University of Toronto
Department of Political Science

POL484 & POL2026 (Winter Term 2012)
Topics in Political Thought: Republicanism
Monday 14:00-16:00, University College 148

SYLLABUS

Professor: Daniel Lee
Department of Political Science
daniellee.lee@utoronto.ca
Office: Sidney Smith Hall 3031
Hours: TBA and by appointment

Overview

This course aims to study the political theory of republicanism.

The first part of the course focuses on recent interpretations of republican political theory and tries to locate the position of republicanism in recent political philosophy, particularly in relation to competing alternative schools of political thought, especially liberalism. We will study two particular aspects of republican theory – the theory of republican liberty as non-domination, and the idea of republican government as the constitutional form of a free state.

The second part of the course traces the intellectual origins of the republican tradition in order to understand the concept of the *respublica* as a guiding ideal in classical and modern politics. Republicanism emerged as an opposition theory crafted with ideas drawn from classical antiquity. To illustrate this, we will begin by looking at the use and expression of republican ideas in the context of the English civil war, and treat this critically significant period in early modern history as a point of departure to study the major classical sources of the republican tradition such as Aristotle, Polybius, and Cicero.

The course will then proceed to use this background to explore the many different routes and various contexts in which republican theory took concrete shape in the later Middle Ages and the Renaissance, such as in the Italian republics and the French and Dutch resistance movements in the sixteenth century. We will finish by considering the opposition between the republic and the empire which emerged in the Enlightenment and shaped the experience of what has been called the last classical republic, the American republic.

Prerequisite

The official course prerequisite for undergraduates is POL320. The course assumes a good working knowledge of Plato's *Republic*, Aristotle's *Ethics* and *Politics*, Machiavelli's *The Prince*, Hobbes' *Leviathan*, Locke's *Two Treatises of Civil Government*, and Rousseau's *Social Contract*.

Course Requirements

1. **Research Paper (valued at 80% of the final mark)**
   All enrolled students (both graduate and undergraduate) are required to submit **an original research paper.**

   Graduate students: Papers should be between **6,000 to 8,000 words** in length (inclusive of notes).

Undergraduate students: Papers should be between **4,000 to 5,000 words** (inclusive of notes).

Papers should be typed, **double-spaced**, and **fully documented** – preferably with footnotes – and should also include a **full bibliography** of primary and secondary sources. Please ensure that papers have been proofread for grammatical errors and typos prior to submission. I will provide more details on the research paper later in the term. **The deadline for submission of the term paper is APRIL 5, 2011**, which is the last day of full term.

***Please note that I require both a hard copy and an electronic submission.** Papers can be submitted in the Department of Political Science, Sidney Smith 3018.

*** **In addition, all enrolled students should submit (by email and as a hard copy) a typed formal research proposal for the paper no later than MARCH 1, 2011**. ***

* **For undergraduates only**: The research proposal will be graded as a separate component of the research paper. For undergraduates, the proposal will be worth 10% of the final mark, and the paper itself will be worth 70% of the final mark. (10% proposal + 70% research paper = 80% total research paper mark)

The proposal should provide a rough sketch of the argument to be developed in the paper as well as a preliminary annotated bibliography. The ideal proposal will identify a specific research question drawn from among the themes and texts in the course, discuss some of the relevant literature, and lay out a clear plan for completing the paper. For papers with a more historical focus, I strongly recommend limiting the scope of research to one or two original sources. Students may propose their own topics falling within the parameters of the course or consult with me in identifying a research topic. Students are **not** bound to their proposal, and are free to change their topics if they feel their interests have shifted during the course. However, they must inform me if they wish to change research topics and submit a revised proposal.

2. Short Discussion Papers (valued at 20% of the final mark)

All enrolled students are additionally required to write **two (2) short discussion papers** (no more than 500 words = about two double-spaced pages). Each paper should discuss critically one of the assigned readings for one of the seminar sessions during term. The papers should identify some question, problem, or theme related to the assigned reading for the week that students find worthy of further discussion for the seminar. The discussions papers are to be submitted electronically to me by 5 P.M. on the Sunday before each seminar. Discussion papers received after 5 P.M. will not receive credit toward this requirement.

