASU expressly prohibits discrimination, harassment, and retaliation by employees, students, contractors, or agents of the university based on any protectedstatus: race, color,

religion, sex, national origin, age, disability, veteran status, sexual orientation, gender identity, and genetic information.

Copyrighted materials

Students must refrain from uploading to any course shell, discussion board, or website used by the course instructor or other course forum, material that is not the student's original work, unless the students first comply with all applicable copyright laws; I reserve the right to delete material on the grounds of suspected copyright infringement