

Political Science 180FS: The Nature of Freedom in Political Organizations

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COURSE OVERVIEW

In his essay on the “Origin of Government,” David Hume famously argued that “in all governments, there is a perpetual struggle, open or secret, between Authority and Liberty.” At the root of this struggle is the tension between the need for social order and the coercive powers of the formal and informal institutions that create and maintain that order. In this course, we examine this tension using the tools of political economy. We begin by exploring informal forms of social order. We then consider formal political power, and focus on an institution that is intended to regulate the struggle between authority and liberty in many societies: The constitution. What is the purpose of constitutions, and how should they be designed? What consequences do constitutions have for economic and political performance? We conclude by examining constitutional enforcement: Why are some constitutions effective, while others fail?

By the end of the semester, you will have developed a deeper understanding of the challenge of social order, and of the formal and informal institutions that can help to generate it. You will also have gained a new analytical perspective and skills that will allow you to think about social, economic, and political interactions from a more nuanced and critical vantage point.

REQUIRED READINGS

The readings for this class consist largely of book chapters and papers. Except for a few, they are available electronically through the Sakai site for this course. We will read multiple chapters from the following books, and these are not available electronically. You can purchase these books through various online sellers, or get access to a copy in the library. If you plan to use the library copy, organize this early on.

- **Peter Leeson. 2009. The Invisible Hook: The Hidden Economics of Pirates. Princeton: Princeton University Press.**
- **Steven Levitsky and Daniel Ziblatt. 2018. How Democracies Die. New York: Broadway Books.**

The reading assignments listed on the syllabus below are preliminary. I reserve the right to add or exchange readings along the way, depending on the directions that our class discussions take.

GRADES AND EVALUATION

This is a seminar. This means that class will be conducted in a colloquium style. Because of this format, it is essential that every student has completed the assigned reading before class and is ready to participate in discussion. For weeks with multiple readings, I will let you know prior to each class period which readings you must complete for each day. Obviously, you should not miss class unless there are exceptional circumstances that keep you from being there.

Your grade will be based on the following:

Two Midterm Exams (50 percent of your course grade): The first exam will be on October 11 in class; it is worth 25 percent of your grade. The second exam will be on the last day of class, December 6; it is worth 25 percent of your grade. If you miss one or both of the midterm exams, and have not made alternative arrangements prior to the exam with me, you will be given a make-up exam during the regularly scheduled final exam period for this class on Sunday, December 17 at 2pm. Please plan accordingly.

Final video project (20 percent): The assignment is to produce a short video (approximately 5-10 minutes) that explains a concept or argument related to this class using a contemporary or historical example as an illustration. Your video must incorporate the following: 1) An explanation of the concept(s) or argument you are illustrating, 2) A description of the example you are using to illustrate 1), and 3) An explanation of how 1) helps us to understand 2). Videos will be graded on the clarity of the presentation and on how original/insightful the combination of the argument/concept and example is. Videos are due on Friday 12/1 by 5pm and must be turned in electronically on the Sakai Dropbox for this class. There will be no extensions, so plan accordingly. We will watch all videos in class on December 4. **You may complete this project by yourself or in a group of 3-4 students.**

Video project paper (10 percent of your course grade): To prepare for your video project, you must write a short paper (2-3 pages, double-spaced) outlining your intended project, including a clear explanation of the concept/argument you will focus on and the example you plan to use. Your paper will be graded on the clarity of your writing and on how original/insightful the combination of your argument/concept and example is. The paper is due on Friday 11/10 by 5pm. **Even if you intend to work on your video as a group, you must complete this paper by yourself.**

Class Participation (20 percent of your course grade): While I will lecture for some time during each class period, there will be lots of opportunity for open discussion/debate and questions. You should come to class prepared to participate. Note: If you attend class regularly, but do not actively participate on a regular basis, you will receive an 85 for participation. Your participation grade will go up as you are more actively engaged in class. It will go down if you are conspicuously absent. You will receive a first participation grade (worth 10 percent of your course grade) with your midterm exam on 10/11. You will receive your second participation grade (also worth 10 percent of your course grade) on the last day of class.

Course grades will be determined according to the following grading scale: **A:** 93-100 **A-:** 90-92 **B+:** 88-89 **B:** 83-87 **B-:** 80-82 **C+:** 78-79 **C:** 73-77 **C-:** 70-72 **D+:** 68-69 **D:** 63-67 **D-:** 60-62 **F:** 0-59

ACADEMIC DISHONESTY

Students and faculty at Duke are governed by the **Duke Community Standard**, and academic dishonesty will not be tolerated. If I suspect that a student has attempted to represent someone else's work as their own, or to cheat in any other manner on an exam or a written assignment, I will refer the case to the Office of Student Conduct in accordance with university policy. If a violation of the academic integrity policy is found to have occurred, the minimum penalty will be a zero (0) on the assignment/exam in question. If you have any questions about plagiarism and proper citation methods, please consult the **Duke Tutorial on Plagiarism**.

STUDENTS WITH CHALLENGES

Students with challenges who require individualized testing or other accommodations should identify themselves and express their needs during the first week of the semester. Where the challenge is not immediately apparent, verification will be required.