All discussion papers will be made publicly accessible to all seminar members on Blackboard. Each paper will be marked at **10% of the final mark**.

Course Readings

* **Most readings for the course are available in electronic form** and can be accessed on the Blackboard/Portal page for this course on the University website. Auditors should contact the professor directly to gain access to the online readings. Reserve copies of texts are also available for study in Robarts Library.

Required books for purchase (these titles have been ordered through the U of T Bookstore)
Quentin Skinner, *Hobbes and Republican Liberty* (Cambridge, 2008)

Niccolo Machiavelli, *The Discourses on Livy*, trans. Harvey Mansfield and Nathan Tarcov (Chicago, 1998)
- Even if you have another edition, I would strongly recommend this edition for its extremely valuable introductory discussion and scholarly apparatus.

Recommended books for purchase (these titles have been ordered through the U of T Bookstore)
Philip Pettit, *Republicanism* (Oxford, 1997)

- Although this is available in electronic form through Blackboard, students may wish to purchase a personal copy to mark up.

Quentin Skinner, *Visions of Politics*, Vol. 2, *Renaissance Virtues* (Cambridge, 2002)

- This is also available on Blackboard, but students may consider purchasing a copy for study.

Quentin Skinner, *Foundations of Modern Political Thought*, in 2 volumes (Cambridge, 1978)

- This two-volume work is Skinner's classic study of political thought. I very strongly recommend that students (esp. graduate students focusing on medieval and early modern political thought) purchase both volumes. These were pioneering studies in the field establishing the so-called 'Cambridge School' of political theory, but they may also be used as textbooks in navigating through the material covered in this course.

Recommended editions of primary source texts for purchase
For students who wish to purchase modern editions of primary sources for personal use, I would recommend the following editions:

Cicero, *On Duties*, ed. M.T. Griffin and E.M. Atkins (Cambridge, 1991)

Cicero, *Political Speeches*, D.H. Barry (Oxford, 2006)

[- or Cicero, *In Defence of the Republic*, ed. Siobhan McElduff (Penguin, 2011)]

Cicero, *On the Commonwealth and On the Laws*, ed. James Zetzel (Cambridge, 1999)

Robert Filmer, *Patriarcha*, ed. J.P. Sommerville (Cambridge, 1991)

James Harrington, *The Commonwealth of Oceana*, ed. J.G.A. Pocock (Cambridge, 1992)

Thomas Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge, 1991)

François Hotman, *Francogallia*, ed. J.H.M. Salmon and Ralph Giesey (Cambridge, reissue 2010)

Niccolo Machiavelli, *The Discourses on Livy*, trans. Harvey Mansfield and Nathan Tarcov (Chicago, 1998)

John Milton, *Political Writings*, ed. Martin Dzelzainis (Cambridge, 1991)

Charles de Montesquieu, *The Spirit of the Laws*, ed. Cohler, Miller, and Stone (Cambridge, 1989)

[Philippe Du Plessis Mornay], *Vindiciae Contra Tyrannos*, ed. George Garnett (Cambridge, 1994)

Rare Books

We are very fortunate to have access in the University of Toronto to one of the finest collections of rare books in North America. For several seminars, we will meet in the Thomas P. Fisher Library (located inside the Robarts Library complex) to examine some of our texts in their original printed form. I will provide more details on this later in the term.

Seminar Schedule

The following is a proposed seminar schedule. Since I would like to keep some flexibility, the topics and readings for each week will be subject to modification as the term progresses.

Week 1: Jan. 9

Introduction: What is republicanism?

In our first seminar, we will identify three major themes that have shaped the civic republican tradition and try to understand why there has been such a resurgence of interest in republicanism in recent political philosophy. The seminar will also introduce members to the principal interpretive and conceptual problems associated with the republican tradition, such as the relationship between republicanism and democracy, the linguistic instability associated historically with the term, 'republic' [or *respublica*], its traditional association with resistance and liberation politics, and whether there is such a thing as a uniform 'republican tradition' at all.

