

## PT328 Dilemmas of Popular Sovereignty

**Instructor:** Ewa Atanassow

**Guests:** Adam Davis (Oregon Humanities), Geoffrey Harpham (Duke), Anna Bettina Kaiser (Humboldt),  
Ivan Krastev (IWM), Daniel Ziblatt (Harvard)

**Course Times:** Tue/Thu 10:45–12:15

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### Description

Modern constitutional democracies rest on the principle of popular sovereignty, which posits that ultimate authority is vested in the people who are also the subject to this authority. Heralded as one of the preeminent modern ideals, and the core legitimating principle of democratic regimes, in our populist age the soundness and viability of “rule of the people” has come under intense scrutiny.

In this course, supported by a grant from the American Social Science Research Council, we will probe contemporary dilemmas of democratic government related to issues of popular legitimation by illuminating their historical roots, institutional form, as well as theoretical and legal underpinnings. The questions we will ask include: What constitutes “a people,” and how does a nation come into being? In what sense can or should the people be sovereign? And who can belong to a sovereign people? When is popular rule legitimate or good? And how is the will of the people determined and expressed?

Drawing on diverse modes of investigation, and comparing different historical and geo-political perspectives, we will aim to gain a deeper understanding of both current challenges and inherent dilemmas of liberal democracy. Our goal will be to develop a rich understanding of the problematic of popular sovereignty; an ability to interrogate and interpret juridical texts and social scientific evidence; a capacity for independent research, and an interest in extending this type of inquiry to other topics.

### Readings

#### Required Texts

- \* Edmund Morgan, *Inventing the People* (W. W. Norton & Company; 1989) ISBN: 978-0393306231
- \* Locke, *Two Treatises on Government* (Cambridge University Press, 1988), ISBN: 978-0521357302
- \* Alexis de Tocqueville, *Democracy in America* (Indiana: Liberty Fund 2014), ISBN 978-0865978409  
[http://lf-oll.s3.amazonaws.com/titles/2285/Tocqueville\\_1532.01\\_LFeBk.pdf](http://lf-oll.s3.amazonaws.com/titles/2285/Tocqueville_1532.01_LFeBk.pdf)
- \* Reader

#### Additional Readings on Reserve in the Library

- \* Dieter Grimm, *The Constitution of European Democracy* (Oxford 2017) ISBN: 978-0198805120
- \* Jürgen Habermas, *The Lure of Technocracy* (Cambridge 2015), ISBN: 978-0745686820

- \* Ivan Krastev, *After Europe*, CAP 2017, ISBN: 978-0812249439
- \* Peter Mair, *Ruling the Void*, Verso 2013, ISBN: 978-1844673247
- \* Luuk van Middelaar, *The Passage to Europe: How a Continent became a Union* (Yale University Press 2014), ISBN: 978-0300205336
- \* Jan-Werner Müller, *What is populism?* (London: Penguin, 2017) ISBN: 978-0141987378.
- \* Claus Offe und Ulrich K.Preuss, *Citizens in Europe: Essays on Democracy, Constitutionalism and European Integration* (Ecpr 2016), ISBN: 978-1785521423

### **Library and Book Purchase Policies**

Students are expected to have at their disposal a hard copy of all required texts. Copies of the required books and additional readings are available on reserve at the library.

## **Requirements**

### **Attendance and Participation**

Careful preparation, regular attendance and active participation are essential to the success of this course. **Please note: coming late or leaving in the middle of the sessions will count as absence. Absences beyond two reduce your seminar grade.**

As part of the course participation, students will take turns to write up protocols of the proceedings in each session, and present these at the beginning of the following session. A 'protocol' is a 1-2 page synthetic account of the class discussion that recapitulates the main goals and key issues of the conversation.

### **Writing**

Response paper and presentation: over the course of the semester, each student is expected to write a response paper (ca. 750 words) that analyses a particular theme or claim advanced in the readings for a given session, and articulates questions for discussion. The paper would serve as the basis of a 10 min class presentation. The response papers should be circulated online by midnight on the day before the class meets.

Project Proposal and Final Essay: at the end of the semester students will write a substantial final essay of up to 3000 words on one aspect of the course reading. To identify the topic of the final essay students are expected to conduct individual research and submit, by **Sunday, December 8**, a proposal (ca. 500-words) for the final essay topic and discuss it with the instructor. The deadline for the essay is **December 20, 2019**.

### **Assessment**

Assessment will be based on seminar participation (15%); protocol writing and presentation (15%); response paper and presentation (20%); a research project proposal (15%) and final essay (35%).

