

Current Topics in Political Science: - Constituent Power
Political Science 711

BOL 294

T 7:00 – 9:40

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Office hours: T 1:00-2:00, R 3:30-4:30

Who holds the ultimate authority in a democratic politics? Since the modern rebirth of democracy (the Greeks would read democratic authority differently) the answer has been simple: the people. The U.S. Constitution literally indites this concept, famously beginning “We the People of the United States ... do ordain and establish this Constitution for the United States of America.” In such a formulation, the people are previous to, and superior to, a legal constitution.

And yet the same Constitution famously does not include a large number of people as “the people,” denying citizenship to a majority of the population: women, slaves, Native Americans, men under twenty-one years of age, and the landless or impoverished (depending upon each state’s eligibility requirements). So who were “we the people”? And where did they come from, if it is the very Constitution which brings them into being?

If the continued consent of the people are a prerequisite for lawful government, as those committed to democracy contend, then we must have a clear idea who those people are and how they come together as a people. But as civil war, ethnic divisions, and revolutions make clear, the very concept of constituent power – those who constitute the legitimate grounds of a people – proves murky.

How, this course asks, do such conceptions shape political power? What kinds of persons are legitimated within “the people” and what kinds of persons are ignored or deliberately excluded? Who makes the people in the first place? And what kinds of political acts, such as public policies, can bring new kinds of people into being?

Paper

Alongside the below readings, you will also be responsible for developing a research paper (at an approximate length of 20 pages) that concerns constituent power as it applies to a topic of interest to you. This paper can be analytical or normative in nature, addressing both the variety of issues brought up in class and the variety of issues the topic itself raises.

During the final two weeks of class, students will each present the results of their research to the class as a whole, in a series of approximately 25 minute presentations.

A rough deadline to keep in mind follows:

Decide on topic: End of September
Outline subjects and issues: Mid-October
Create overall research project: Early November
Discuss with professor: Mid-November
Start writing: By Thanksgiving
Present ideas to class: December 4 or 11
Turn in final paper: December 17 (Monday)

REQUIRED TEXTS:

These books are available at People's Books, located at 2122 Locust (near the corner of Locust and Maryland). All other readings are available on D2L.

Frank, <i>Constituent Moments</i>	978-0-8223-4675-3 (Cornell)
Dewey, <i>The Public and its Problems</i>	978-0804002547 (Swallow)
Arendt, <i>On Revolution</i>	978-0143039907 (Penguin)
Rousseau, <i>On the Social Contract</i>	978-0486426921 (Dover)
Honig, <i>Democracy and the Foreigner</i>	978-0691114767 (Princeton)

DATELINE

Part I: Foundings

September 4: Introduction: Who are the People?

September 11: Rousseau, *On the Social Contract*

September 18: E.E. Schattschneider, selections: *The Semisovereign People: A Realist's View of Democracy in America* *

Jon Elster, "Forces and Mechanisms in the Constitution-Making Process"*

Frederick Douglass, "What to the Slave is the Fourth of July?"*

September 25: Carl Schmitt, *Constitutional Theory* (§§ 1-4, 8-10, 15, 18)*

Part II: Remaking and Reconstituting

October 2: Arendt, *On Revolution*

- October 9: Frank, *Constituent Moments*
- October 16: Wendy Brown, “We Are All Democrats Now”^{*}
Neve Gordon, “Democracy and Colonialism”^{*}
- October 23: Honig, *Democracy and the Foreigner*
- October 30: Andreas Kalyvas, “Popular Sovereignty, Democracy, and the Constituent Power”^{*}
Antonio Negri, “Constituent Power: The Concept of a Crisis”^{*}

Part III: Policies and Peoples

- November 6: Joel Colón-Ríos, “Carl Schmitt and Constituent Power in Latin American Courts: The Cases of Venezuela and Colombia”^{*}
Andrea Campbell, “The Reciprocal Participation Policy Relationship”^{*}
“Overview: Rising Senior Participation and the Growth of the American Welfare State”^{*}
- November 13: Dewey, *The Public and its Problems*
- November 20: Lisa Disch, “When is Representation Democratic? Analyzing the ‘Constituent Effects’ of Public Policy”^{*}
Mettler and Soss, “The Consequences of Public Policy for Democratic Citizenship: Bridging Policy Studies and Mass Politics”^{*}
Sanford Schramm, “The Third Level of US Welfare reform: Governmentality Under Neoliberal Paternalism”^{*}
- November 27: Paulina Ochoa, “The Time of the People”^{*}
“The Mob and the People in Mexico: A Historical Example of the Indeterminacy of Popular Unification”^{*}
“A Democratic People as Process”^{*}
- December 4: Student Presentations, Part 1
- December 11: Student Presentations, Part 2
- Monday, December 17: Final Paper Due