Week 2: Jan. 16

The Republican Theory of Liberty as 'Non-Domination'

Our purpose for the second seminar will be to fix basic ideas and investigate critically the republican concept of liberty involved in the common designation of a republic as a 'free state' – i.e., the concept of liberty as 'non-domination.' Republican (or 'neo-Roman') liberty is often framed as an alternative to the liberal analysis of liberty as 'non-interference,' so part of our discussion will involve locating recent efforts to revive republicanism against this predominantly liberal background (exemplified by Hobbes' classic analysis). We will also try to understand what is the difference, if any, between 'domination' and 'interference,' and the sources for each.

Readings:

Pettit, *Republicanism* (on Blackboard)
- Ch. 1 ('Before Negative and Positive Liberty')
- Ch. 2 ('Liberty as Non-Domination')
- Ch. 3 ('Non-Domination as a Political Ideal')

Skinner, 'A Third Concept of Liberty' (Blackboard)

* If you are not already familiar with Isaiah Berlin's 'two concepts of liberty,' please read Berlin, 'Two Concepts of Liberty' in *Four Essays on Liberty.*

* I have also posted links to videos of Skinner's lecture on 'Three Concepts of Liberty' on Blackboard. The lectures explain succinctly the thesis that the republican understanding of liberty is irreducible to the classical liberal analysis.

* Students may also want to consult Skinner's *Liberty Before Liberalism* (Cambridge, 1998), which were his inaugural lectures as Regius Professor of Modern History at Cambridge.

Further readings in the recent literature on freedom as 'non-domination'

Frank Lovett, *General Theory of Domination and Justice* (Oxford, 2011)

Patchen Markell, 'The Insufficiency of Non-Domination,' *Political Theory* 36 (2008) – on Blackboard

Christopher McMahon, 'The Indeterminacy of Republican Policy,' *PPA* 33 (2005) – on Blackboard

Pettit, 'Freedom as Antipower,' *Ethics* 106 (1996) – on Blackboard

Pettit, 'Keeping Republican Freedom Simple: On a Difference with Quentin Skinner,' *Political Theory* 30 (2002) – on Blackboard

Common Minds: Themes from the Philosophy of Philip Pettit (Oxford, 2007) – on Blackboard
Ch. 7, Jeremy Waldron 'Pettit's Molecule'

Week 3: Jan. 23

The Republican Theory of the 'Free State'

In the previous seminar we established the distinctive third concept of liberty as non-domination that is associated with the broad civic republican tradition of political thought. But who (or what) is the agent that, according to the republican analysis, gets to enjoy this liberty? The political significance of this concept is expressed in the republican

notion of the republic as a 'free state.' We must ask what, according to the republican theorists, makes a 'free state' free. In this seminar, we shall explore the republican answer: The political constitution of a state must be constituted and governed in such a way so that its exercise of its coercive powers is non-arbitrary or non-discretionary, if it is to be a *free* state. The traditional republican analysis thus not only rules out certain forms of state as plainly illegitimate (e.g., absolute kingship or imperial rule), but it also requires a specific vision of the political constitution and extra-constitutional virtues necessary for a 'free state' to preserve its freedom. Our seminar will contrast this republican vision against theories of liberal democracy and ask a number of related questions: Does republicanism *require* democracy? Why not, as Rousseau once allowed, a republican prince – or is this a contradiction of terms? Moreover, what kind of civic life does the 'free state' demand of its citizens? How does the republican 'free state' differ from the Nozickean 'minimal state'?

Readings:

Pettit, *Republicanism* (on Blackboard)

Ch. 6 ('Republican Forms: Constitutionalism and Democracy')

Ch. 7 ('Checking the Republic')

Further readings

Don Herzog, 'Some Questions for Republicans,' *Political Theory* 14 (1986) – on Blackboard. See also the other articles in this special issue on civic republicanism

Alan Patten, 'The Republican Critique of Liberalism,' *BJPS* 26 (1996) – on Blackboard

Week 4: Jan. 30

What Was Republicanism?

The Case Against Republicanism

*** This seminar will meet in the Fisher Library ***

Having sketched out the major themes and problems of republicanism in the previous seminars, we will now begin the major work of this course, to retrace the intellectual origins of the republican tradition. Our point of entry into this task focuses on a pivotal and familiar moment in the history of republican thought, the seventeenth-century English Civil War (1642-1649) between Royalist and Parliamentarian forces, the Regicide of King Charles I, and the subsequent Interregnum, when England became a republic. For this seminar, we will be interested in understanding the opposing ideological visions of the early modern English state – one which accepted and defended the legitimacy of the Crown and the king's prerogative powers; and the other which absolutely denied the legitimacy of monarchy and proclaimed the independence of Parliament from the king's prerogative.