### **Policy on Late Submission of Papers**

Please note the following policy the Student Handbook on the submission of essays: essays that are up to 24 hours late will be downgraded one full grade (from B+ to C+, for example). Instructors are not obliged to accept essays that are more than 24 hours late. Where an instructor agrees to accept a late essay, it must be submitted within four weeks of the deadline and cannot receive a grade of higher than C. Thereafter, the student will receive a failing grade for the assignment.

### Deadlines at a glance

The schedule for protocol writing and the response papers will be set up by **Friday, September 6**

Proposal for final essay: **Sunday, December 8**

Final Essay deadline: **Friday, December 20**

### Sessions and Readings

Week	Date	Content and Readings
1	03 Sept	Introductory: Why Popular Sovereignty? Taylor, "Democratic Exclusions" Sandel, "Populism, Liberalism, and Democracy" Lepore, "New Americanism"
	05 Sept	Morgan, <i>Inventing the People</i> , Preface, ch. 2 (pp. 13-15, 38-54)
2	10 Sept	Hobbes, <i>On the Citizen</i> , chs. 1, 5, 6, 7, 10, 13 (pp. 21-31, 69-90, 115-126, 142-152)
	12 Sept	Locke, <i>Second Treatise on Government</i> , chs. 1, 2, 8-10, 19 (pp. 267-278, 330-355, 406-428)
3	17 Sept	<b>Case study I: Popular Sovereignty and the American Union</b> Morgan, <i>Inventing the People</i> , ch. 6, 10 (pp. 122-148, 239-62)
	19 Sept	Morgan, <i>Inventing the People</i> , ch. 11, Epilogue (pp. 263-306)
4	24 Sept	American Declaration of Independence, <i>The Federalist</i> # 1, 2
	26 Sept	<i>The Federalist</i> # 10, 27, 39-40, 46, 51, 54, 63, 85
5	1 Oct	Morgan, "The Problem of Popular Sovereignty", in 'Aspects of American Liberty: Philosophical, Historical and Political,' <i>The American Philosophical Society</i> , v. 118 (1977), 95-114.
	3 Oct	<b>FEDERAL HOLIDAY</b>
6	08 Oct	Tocqueville, <i>Democracy in America</i> , Introduction, vol. 1 part 1 ch. 2
	10 Oct	Tocqueville, <i>Democracy in America</i> , vol. 1 part 1 ch. 4
	10 Oct @ 19:30	<b>Special Event: Geoffrey Harpham (Duke) on <i>The Birth of a Nation</i></b>
7	15 Oct	Tocqueville, <i>Democracy in America</i> , vol. 1 part 2 ch. 1, 6, 7
	17 Oct	Tocqueville, <i>Democracy in America</i> , vol. 1 part 2 ch. 10
8	22 Oct	Popular Sovereignty and Slavery Tocqueville, <i>Democracy in America</i> , vol. 1 part 2 ch. 10
	24 Oct	<b>NO CLASS</b>

**FALL BREAK**

**Popular Sovereignty and Mass Democracy**

	05 Nov	C. Schmitt, <i>The Crisis of Parliamentary Democracy</i>
9	07 Nov	C. Schmitt, <i>The Crisis of Parliamentary Democracy</i>
	12 Nov	C. Schmitt, <i>Political Theology</i> , ch. 1 ; <b>Guest: Anna Bettina Kaiser (Humboldt)</b>
10	14 Nov	C. Schmitt, <i>Political Theology</i>
11	19 Nov	Dewey vs. Lippmann
	<b>21 Nov @ 19:30</b>	<b>Guest: Adam Davis (Oregon Humanities) on <i>Ruling Ourselves, Knowing Ourselves</i></b>

**Case study II: EU as a transnational democracy**

12	26 Nov	Jürgen Habermas, "European Citizens and European Peoples: The Problem of Transnationalizing Democracy," in: <i>ibid.</i> , <i>The Lure of Technocracy</i> , Cambridge: Polity Press 2015, chapter 2, pp. 29-45.
	28 Nov	Dieter Grimm, "Sovereignty in Europe," in: <i>ibid.</i> , <i>The Constitution of European Democracy</i> , Oxford University Press 2017, chapter 3, pp. 39-55.
	<b>28 Nov @ 19:30</b>	<b>Special event: <i>What is democracy?</i> (2018) screening &amp; discussion</b>
13	3 Dec	Peter Mair, <i>Ruling the Void</i> , Introduction ch. 1, 4
	5 Dec	Ivan Krastev, Steven Holmes, <i>Imitation and Its Discontents</i>
14	<b>10 Dec @ 18</b>	<b>Special event: Daniel Ziblatt (Harvard) on <i>Conservative Parties</i></b>
	12 Dec	Wrap up: Rogers Brubaker, "Why populism?"

**Final Essays due 23:59 on Friday Dec 20**