

COURSE OUTLINE

1. Course Number and Title: Govt201, Origins of the Constitution

Prerequisites: n/a

Credits: 3 credits

2. Course Description: Origins of the Constitution, Govt201, addresses the origins of the United States Constitution and American constitutionalism. The course delineates both the ideals as well as the practical considerations that shaped this unique document. Beyond these ideals and practicalities, however, committed interests fueled the discussions at the Philadelphia Convention, a thorough analysis of which is central to the course's discussions. The outcome of the convention was a spare but deft management of all these pressures. The U.S. Constitution became not only the backbone for this nation's but arguably Western civilization's concept of rule of law under a genuinely republican regime.

The course is based on the primary text, *Liberty, Order, and Justice* by Dr. James McClellan. The McClellan text may be accessed in Iziio in "Assignments." You may also purchase a copy of this book from Liberty Fund located at <http://tinyurl.com/26hlyro>

Liberty, Order, and Justice provides contextual information about the formative period during the American Founding. Students will also participate in online discussions by responding to topics located in "Discussion" in Iziio.

3. Course Goals: Students will analyze and evaluate how ideals about liberty, order, and justice were grounded in a political formula for organizing a functional and just government, which operated according to an evolving body of law. They will be able to trace contemporary arguments about what constitutes the "rule of law" back to their original concepts and how they were debated during the Convention. Finally, they will identify the qualities of character among the Framers that inform American models of public leadership and civic virtue.

4. Course Outcomes: To achieve the course goals, students will accomplish the following:

1. Students will identify and evaluate the influence of political concepts drawn from the Greek, Roman and English philosophies, and how these ideas influenced America's Founding and why it is referred to as a "founding."

2. Students will compare and explicate the influence of the following political theorists and jurists: Edmund Burke, Edward Coke, Francis Bacon, William Blackstone, Algernon Sidney, John Locke, and Montesquieu. Students will also demonstrate how the English common law tradition impacted the formation of constitutional government in Govt200, Roots of American Order.
3. Students should describe the origin and development of representative government and constitutionalism in the American colonies in terms of the unique cultural and geographic circumstances of North America. Students will begin formulating an understanding about representative government and its connection to American rights and liberties.
4. Recognize the advantages and flaws of early constitutional documents at the state and federal level. Frame these characteristics within the broader sweep of English constitutionalism. Explain the different interpretations of the Declaration of Independence, particularly in terms of the tension between liberty and equality.
5. Analyze the political and social interests of key delegates to the Philadelphia Convention. Contrast their political beliefs and account for the various compromises reached at the Philadelphia Convention.
6. Delineate the evolution of federalism in early America and contrast the decentralized form of federalism with the plans of nationalists to centralize political power. Above all, students should defend the key values, beliefs, and restraints necessary for American federalism to properly function.
7. Assess the success of the specific constitutional restrictions that provide for the “checks and balances” between the “separated” powers of government and the limited powers afforded the federal government in protecting individual and States’ rights.
8. Weigh and contrast the different positions of the Federalists and Anti-federalists in terms of federalism, separation of powers, and the political theories previously discussed in the course.

5. Course Concepts:

1. The Greek, Roman, and English philosophical and political influence
2. Edmund Burke, Edward Coke, Francis Bacon, William Blackstone, John Locke, Algernon Sidney, Montesquieu
3. The Stamp Act, the “Ship Money Case”
4. Declaration and Resolves of the First Continental Congress (1774), Declaration of Independence, Preamble to the Declaration of Independence, The Articles of Confederation,

5. Federal Convention in Philadelphia, the Framers, the Virginia Plan, the New Jersey Plan, Connecticut Compromise, Three-Fifths Compromise, the Constitution, the Bill of Rights
6. Confederation, Federalism, Federalists, States' Rights, Anti-Federalists, The Federalists Papers, The Anti-Federalist Papers
7. Democratic republic, separation of powers, checks and balances, independent judiciary, supremacy clause

6. Required Texts:

McClellan, James. *Liberty, Order, and Justice*. Indianapolis: Liberty Fund, 2000. ISBN: 13: 9780865972568.

This book is included in the course and students may access, and print, the text from within the course delivery system. You may purchase a hardcopy from Liberty Fund by visiting <http://tinyurl.com/26hlyro>

7. Recommended Reading (Located in Lectures/Texts in Izio)

8. Resources (Located in "Resources" in Izio)