To answer the question, 'What was republicanism,' we begin with the analysis of its fiercest opponent in early modern political thought, Thomas Hobbes. Hobbes is, of course, well known to political theorists for his theories of natural right, the analysis of war and contracts, and the sovereign commonwealth. In the history of republican thought, however, he was critically important because he introduced a completely new and controversial way of thinking about liberty – i.e., liberty as non-interference – which he deployed as a way to attack the rival republican ideal of the free state and the classical ideal of *libertas* and the common-law understanding of the 'liberties' (notice the plural) of the English people. In this seminar, we will read selective passages from Hobbes' writings in context to understand the precise nature of Hobbes' criticism of the classical republican tradition. We will also try to situate, more generally, the broader contextual background of the defense of monarchy and 'royal prerogative' which early modern republicans found to be intolerable and illegitimate as a form of civil government.

Reading:
Skinner, *Hobbes and Republican Liberty*
Hobbes, *Leviathan* (1651 on Blackboard)
Ch. XXI, 'Of the liberty of subjects'
Ch. XXIX, 'Of those things that weaken, or tend to the dissolution of a common-wealth'
[Review also the main arguments of Chs. XVII – XIX, which all students should already have read from previous coursework.]
The Petition of Right (on Blackboard)

Recommended background reading on the political thought and intellectual history of early Stuart England and the English Civil War
Glenn Burgess, *Absolute Monarchy and the Stuart Constitution* (Yale, 1996)
- close study of the constitutional theory concerning the Crown
Julian Franklin, *John Locke and the Theory of Sovereignty* (Cambridge, 1981)
- early chapters discuss early Stuart political thought
Christopher Hill, *Intellectual Origins of the English Revolution* (Oxford, rev. 2001)
- the classic Marxist interpretation of the English Civil War
C.B. Macpherson, *Political Theory of Possessive Individualism* (Oxford, reissued 2011)
- a classic Marxist reading of English political thought from Hobbes to Locke
Edmund Morgan, *Inventing the People* (Norton, 1988)
- early chapters discuss the background of the Civil War
J.G.A. Pocock, *The Ancient Constitution and the Feudal Law* (Cambridge,
- Pocock's classic study of the ancient liberties of England's constitution
J.H.M. Salmon, *French Religious Wars in English Political Thought* (Oxford, 1959)
- slightly dated, but still excellent study of the Continental influences on
J.P. Sommerville, *Politics and Ideology in England, 1603-1640* (Longman, 1986)
- thorough overview of the ideological background
Richard Tuck, *Philosophy and Government* (Cambridge, 1993)
- chapters on Hobbes are especially important
C.C. Weston and J.R. Greenburg, *Subjects and Sovereigns: The Grand Controversy over Legal Sovereignty in England* (Cambridge, 2003)
- excellent study on the constitutional and legal theory

Week 5: Feb. 6

What Was Republicanism?
The Case for Republicanism

In the previous seminar, we investigated the English defense of monarchy and royal prerogative, represented most especially by the anti-republican theories of Thomas Hobbes. In this seminar, we will now turn to look at the anti-royalist ideas of Hobbes' ideological opponents, the English republicans – most especially, John Milton, James Harrington, and Algernon Sidney.

As we read the English republican texts, we must pay attention to four basic questions: (1) What was their major complaint concerning monarchy; (2) What did they envision as the proper alternative to kingship; (3) What textual sources, authorities, or historical evidence did they cite in support of their claims (some familiar names perhaps); (4) Was republicanism merely a negative theory positioned against arbitrary rule, or did republicanism offer a positive theory for a specific vision? Answers to these questions will provide clues to help us in locating the intellectual origins of the republican tradition to follow in later seminars.

