

“It is an affront to treat falsehood with complacency.” Thomas Paine

# CAMPUS REPORT

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## REMEMBERING THE U.S. CONSTITUTION: THE LAW OF THE LAND

By Malcolm A. Kline

**R**epublican presidents from Dwight D. Eisenhower to George H. W. Bush have referred to U. S. Supreme Court decisions as “the law of the land.” Actually, that distinction belongs to the U. S. Constitution.



If you want a good treatise on it, read *The Theme Is Freedom: Religion, Politics, and the American Tradition* by M. Stanton Evans. “In fact, the Constitution was the work not of a moment, an hour, or even a lifetime, but of two millennia of Western thought, political struggle and hard-won knowledge about the state,” Evans wrote. “The Constitution is an almost perfect summation of the themes expounded in this essay.”

“Virtually every doctrine, value, institutional development and painful lesson gleaned through all the centuries since the Magna Carta converged on the Statehouse in Philadelphia in the summer of 1787.” It’s staggering to realize that the original delegates to the Constitutional Convention had an intimate understanding of the two thousand years of history which preceded it: You would be hard put to find members of the current Congress who have a working knowledge of the past 230 years since those storied statesmen

convened.

“Here were combined the notions of the law above the king, the need to impose restraints on power, the wisdom of diffusing authority instead of having it focused in one center, that were the chief political doctrines of a free society, annealed and tested in the fires of battle,” Evans wrote of the Constitutional Conventions. “As noteworthy as the ideas

# Director's Corner

By Malcolm A. Kline, Executive Director of AIA



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October 2017

Dear Reader,

Last month, on September 17<sup>th</sup>, America observed Constitution Day. Well, some of us did, anyway. Indeed, the cover story in this issue is an expanded version of a piece I wrote for our web site in order to mark the occasion.

Additionally, I found myself writing about the Bill of Rights at least three more times. We feel compelled to spend so much time covering a 230-year-old story because so many public intellectuals want us to take their word for what is in it.

The Cato Institute, to its undying credit, distributes copies of that grand old document. It would be good if some of their speakers read it. “The Constitution is a completely secular document,” John M. Barry, author of *Roger Williams and the Creation of the American Soul*, said at Cato on September 28, 2017. Really? Then how do you explain that reference to the “blessings of liberty”?

Barry, who is an adjunct faculty member at Tulane, also said, “Freedom is a very nice concept but it’s kind of vague.” Not when it’s taken away from you. Just ask defectors from Cuba.

All the best,

Mal Kline,  
Executive Director

## CAMPUS REPORT

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*Please remember AIA in your will.*

that guided the convention were the men who held them.”

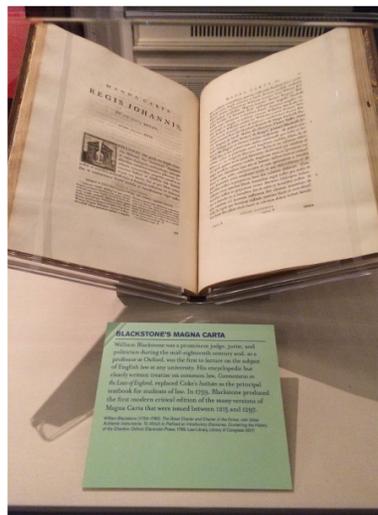
“While perhaps not quite an ‘assembly of demi-gods,’ as Jefferson put it, the people who attended made an impressive muster: Washington and Franklin, Madison and Hamilton, Dickinson and Wilson, John Rutledge and Roger Sherman, George Mason and George Wythe, Oliver Ellsworth and Elbridge Gerry.”

It’s hard not to think of a classic routine political satirist Mort Sahl used during the 1972 campaign, “In less than 200 years, we’ve gone from Madison and Adams to Nixon and McGovern.”

“What can we make of this? Darwin was wrong!” In other words, this devolution in statesmen was proof positive, at least politically, that we did not evolve into a higher species.



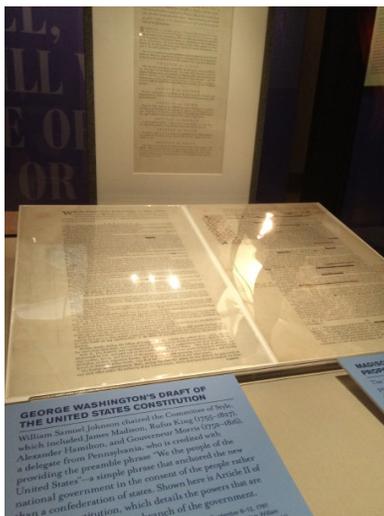
Entrance to the Magna Carta exhibit at the Library of Congress



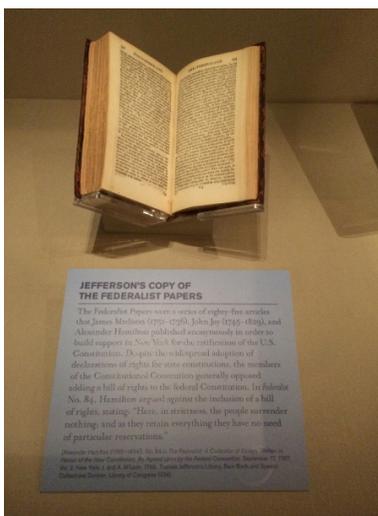
Blackstone's edition of the Magna Carta



One of the original copies of the Magna Carta



George Washington's draft of the Constitution



Thomas Jefferson's copy of The Federalist Papers



Thomas Jefferson's Library

“Despite the absence of Jefferson, Patrick Henry and the Adamses, this was a company of heroes, distinguished for character, principle, and understanding,” Evans wrote of the founders. “If one were looking for signs of providential care in the creation of America—and the framers often did—it would be found in the gathering of these men, with these particular qualities, at this juncture of our history.”

Evans goes on to describe the debate itself. What is interesting about that description is that those original debates over the Constitution were the exact obverse of current congressional discourse should give us pause because the former were so stunningly successful while the latter rarely are. If the Hippocratic Oath—“First do no harm”—were taken by government officials, they would wind up violating it on the first full day of business.

“Almost everything was discussed in terms of immediate past or historical experience, with little being said of an abstract of strictly theoretical nature,” Evans wrote. “The most frequent references were to things that had happened in the states (or colonies) themselves, followed by comment on British or other European practice, then by observations on the classical republics (mostly by way of bad example).”

“The standard used throughout was what had worked, and how, and whether it could be expected to work again.” Imagine conducting the business of the government that

way, particularly at the federal level.

*The Theme Is Freedom: Religion, Politics, and the American Tradition* was published by Regnery Publishing in 1994. Full disclosure: I got a research credit on this book.

In that capacity, as his research assistant, I remember well what went into the writing of this book. As usual, the author was not content with secondary sources, even the great books he consulted, such as Macauley’s *History of England*.

Stan made full use of the Library of Congress, and many other archives. Well do I recall retrieving Justice James Wilson’s essays on municipal government for Stan, in those pre-internet years.

“The problem is, everything we’ve been taught about our history is wrong,” Stan once told me, as I’m sure he did many others. If you read this book you will see that Stan Evans did his level best to set the record straight.

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