Seminar in American Political Thought: Imagining Rights
POLS 475 ASTD 493, PHIL 465, POLS 670, ASTD 670
Fall 2008

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Description
This course will examine various notions of rights that have emerged in American political thought from the founding era to the present. These range from the pre-social, natural rights of individuals that are assumed in the Declaration of Independence and the Bill of Rights, to the more social version of rights articulated in the U.N. Universal Declaration of Human Rights. While the former are considered unalienable, attached to permanently sovereign individuals as protection against intrusions from society, the latter are largely acquired, shaped by an individual's needs and potential within a larger society. These different conceptions of rights and the social institutions and practices in which they are embedded necessarily condition public debates and policy outcomes. To illustrate: In the continuing debates about health care in the U.S., a persistent question is whether persons have a right to health care. Advocates of a right to health care tend to assume a more social version of rights. Opponents of a right to health care often construe rights as natural, unalienable rights that belong to autonomous individuals. As we shall see, in the first class session, the cultural weight of this pre-social version of rights in the U.S. strongly resists the argument that Americans have a right to health care.

Goals
The class will examine different approaches to “rights” in American political thought with an eye toward illuminating their uneven consequences for persons and groups in different social circumstances. The semester will begin with an introduction to different approaches to rights and the historical contexts in which these approaches have emerged. Most of the semester will be devoted to examining how seminal figures in the history of American political thought have viewed rights. The semester will conclude with selected critical approaches to re-imagining and reconstructing rights. By the end of the course, students should understand:

- how rights are understood by selected mainstream thinkers such as Jefferson, the Federalists, Lincoln and others
- how African American and women thinkers (among others) have criticized and expanded dominant approaches to rights
- how particular definitions of rights work to the advantage of some persons and groups and to the disadvantage of others
- how different understandings of rights are embedded in social and political institutions and in popular culture
- how rights are socially constructed and how the dominant constructions exercise power

Requirements
All students are expected to attend all classes, complete reading assignments prior to the class for which they are assigned, participate fully in class discussions, occasionally respond in writing to study questions, and present one or two oral reports. It is essential to bring hard copies of readings to class. Because learning in this course depends heavily on participation in class discussion, and because the seminar meets only once a week, attendance is required at every class session. Students are responsible for signing the attendance sheet at the beginning of class. Absences are excused only if students 1) provide a good reason—e.g. illness, required university activity—preferably in advance and 2) turn in written responses to the study questions assigned for the missed class. In some cases, depending on the material missed, other work or a meeting with the instructor may be necessary.

Additional requirements for undergraduate students: a take-home midterm essay, one extra group workshop on the mechanics of literature review and presentation of theoretical arguments, and
a final paper. A rough draft of the paper is due on Tuesday, November 25. The final version is due on December 10.

Students who attend all sessions, participate regularly, and show that they have reflected on the reading materials earn an “A” in class participation. Students who fall short on any of these aspects of participation can expect lower grades. For instance, students who attend all sessions and participate only when it is their turn to be a discussant earn a “satisfactory” rating (C) in class participation, as opposed to a “good” (B) or “excellent” (A). For every unexcused absence, the class participation component of the grade will be lowered one letter. (Ex. If a student who normally participates at a “B” level has one unexcused absence, the participation grade falls to a “C.”)

Midterm and final grades will be reported in terms of the College of Arts and Sciences grading scale: A (4.0), A- (3.7), B+ (3.3), B (3.0), B- (2.7), C+ (2.3), C (2.0), C- (1.7), D (1.0), F (0.0). However, grades given on assignments and the manner of calculating grades are up to individual professors. In this class, a student might receive an A+, D+, or D- on a given assignment. I use numerical equivalents for these grades when I calculate grades for the course.

Additional requirements for graduate students: a literature review on a topic selected in consultation with the instructor, due on 10/29; at least one oral report on a book or article assigned by the instructor; a final paper; two extra group meetings (one for discussion of how rights paradigms relate to each student’s specialization and one for presentation of final papers). Final grades will be reported according to the Graduate School grading scale.

Undergraduates are welcome at the graduate discussion and presentation sessions.

All of the following books are available from the campus bookstore, and most are available in libraries. While some of these are available online, electronic versions will not suffice because you will need to bring hard copies to class.