Readings:
Blair Worden, 'English Republicanism,' in *CHPT* (on Blackboard)
Skinner, *Visions of Politics*, Vol. 2 (on Blackboard)
Ch. 11, 'John Milton and the Politics of Slavery'
Milton, *Readie and Easie Way to Establish a Free Commonwealth* (on Blackboard)

Read all.

Milton, *Tenure of Kings and Magistrates* (on Blackboard)

Harrington, *Commonwealth of Oceana* (on Blackboard)

Part I, 'The Preliminaries, showing the Principles of Government' (begins on p. 1 = image no. 7 on EEBO)

Sidney, *Discourses Concerning Government* (on Blackboard)

Ch. 1, §§5, 20

Ch. 2, §§6, 11-15, 20-21, 24, 28, 30-31

Ch. 3, §§12-15

Further reading

Armitage, Himy, and Skinner eds., *Milton and Republicanism* (Cambridge, 1998)

Markku Peltonen, ed., *Classical Humanism and Republicanism in English Political Thought* (Cambridge, 1995)

Nedham, *The Excellencie of a Free State* (on Blackboard)

Skinner and Van Gelderen, ed., *Republicanism* Vol. 1 (on Blackboard)

Ch. 2, Dzelzainis, 'Anti-Monarchism in English Republicanism'

Ch. 15, Worden, 'Republicanism, Regicide, and Republic: The English Experience'

Skinner and Van Gelderen, ed., *Republicanism* Vol. 2 (on Blackboard)

Ch. 1, Skinner, 'Classical Liberty and the Coming of the English Civil War'

Week 6: Feb. 13

Classical Sources of the Republican Tradition I:
Political Theory of the Mixed Constitution

In *Leviathan* XXIX, Hobbes denounced 'Greek and Latine writers, in their books and discourses of Policy,' for poisoning modern readers with seditious anti-royalist ideas of resistance and misguided theories of free commonwealths. 'By reading of these Greek, and Latine Authors,' Hobbes writes in *Leviathan* XXI, 'men from their childhood have gotten a habit (under a false shew of Liberty) of favouring tumults, and of licentious controlling the actions of their Soveraigns.' Who were these 'Greek and Latine writers,' and what did they say? In this seminar, we will begin the work of retracing the intellectual sources of the modern republican tradition.

For this, we must revisit some of the major political, historical, and legal texts of Classical Antiquity, which we do for two reasons. First, modern republican thinkers (and their ideological adversaries, such as Hobbes) uniformly treated these classical sources as essential historical authorities in reviving republican politics in the modern world as a distinct alternative to princely or imperial rule. The second reason is to underline the gulf separating ancient from modern republican thought – especially with respect to the understanding of contested terms, such as 'republic,' 'virtue,' and 'liberty.'

This seminar will focus on the classical analysis of the mixed constitution, which its defenders praised as the 'best' or 'optimal' state [*optimus status rei publicae*]. We will explore the linkage between the Greek *politeia* and the Latin *res publica*; the diversity of meanings attached to *res publica* (especially in Roman law); as well as the most important historical example of the mixed constitution, the Roman Republic.

Readings:

Aristotle, *Politics*

Book II, Ch. 9 (Chs. 10-11 optional, on Crete and Carthage)

Book III, Chs. 6-7

Book IV, Chs. 1-4; 7-12

Plutarch, *Life of Lycurgus* (on Blackboard)

Optional: Xenophon, *Constitution of the Lacedaemonians*

Polybius, *Histories* IV (selected excerpts on Blackboard)

Cicero, *On the Commonwealth* [*De Republica*] (on Blackboard)
Book I, ¶¶38 – 71
Lintott, *Constitution of the Roman Republic* (on Blackboard)
Ch. 3, 'Polybius and the Constitution'
Ch. 11, 'The Balance of the Constitution'
Ch. 12, 'The Mixed Constitution and Republican Ideology'

*** * * NO CLASS ON FEB. 20 – UNIVERSITY HOLIDAY * * ***

Week 7: Feb. 27

Classical Sources of the Republican Tradition II
Cicero and Republicanism

In this seminar, we continue our study of the major classical sources of the republican tradition. Here, we will shift the focus away from the classical approach to constitutional analysis and turn instead to investigate major themes and values in the moral and political thought of the classical republican tradition.

