

THE UNIVERSITY OF MANITOBA
HIST. 3260: COMMERCE, RIGHTS, AND EMPIRE
IN EUROPEAN THOUGHT, C. 500-2000

Autumn, 2015.
MWF, 11:30-12:20.
Office hours: M & W: 12:30-1:30.

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OVERVIEW

In this course, we will scrutinize the intersection of commerce and governance, paying particular attention to the way that debates about commerce, war and peace have generated notions of human rights over the past three centuries. We will explore whether and how debates about the proper way to govern trade played important roles not only in the creation of the modern categories of the “state” and the “economy”, but also in understandings of the person as a rational actor of politics with substantial rights.

We will first see laws and other codes which placed merchants in various communities, in order to protect their goods, their livelihoods and their souls. Then, we will examine how debates about Spanish colonization reshaped thought about nature, trade and sovereignty, and spawned the creation of new financial institutions. Consideration of these ideas and institutions set the parameters for 18th century European discussions of commerce. We will examine some of these discussions in detail. We will then briefly see their elaboration during the past two centuries.

The course will primarily focus on the reading of primary texts. Some of these are lengthy and complex works canonically accorded central status in the history of law, political thought and the economics. Other texts are minor, ephemeral and obscure. All of these works will be considered as contextual responses to immediate problems, while at the same time contributing to a corpus of texts.

COURSE REQUIREMENTS AND ASSIGNMENTS

CLASS PARTICIPATION: 20 %.

This course is a discussion course. This format places much of the burden of learning on you and your fellow students; if you do not prepare, they, and you, will suffer. I do not plan to lecture, but to direct discussion, pose questions, and emphasize general themes. I expect you to read, to think, to question, and to discuss. Naturally, you can not discuss if you are not present, so attendance is expected. Naturally, also, you should read the assigned readings, but it might be more useful to think of needing “to prepare to discuss” the assigned readings than merely planning “to read” them. Reading primary sources is a tricky business; understanding them always demands careful and often laborious reading, questioning, research, and rereading. I recommend taking notes on passages you find particularly difficult, as the process of taking notes demands active thinking. I may ask you to write a few short reaction reports in class as a part of this mark.

TWO PAPERS: (8 PAGES, 2000 WORDS) 50%: (25% EACH)

Essay: 1: Due Friday, 23 October: Hugo Grotius

Did Hugo Grotius's *The Free Sea* depart from older manners of arguing about natural law, or did it apply old notions to new circumstances? Answer the question, explaining the changes and the continuities.

Essay 2: Due Friday, 20 November. Montesquieu & Smith: Choose 1:

1. According to Montesquieu ancient commerce differs from modern commerce. What does he think had changed, and how did it reshape the spirit of the laws?
2. Would Montesquieu and Smith have agreed about public debt's effects on a nation's prosperity and power? Why or why not?
3. How, in Smith's opinion, do changing financial and military factors alter the responsibility of citizens?
4. You may choose another topic, if you consult with me at least two weeks before the paper's due date.

FINAL EXAM: 30%.

The exam will be of two parts. The first part will consist of a number short "dobbets", or short excerpts of texts, and ask you to interpret and analyze them in a few paragraphs. The second will consist of questions which will require you to use many texts to shape a synthetic argument.

A note on academic honesty: Education and scholarship depends upon a certain sort of basic honesty. I expect that when you claim to have done work, you will actually have done it. Work done for another course should not be used in this course. When you use the work or ideas of another scholar or student, you should respect them by treating their work fairly and accurately, and give them public credit by citing them openly. Always err on the side of giving too much credit to others than too little. In formal essays, I prefer citations in footnotes using the form known as the Chicago humanities style; see the quick guide at http://www.chicagomanualofstyle.org/tools_citationguide.html

The University cares about academic honesty as well, because it has to maintain a standard of fairness and equity. You can find its mandate in the section on "Academic Integrity" of the General Academic Regulations in the online Academic Calendar and Catalog and the Faculty of Arts regulation (online at http://umanitoba.ca/faculties/arts/student/student_responsibilities.html), but the Faculty of Arts requires me to repeat it here, as well.

"The common penalty in Arts for plagiarism on a written assignment is a grade of F on the paper and a final grade of F (DISC) (for Disciplinary Action) for the course. For the most serious acts of plagiarism, such as purchase of an essay and repeat violations, this penalty can also include suspension for a period of up to five (5) years from registration in courses taught in a particular department/program in Arts or from all courses taught in this Faculty.

The Faculty also reserves the right to submit student work that is suspected of being plagiarized to Internet sites designed to detect plagiarism or to other experts for authentication.

The common penalty in Arts for academic dishonesty on a test or examination is F for the paper, F (DISC) for the course, and a one-year suspension from courses acceptable for credit in the Faculty. For more serious acts of academic dishonesty on a test or examination, such as repeat violations, this penalty can also include suspension for a period of up to five years from registration

in courses taught in a particular department or program in Arts or from all courses taught in or accepted for credit by this Faculty.”

