

GVPT 848A (FREN 679)
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Fall 04
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Constitutionalism, the French Antecedents: Pascal, Montesquieu, Rousseau, and Constant

Alexis de Tocqueville, widely acclaimed as the best analyst of American government, readily acknowledges his intellectual debt to Pascal, Montesquieu, and Rousseau. He also read Benjamin Constant carefully.

All of these authors are central to an understanding of constitutionalist thought, that is, the rule of law. The goal of this course is to consider how these four authors contribute to a better understanding of constitutionalism or rule of law, especially as it came to be developed in Tocqueville's path-breaking *On Democracy in America*. Familiarity with that work will be assumed, as such things must be from time to time, but it will not figure prominently in the course.

Requirements: informed participation in class discussions, 4 very short analyses (2-3 pages, 750 words each), each on a particular class reading, and 2 short papers (8-10 pages, 2000-2500 words). The very short analyses are due at the start of the class pertaining to the reading it discusses, and each must be about one of the four authors covered in the course. The first short paper is to be a comparison of Pascal and Montesquieu, the second a comparison of Rousseau and Constant. The first short paper is due on October 29, the second on December 15.

Students are expected to read the assigned material, take notes, and organize on paper the general lines of argument within the particular reading before coming to class. Such preparation will take between 6-9 hours, surely not more. Moreover, it is necessary to attend all classes. More than 3 absences will result in a failing grade.

The short analyses count for 30% of the grade, each of the short papers for 30%, and intelligent participation for the remaining 10%.

Please take advantage of office hours to make contact with me and to talk about your progress as well as other matters. If posted hours do not work, make a special appointment.

For the record:

1. The UMD Code of Academic Integrity will be enforced. In short, no cheating.
2. Students with documented disabilities should see the instructor. Their needs will be accommodated.
3. The UMD policy of respecting the religious observances of students or their participation in university activities will be followed. Students must inform me of these absences by September 15, 2004.
4. To be excused for absence in case of illness or other compelling circumstances, students must provide, in writing, documentation of the reason for the absence upon returning to class.
5. Late papers will receive a deduction of 1/3 letter grade per day after due date (e.g., from A to A-). No papers will be accepted after seven days from the due date.

READING SCHEDULE

1. September 1: Introduction
2. September 8: Pascal, *Pensées*, “Discussion with Monsieur de Sacy,” “The Art of Persuasion,” and *Pensées*, nos. 2-321 (Oxford ed., pp. 182-192, 193-204, and 5-85).
3. September 15: Pascal, *Pensées*, nos. 329-740 (Oxford ed., pp. 85-181)
4. September 22: Montesquieu, *On the Spirit of the Laws*, Part I, Books 1-8
5. September 29: Montesquieu, *On the Spirit of the Laws*, Part II, Books 9-13
6. October 6: Montesquieu, *On the Spirit of the Laws*, Part III, Books 14-19
7. October 13: Montesquieu, *On the Spirit of the Laws*, Part IV, Books 20-23
8. October 20: Montesquieu, *On the Spirit of the Laws*, Part V, Books 24-26
9. October 27: Montesquieu, *On the Spirit of the Laws*, Part VI, Books 27-31

NOTE WELL! FIRST SHORT PAPER DUE ON OCTOBER 29

10. November 3: Rousseau, *On the Social Contract*, Books 1-2
11. November 10: Rousseau, *On the Social Contract*, Books 3-4
12. November 17: Constant, *Principles of Politics Applicable to all Governments*, Bks. 1-8, pp. 1-147

November 24: NOTE WELL! NO CLASS , THANKSGIVING VACATION!

13. December 1: Constant, *Principles of Politics Applicable to all Governments*, Bks. 9-13, pp. 149-294
14. December 8: Constant, *Principles of Politics Applicable to all Governments*, Bks. 14-18, pp. 295-422.

NOTE WELL! FINAL SHORT PAPER DUE ON DECEMBER 15

BOOKS TO ORDER

Required

Benjamin Constant, *Principles of Politics Applicable to All Governments*, trans. Dennis O'Keefe, ed. Etienne Hofmann, intro. Nicholas Capaldi (Indianapolis, IN: Liberty Fund Press, 2003), ISBN: 0-86597-395-4, (paper) \$12.00.

Charles Secondat, Baron de Montesquieu, *On the Spirit of the Laws*, trans. Anne M. Cohler (Cambridge: Cambridge University Press; 1989), ISBN: 0-52136-974-6, (paper) \$24.00.

Blaise Pascal, *Pensées*, trans. Honor Levi; ed. Anthony Levi (Oxford: Oxford University Press, 1999), ISBN: 0-19-283655-2, (paper) \$9.95.

Jean-Jacques Rousseau, *On the Social Contract*, trans. Roger D. Masters and Judith R. Masters (New York: St. Martin's Press, 1990), ISBN: 0-312-69446-6 (paper) \$12.75.

Recommended:

Benjamin Constant, *Constant: Political Writings*, ed. and trans. Biancamaria Fontana (Cambridge: Cambridge University Press, 1988), ISBN: 0521316324, (paper) \$23.00.

Dénis Diderot, *Diderot: Political Writings*, ed. John Hope Mason and Robert Wokler (Cambridge: Cambridge University Press, 1992), ISBN: 0521369118, (paper) \$23.00.

Dénis Diderot, *Rameau's Nephew, and Other Works*, trans. Jacques Barzun and Ralph H. Bowen, intro. Ralph H. Bowen (Indianapolis, IN: Hackett Publishing, 2001), ISBN: 0-87220-486-3, (paper) \$11.95.

Jean-Jacques Rousseau, *Social Contract*, trans. Victor Gourevitch (Cambridge: Cambridge University Press; 1997), ISBN: 0521424461, (paper) \$13.00.