Our representative guide in this task will be the Roman senator and philosopher, Cicero, through a reading of his major treatises and in a sample of his most famous public orations. We will be particularly interested in understanding a number of central ideas in Ciceronian thought: the relation of *honestum* and *utile*; the life of *negotium* vs. the life of *otium*; the value of eloquence for the *vir civilis*, the 'civil man'; Cicero's understanding of liberty and virtue; Cicero's obsessive fear of the loss of the Republic, by Rome's corruption and constant civil wars.

Cicero, *Political Speeches* (on Blackboard)
In Catilinam I and II
Philippic II
Cicero, *On Duties* [*De Officiis*] (on Blackboard)
Book I: ¶¶1-92
Book II: ¶¶1-38; 72-end.
Book III: ¶¶1-37; 43-74
Cicero, *On the Commonwealth* [*De Republica*] (on Blackboard)
Book II (*optional, summarizes Cicero's constitutional history of Rome)
Cicero, *On the Laws* [*De Legibus*] (on Blackboard)
Book I
Book III

* Students may also find it useful to review the basic outlines of the history of the Roman Republic, especially the history of the late Republic, to place Cicero's concerns in proper context. Students should be familiar with major figures and events, such as the expulsion of the Tarquins, Brutus, *Decemviri*, the Gracchi, Sulla, the Catiline Conspiracy, the First and Second Triumvirates. This will all pay rich dividends later when we read Machiavelli. Students doing research on Cicero might also consult Demosthenes, Livy, and Sallust.

MARCH 1: *** DEADLINE FOR RESEARCH PROPOSAL ***

Week 8: March 5

Reception of Republican Values I:
Kingship and Law

*** This seminar will meet in the Fisher Library ***

For this seminar and the next, we will study the various routes by which medieval and Renaissance writers used the classical sources we have studied to set the intellectual foundations – the conceptual 'building-blocks' – for the modern republican tradition. Our purpose in this seminar is to understood how classical sources (or more accurately,

the medieval and Renaissance interpretation of classical sources) functioned as the 'raw materials' with which they fashioned the basic concepts of republicanism – such as virtue, citizenship, and especially, liberty (understood as non-domination, or non-dependence).

In this seminar, I wish to focus on one of the major problems of medieval political thought – that is, the relationship between kingship and the law. How did medieval lawyers contribute to ideas of dependence upon (or independence from) the arbitrariness of the princely will? In the Middle Ages, kingship was privileged as the most natural form of rule (e.g., Aquinas, *De regno*; Dante, *De monarchia*), yet, royal power was thought to be circumscribed within moral, legal, and customary limits. One historical reason for this critical view of royal (and, eventually, even Papal and Imperial) power was the rediscovery of Roman law in Italy and the revival of the science of jurisprudence.

Our aim in this seminar will be to understand the juridical analysis of kingship and royal power in the thought of the jurisconsults, and in terms of the major secular legal systems of medieval Europe – Roman law and English common law. We will also investigate the influence of feudal ideas in the analysis of kingship – particularly, in the feudal-corporatist idea that the king and the kingdom are to be joined together like a head to a body [*corpus reipublicae*].

This seminar is a bit of a detour from what is usually considered part of the 'republican' tradition and will give us a chance to raise some important methodological questions in the history of political thought. As we read this texts, we should ask why these texts should (or should not) be regarded a part of a distinctive republican tradition of thought.

Readings

Skinner, *Visions of Politics*, Vol. II (on Blackboard)
Ch. 2, 'The Rediscovery of Republican Values'

J.P. Canning, 'The Corporation in the Political Thought of the Jurists of the Thirteenth and Fourteenth Centuries,' *Hist. Pol. Th.* 1 (on Blackboard)

Excerpts from the *Corpus Iuris Civilis* with Gloss (linked on Blackboard)
'On the decrees of the Emperors' [Dig. 1.4, *De constitutionibus principum*]
'On the status of persons' [Dig. 1.5, *De statu hominum*]
'On the office of him, to whom jurisdiction is delegated' [Dig. 1.21, *De officio eius, cui mandata est iurisdictio*]
'On jurisdiction' [Dig. 2.1, *De iurisdictione*]
'On the statutes and edicts of the Emperors' [Cod. 1.14, *De legibus et constitutionibus principum et edictis*]