Marking: I will make every effort to return papers within a week, and you will thus have considerable feedback before the voluntary withdrawal (VW) date of November 18, 2015. I normally hand out marked work in class. The comments on your work are supposed to help you improve, so I encourage you to look at them when you pick up your work in class. (The Faculty of Arts wants me to warn you that if you do not pick up your work for four months after the course ends, the work will become the property of the Faculty of Arts; once it belongs to the Faculty, it will “be subject to confidential destruction.”) I will take into account the quality and diligence of research, the creativity, strength, and coherence of thought and argument, and the correct use of grammar, usage, proofreading and citation. 4 % a day may be deducted for unexcused lateness.

A +, 90-100 %: Exceptional: Astonishingly excellent work, which demonstrates originality and a singular command of the subject.

A, 80-89 %. Truly excellent work, free from errors. A strong thesis, well organized paragraphs, and substantial evidence of close reading on single source papers or broad research in the research paper. In research papers, some awareness of the development of historiographical traditions. Excellent and error free citations, and in the research paper a large and intriguing bibliography.

B+, 75-79 %. Very good work, but with some errors.

B, 70-75 %. Good, with evidence of hard work. Certainly must have a suitable thesis. Errors in grammar and usage, and less creativity and coherence in argument and interpretation. Sporadic references to the literature.

C+, 65-69 %. Satisfactory, but little coherence in argument and poor writing, and in the research paper, little evidence of creativity and diligence in research.

C, 60-64 %. Poorly written, and with little evidence of being familiar with the subject about which they are writing, and little evident effort placed into finding material for research.

D, 50-59 %. Poorly organized, without a useful thesis. Many errors in editing, sloppy writing, and little sign of diligent research or close reading. Using only the textbooks as a source in the research paper.

F, 0-49 %. Unacceptable work. Demonstrates little knowledge of the history of the early modern period or of the historian’s craft.

The Faculty of Arts also asks me to remind you that “Students who wish to appeal a grade given for term work must do so within 10 working days after the grade for the term work has been made available to them.”

BOOKS

These books will be available at the University of Manitoba Bookstore. Other readings will be made available to you either online, through the library, or from me.

Niccolo Machiavelli, *Selected political writings*. (Indianapolis: Hackett publishers, 1994), ISBN: 978-0-87220-247-4.

Hugo Grotius, *The Free Sea* (Indianapolis: Liberty Fund, 2004) ISBN:0-86597-431-4

Charles-Louis de Secondat, Baron of Montesquieu, *The Spirit of the Laws*. (Cambridge: Cambridge University Press, 1989), ISBN: 0-521-36974-6.

Adam Smith, *The Wealth of Nations*. Ed. Edwin Cannan (Chicago: University of Chicago Press, 1977), ISBN: 978-0226763743.

John Maynard Keynes, *The End of Laissez-Faire & the Economic Consequences of the Peace* (Amherst, NY: Prometheus Books, 2004), ISBN: 1-59102-268-1.

USEFUL SECONDARY MATERIALS

These books and articles are useful secondary sources that will help you enrich your knowledge of the subject. While reading in them is not required, they may help you over particular difficulties, or serve as excellent points of departure for further study and consideration. Of course, they do not serve as an extensive or comprehensive bibliography, but merely an introduction. These will either be placed on reserve in the Dafoe library or are available in electronic books through the library.

Istvan Hont, *Jealousy of Trade: International Competition and the Nation-State in Historical Perspective*. (Cambridge, Mass.: Belknap Press, 2005). First rate long introduction is very nearly a book on its own.

Richard Tuck, *The Rights of War and Peace: Political Thought and the International Order from Grotius to Kant*. (Oxford: Oxford University Press, 1999).

Ronald Findlay and Kevin H. O'Rourke, *Power and Plenty: Trade, War and the World Economy in the Second Millennium*. (Princeton: Princeton University Press, 2007).

CLASS SCHEDULE

Friday, September, 11: Introduction.

WEEK I

Monday, September 14: *Institutes* of Justinian. (535 C.E.) Book I, §1-3. Available on line at “Medieval Sourcebook,” <http://www.fordham.edu/halsall/basis/535institutes.html>

Wednesday, September 16: *Institutes* of Justinian, Book II, §1. Available on line at “Medieval Sourcebook,” <http://www.fordham.edu/halsall/basis/535institutes.html>

Friday, September 18: Guilds, Contracts and Exchange: Documents from me.