Jefferson, _Selected Writings_ (Mansfield, ed., Harlan Davidson)
Hamilton, Jay, Madison, _The Federalist_
Tocqueville, _Democracy in America_, 2 vols.
Calhoun, _Disquisition on Government_
Lincoln, _Selected Speeches and Writings_ (Vintage)
DuBois, _The Souls of Black Folk_
Dewey, _The Public and Its Problems_

**Writing Center**

I encourage you to take advantage of the Writing Center’s services; getting feedback benefits writers at all skill levels. The Center offers one-on-one consultations that address everything from brainstorming and developing ideas to crafting strong sentences and documenting sources. For more information, call 977-2930 or visit [http://www.slu.edu/x13305.xml](http://www.slu.edu/x13305.xml).

**Academic Integrity and Honesty Policy**

The University is a community of learning, whose effectiveness requires an environment of mutual trust and integrity. Academic integrity is violated by any dishonesty such as soliciting, receiving, or providing any unauthorized assistance in the completion of work submitted toward academic credit. While not all forms of academic dishonesty can be listed here, examples include copying from another student, copying from a book or class notes during a closed book exam, submitting materials authored by or revised by another person as the student’s own work, copying a passage or text directly from a published source without appropriately citing or recognizing that source, taking a test or doing an assignment or other academic work for another student, securing or supplying in advance a copy of an examination without the knowledge or consent of the instructor, and colluding with another student or students to engage in academic dishonesty.

Any clear violation of academic integrity will be met with appropriate sanctions. Possible sanctions for violation of academic integrity may include, but are not limited to, assignment of a failing grade in a
course, disciplinary probation, suspension, and dismissal from the University. Students should review
the College of Arts and Sciences policy on Academic Honesty, which can be accessed on-line at
http://www.slu.edu/colleges/AS/ under “Quicklinks for Students” or in hard copy form in the Arts and
Sciences Policy Binder in each departmental or College office.

Students with Special Needs - Disability Services
Any student who feels that he/she may need academic accommodations in order to meet the
requirements of this course -- as outlined in the syllabus -- due to presence of a disability, should
contact the Office of Diversity and Affirmative Action. Please telephone the office at 314-977-8885, or
visit DuBourg Hall Room 36. Confidentiality will be observed in all inquiries.

Tentative Schedule
Part I  Introduction:  What are rights?
8/27  Introduction:  Is there a right to health care in the U.S.?  (handouts: “Health Care Must be a
Fundamental Right,” by William Woo, St. Louis Post-Dispatch editorial, November 7, 1993;
Declaration of Independence, U.S. Bill of Rights, UN Universal Declaration of Human Rights)
9/3    Locke, Second Treatise of Government, chps 2, 3, 5,
Rousseau, Discourse on the Origin of Inequality, Dedication,
http://www.constitution.org/jjr/ineq.htm; The Social Contract, Bk I, ch 4-7,
1952. Pius Library electronic database, JSTOR
Fraser and Gordon, “Contract Versus Charity: Why is there no social citizenship in the U.S.?”
(electronic reserve)
Foucault, “Lecture Two” in Power/Knowledge (electronic reserve)

Part II  Rights in the history of American political thought
9/10   Mansfield, ed., Thomas Jefferson Selected Writings
Mead, “Natural Rights and the Theory of the Political Institution” (electronic reserve)
9/17    The Federalist, #’s 1, 2, 10, 14, 23, 31, 49, 51, 54 57, 62, 63, 68, 70, 71, 78, 84
Antifederalist selections, http://www.constitution.org/afp/afp.htm, TBA
9/24    Tocqueville, Democracy in America, selections
10/1    Tocqueville, Democracy in America, selections
10/8    Calhoun, Disquisition on Government, selections
10/15   Lincoln, selections
Dred Scott v. Sanford (1857) excerpt [Pius Library electronic resources, LexisNexis Academic]
10/22   DuBois, The Souls of Black Folk, selections
10/29   DuBois, The Souls of Black Folk, continued
Douglass, “What to the Slave is the 4th of July?” (1852),
http://douglassarchives.org/doug_a10.htm
King, “Letter from a Birmingham Jail” http://members.aol.com/klove01/jailtr.htm
Part III. Re-imagining Rights

Gramsci, “Hegemony, Intellectuals and the State,” in Cultural Theory and Popular Culture, ed. John Storey, 210-16, Eres. (The 3-page middle section on Intellectuals is an excerpt from a longer reading which you may want to look at if you have time. “The Intellectuals” (1-20) is online at http://www.marxists.org/archive/gramsci/prison_notebooks/problems/intellectuals.htm.)
Bennett, “Popular Culture and the ‘Turn to Gramsci,’” in Cultural Theory and Popular Culture, ed. John Storey, electronic reserve

11/19 Dewey, The Public and Its Problems

11/26 Thanksgiving holiday

12/3 Presentations

12/10 Presentations. Final papers due