Bracton, *De Legibus* (linked on Blackboard)
Volume 2: Introduction (pp. 19 – 28); 'The King has no equal' (p. 33); 'Of things' (pp. 39-41); 'Of the kinds of charters' (pp. 108-109); 'That the justices must not question royal charters nor pass upon them [*De Cartis*]' (pp. 109-110)

C. Nederman, *Lineages of European Political Thought* (on Blackboard)
Ch. 6, 'The Royal Will and the Baronial Bridle: The Bractonian Constitution'

John Fortescue, *In Praise of the Laws of England* (on Blackboard)

Further readings

J.H. Burns, 'Fortescue and the Political Theory of *Dominium*,' *Historical Journal* 28 (1985)

J.H. Burns, *Lordship, Kingship and Empire* (Oxford)

M.P. Gilmore, *Argument from Roman Law in Political Thought* (Harvard)

E.H. Kantorowicz, *The King's Two Bodies*

Ken Pennington, *The Prince and the Law* (Berkeley) – offers one of the best

accounts of the legal debate between Azo and Lothair on the legal rights of the Emperor.

P. Stein, *Roman Law in European History* (On Blackboard)
Ch. 3, 'The Revival of Justinian's Law'

Brian Tierney, "The Prince Is Not Bound by the Laws: Accursius and the Origins of the Modern State," *Comparative Studies on Society and History* 5 (1963).

I would recommend David Johnston, *Roman Law in Context* (Cambridge) and J.A. Crook, *Law and Life in Rome* (Cornell) as accessible introductions to the major ideas of classical Roman law.

Week 9: Mar. 12

Reception of Republican Values II:
Civic Humanism and Princely Government

In this seminar, we will continue with our study of the formation of republican ideas. Here, our focus will be on the emergence of civic humanism in the Italian Renaissance and the influence of humanist values in the political experience of the independent city-republics of medieval Italy, generally known as the *Regnum Italicum*. We will also explore the influence of classical constitutional theory (what has, in the recent literature, been called 'constitutional pluralism') in the analysis of Renaissance 'mixed' states, combining both aristocratic and popular elements.

Among the themes we might discuss include the rise of the *studia humanitatis* and the effort to revive the classical ideals and values through the reading of ancient texts (especially Cicero), the constitutional structure and 'party' politics of the major Italian city-republics (especially Florence and Venice), and the rise of the *ottimati* and princely regimes.

Readings:

J. Hankins, 'Republican Exclusivism and the Non-monarchical Republic,' *Political Theory* 38 (on Blackboard)

Skinner, *Visions of Politics*, Vol. II (on Blackboard)
Ch. 5, 'Republican Virtues in an Age of Princes'

Skinner, *Foundations*

Hans Baron, *Crisis of the Early Italian Renaissance* (Blackboard)
Ch. 1, 'The Elements of the Crisis: Classicism and Political Transformation'
Ch. 2, 'A Florentine War for Independence'
Ch. 3, 'A New View of Roman History and of the Florentine Past'
Ch. 6, 'Republic and Monarchy in Late Trecento Thought'
Ch. 7, 'The Place of Salutati's *De Tyranno*'
Ch. 16, 'City-State Liberty Versus Unifying Tyranny'

Anthony Grafton, 'Humanism and Political Theory' in *CHPT* (Blackboard)

Week 10: Mar. 19

Machiavelli and Republicanism

We will devote this seminar to the study of Machiavelli's republican thought and major interpretations of Machiavelli's republicanism. Drawing upon the results of our previous seminars, we will situate Machiavelli within the context of Renaissance civic humanism and unpack his major republican ideas concerning the notions of virtue, liberty, and glory.