WEEK II

Monday, September 21: The Law of God

Thomas Aquinas, “On Law and Natural Law,” *Summa theologiae*, 1-2, 90-95, (1271). Available on line at

<http://www.ccel.org/a/aquinas/summa/FS.html#TOC09>

Wednesday, September 23:

Thomas Aquinas, “On Law and Natural Law,” *Summa theologiae*, 1-2, 90-95, (1271). Available on line at

<http://www.ccel.org/a/aquinas/summa/FS.html#TOC09>

Friday, September 25: Thomas Aquinas, “On Law and Natural Law,” *Summa theologiae*, 1-2, 90-95, (1271). Available on line at

<http://www.ccel.org/a/aquinas/summa/FS.html#TOC09>

WEEK III:

Monday, September 28: Spanish New World, I. “Treaty between Spain and Portugal concluded at Tordesillas; June 7, 1494”, available at

<http://www.yale.edu/lawweb/avalon/moder/mod001.htm>

Wednesday: September 30: Spanish New World, II. Francisco de Vitoria, “On the American Indians.”

Friday, October 2: Machiavelli, I.

[Selections from Prince]

WEEK IV:

Monday, 5 October: Machiavelli, II: [Selections from *Prince* and *Discourses*.]

Wednesday, 7 October: Dutch innovations, I: "Charter of the Dutch West India Company : 1621" available at <http://www.yale.edu/lawweb/avalon/westind.htm>

Friday, 9 October: Dutch innovations, II: *A brief declaration of the proceedings of the peace*. . . (London, 1608), available from me.

WEEK V:

Monday, 12 October: No class: Thanksgiving!

Wednesday, 14 October: Hugo Grotius, *The Free Sea*, Introduction, and 1-49

Friday, 16 October: Hugo Grotius, *The Free Sea*, 49-74.

Week VI:

Monday, 19 October: Lecture on Financial institutions and war in early modern Europe. Read for background (optional)

Larry Neal. "How It All Began: The Monetary and Financial Architecture of Europe During the First Global Capital Markets, 1648-1815." *Financial History Review* 7, no. 2 (2000): 117-40.

Wednesday: 21 October: Montesquieu, *Spirit of the Laws*, xli-xlv, 3-30, 42-72.

Friday: 23 October: Paper #1 due: Montesquieu, *Spirit of the Laws*, Part 2, 131-146, 154-186.

WEEK VII:

Monday, 26 October: Montesquieu, *Spirit of the Laws*, Part 2 & 3, 187-227, 231-263.

Wednesday, 28 October: Montesquieu, *Spirit of the Laws*, Part 4, 337-378.

Friday, 30 October: Montesquieu, *Spirit of the Laws*, Part 4, 379-426.

WEEK VIII:

Monday, 2 November: Adam Smith, *Wealth of Nations*, I: 1-71.

Wednesday, 4 November: Adam Smith, *Wealth of Nations*, I: 111-160.

Friday, 6 November: Class Cancelled: I'm at a conference.

WEEK IX:

Monday, 9 November: Adam Smith, *Wealth of Nations*, I, 401-445.

Wednesday, 11 November: Remembrance Day.

Friday, 13 November: Adam Smith, II, 213-231, 441-486.

WEEK X

Monday, 16 November: Kant: "Perpetual Peace: A Philosophical Sketch," (1795) in Hans Reiss, ed. *Kant: Political Writings* (Cambridge: Cambridge University Press, 1991), 93-130.

Wednesday, 18 November: Kant, II.

Friday, 20 November: Paper #2 Due. Richard Cobden, Speeches at Paris Peace Conference, in London on the Austrian Loan, and at the London Peace Meeting," in *Speeches of Richard Cobden, Esq., M.P. on peace, financial reform, colonial reform, and other subjects, delivered during 1849.* (London: [1849]), 145-175, available from me.

WEEK XI

Monday, 23 November: Karl Marx, Articles from the *New York Daily Tribune*

"Mr. Cobden's Pamphlet" (28 January 1853), available at

<https://www.marxists.org/archive/marx/works/1853/02/18.htm>

"British Rule in India", (25 June 1853), available at

<https://www.marxists.org/archive/marx/works/1853/06/25.htm>

and Capital, I, chapter 33: "On the modern theory of colonialism"

<https://www.marxists.org/archive/marx/works/1867-c1/ch33.htm>

Wednesday, 25 November: Rudolf Hilferding, *Finance Capital: A Study of the Latest Phase of Capitalist Development* (1910)

Chapter 22, available at <https://www.marxists.org/archive/hilferding/1910/finkap/ch22.htm>

Friday, 27 November:

Norman Angell, *The Great Illusion: a study of the relation of military power in nations to their economic and social advantage* (New York: Putnam, 1910), sections available from me.

WEEK XII

Monday, 30 November Keynes, *Economic Consequences of the Peace*

Wednesday 2 December: Keynes, *Economic Consequences of the Peace*

Friday, 4 December: Current Perspectives, 1.

WEEK XIII

Monday, 7 December: Current Perspectives, 2.

Wednesday, 9 December: Retrospect and Exam Review