APPROXIMATE SEMESTER SCHEDULE

1. Section I: The need for social order, and its origins

Week 1 (8/28-8/30):

Reading:

- Thomas Hobbes. 1651. Leviathan, Introduction, Chapters 11, 13, 14, 15, 17, and 18.

Week 2 (9/4-9/6) – No class on 9/4 LABOR DAY:

Reading:

- Haim Shapira. 2017. Gladiators, Pirates and Games of Trust. London: Watkins. Chapter 6.
- Robert Axelrod. 1984. The Evolution of Cooperation. Basic Books. Chapter 4.
- Macartan Humphreys. 2016. Political Games. W.W. Norton. Chapters 1-3.

Week 3 (9/11-9/13):

Reading:

- David Hume. 1758. Essays, "Of the Original Contract."
- David Hume. 1758. Essays, "Of the Origin of Government."

- David Hume. 1739. Treatise of Human Nature, Book III, Part II, Section II “Of the Origin of Justice and Property.”
- David Hume. 1739. Treatise of Human Nature, Book III, Part II, Section VII “Of the Origin of Government.”

Week 4 (9/18-9/20) – No class on 9/20:

Reading:

- Mancur Olson. 1993. “Dictatorship, Democracy, and Development” *American Political Science Review* 87: 567-576.
- Peter Kurrild-Klitgaard and Gert Tinggaard Svendsen. 2003. “Rational Bandits: Plunder, public goods, and the Vikings.” *Public Choice* 117: 255-272.

Week 5 (9/25-9/27):

Reading:

- Peter Leeson. 2009. The Invisible Hook, Princeton: Princeton University Press. Chapters 1-5 and 7.

Week 6 (10/2-10/4):

Reading:

- Haim Shapira. 2017. Gladiators, Pirates and Games of Trust. London: Watkins. Chapter 12.
- Elinor Ostrom. 1990. Governing the Commons. Cambridge: Cambridge University Press. Chapters 1 and 3 (Selection).

Week 7 (10/9-10/11 – Exam on 10/11):

- Catch-up and review on Monday
- Midterm Exam on Wednesday.

2. Organized Political Power and Constitutionalism

Week 8 (10/16-10/18) - No class on 10/16 FALL BREAK:

Reading:

- *Constitution of the United States*
- Jon Elster. 1988. "Introduction." In J. Elster and R. Slagstad (eds.). *Constitutionalism and Democracy*. Cambridge: Cambridge University Press.
- F. A. Hayek. 1960. "The American Contribution: Constitutionalism." Chapter 12. *The Constitution of Liberty*. Chicago: University of Chicago Press.
- Hanna Lerner. 2011. "The Paradigms of Democratic Constitutions." Chapter 1. *Making Constitutions in Deeply Divided Societies*. New York: Cambridge University Press.

Week 9 (10/23-10/25):

Reading:

- James Buchanan. 1990. "The Domain of Constitutional Economics." *Constitutional Political Economy* 1 (1): 1-18.
- James Buchanan and Gordon Tullock. 1962. *The Calculus of Consent*, Ann Arbor: University of Michigan Press. Chapter 6.

Week 10 (10/30-11/1):

Reading:

- Douglass North and Barry Weingast. 1988. "Constitutions and Commitment: The Evolution of Institutions Governing Public Choice in Seventeenth-Century England." *The Journal of Economic History*. 49: 803-832.
- Barry Weingast. 2016. "Capitalism, Democracy, and Counter-majoritarian Institutions." *Supreme Court Economic Review* 23: 255-77.

Week 11 (11/6-11/8):

Reading:

- Video project paper due on Friday, 11/10, 5pm.
- Thurgood Marshall. 1987. "Reflections on the Bicentennial of the United States Constitution." *Harvard Law Review* 101: 1-5.
- Sanford Levinson. 2006. "How the United States Constitution Contributes to the Democratic Deficit in America." *Drake Law Review* (55): 859-885.

- Georg Vanberg. 2021. "A Square Peg in a Round Hole: Democracy, Constitutionalism, and Citizen Sovereignty." *The Georgetown Journal of Law and Public Policy*. 18: 655-668.

Week 12 (11/13-11/15):

Reading:

- Jennifer Widner. 2008. "Constitution-writing in Post-Conflict Settings: An Overview." *William and Mary Law Review* 49: 1513-1537.
- Jon Elster. 1995. "Forces and Mechanisms in the Constitution-Making Process," *Duke Law Journal* 45: 364-396. PAGES 373-393 ONLY.

Week 13 (11/20-11/22) - No class on 11/22 – THANKSGIVING):

Reading:

- Clinton Rossiter. 1948. *Constitutional Dictatorship: Crisis Government in Modern Democracies*. Chapter 1: "Constitutional Dictatorship."
- Marc de Wilde. 2012. "The dictator's trust: Regulating and constraining emergency powers in the Roman Republic." *History of Political Thought*. 33: 555-77.

Week 14 (11/27-11/29):

Reading:

- Video project due on Friday, 12/1, 5pm.
- Steven Levitsky and Daniel Ziblatt. 2018. How Democracies Die. Chapters 4, 5, and 6. New York: Broadway Books.

Week 15 (12/4-12/6): Exam

- Student video presentations 12/4
- In-class exam on Wednesday 12/6