Machiavelli is often understood to be the first modern political theorist. But as we read his *Discourses* – significantly, discourses concerning a Roman historian – we also discover a thinker whose inspiration is drawn from the political and historical experience of the Roman Republic, as it was recorded by the classical historians. Our task is to conduct a close reading of Machiavelli's text, paying special attention to his use of classical sources such as Polybius and the connections he tries to draw between Republican Rome and Renaissance Florence. Among the major theoretical problems for

Readings:
Calvin, *Institutes of the Christian Religion* (on Blackboard)
Book IV, Ch. XX, 'On civil government,' especially §§31-32
François Hotman, *Francogallia*
Vindiciae Contra Tyrannos (on Blackboard)
Question III

Further reading
J. Bodin, *On Sovereignty*, ed. J.H. Franklin (Cambridge)
M. Van Gelderen, 'Aristotelians, Monarchomachs, and Republicans: Sovereignty and *Respublica Mixta* in Dutch and German Political Thought,' in Skinner and Van Gelderen, ed., *Republicanism* Vol. 1 (on Blackboard)
R. Kingdon, 'Calvinism and Resistance Theory' in *CHPT* (on Blackboard)
D. Lee, 'Private Law Models for Public Law Concepts' (Blackboard)
J.G.A. Pocock, *Ancient Constitution and the Feudal Law* Ch. 1
J.H.M. Salmon, *Renaissance and Revolt* (Cambridge, 1987)
Ch. 5, 'Bodin and the Monarchomachs'

Week 12: Apr. 2

Republicanism and the Enlightenment: Republic or Empire

In our final seminar, we will consider some themes in judging the legacy of republicanism in modern political thought by looking at the transformation and uses of republican ideology in Enlightenment politics. We will devote part of the seminar to a study of Montesquieu's *Spirit of the Laws* and its uses of classical sources and history in the analysis of the requirements of republican government – especially in his very influential theory of the separation of powers as the key to maintaining liberty in the English constitution. We should also spend some time considering the reception of Montesquieu's idea and the background of classic republicanism in the most important trans-Atlantic republican project in modern history – the founding of the American republic. If the United States was the first liberal democracy, it was also the last classical republic that drew inspiration from the classical experience of Rome and the political experience of early modern English republicanism. For this, we will focus on Madison's science of liberty displayed in his analysis in the *Federalist* and the responses by Anti-Federalists envisioning the United States as an agrarian republic.

Having reached the course, we will also be in a position to assess critically Skinner's thesis that republican ideas were obscured and defeated by the rise of modern liberalism. Have we lost something valuable with the rise of modern liberal thought? And has this scholarship empowered us to recapture this classical tradition to make it relevant again in the politics of our time?

Reading
Montesquieu, *Spirit of the Laws*
Book I (complete), Book II (complete), Book III (complete), Book IV (Chs. 1-3, 5-7), Book V (Chs. 1-7, 19), Book VI (Chs. 2-5, 9, 11), Book VIII (Chs. 1-3, 16), Book XI (complete), Book XII (Chs. 1-2, 19-22)
The Federalist (Nos. 10, 39, 40, 47-51)
The Anti-Federalist (Storing and Dry ed., esp. "Brutus" 1-4)

Further reading
Adam Ferguson, *Essay on the History of Civil Society*
Thomas Jefferson, *The Declaration of Independence*
Thomas Paine, *Common Sense*
Richard Price, *Observations on the Nature of Civil Liberty*

Bernard Bailyn, *Ideological Origins of the American Revolution* (Harvard, 1967)
Edmund Morgan, *Inventing the People* (Norton, 1988)
Sankar Muthu, *Enlightenment against Empire* (Princeton, 2003)
Thomas Pangle, *The Spirit of Modern Republicanism* (Chicago, 1988)
Skinner and Van Gelderen, ed., *Republicanism* Vol. 2
Ch. 2, David Armitage, 'Empire and Liberty'
Ch. 10, Marco Geuna, 'Republicanism and Commercial Society in the Scottish Enlightenment'
Ch. 11, Fania Oz-Salzberger, 'Scots, Germans, Republic and Commerce'
Ch. 12, Bela Kapossy, 'Neo-Roman Republicanism and Commercial Society'
Ch. 13, Eluggero Pii, 'Republicanism and Commercial Society in Eighteenth-Century Italy'
Ch. 15, Winch, 'Commercial Realities, Republican Principles'
Gordon Wood, *The Creation of the American Republic* (Chapel Hill, 1969)
Michael Sandel, *Democracy's Discontent* (Harvard, 1996)

APRIL 5: *** DEADLINE FOR SUBMISSION OF RESEARCH PAPER ***