



**DEMOCRACY AND THE CONSTITUTION:
ESSAYS BY WALTER BERNS**

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In *Democracy and the Constitution: Essays by Walter Berns* (AEI Press, 2006), the eminent scholar and historian continues his renowned defense of the American Constitution, addressing issues such as natural law, civil rights, states' rights, multiculturalism, patriotism, the First Amendment, and the roles of academic and religious institutions.

Berns's essays explore enduring questions of American political thought: Was the American Revolution really a revolution? What is the origin of our unalienable rights? Did God have something to do with the founding of America? Can we do without Him now? In *Democracy and the Constitution*, Berns expounds these questions while defending the institutions of liberal democracy in the country that Abraham Lincoln once called "the last, best hope of earth."

The first essay in *Democracy and the Constitution* provides an account of the theoretical origins of modern constitutionalism and, in the American case, of a written constitution. The Constitution imposes limits on the powers of government, and it is written so that these limits are not mistaken or forgotten. It follows almost as a matter of course that lawyers would play an important role in American government. As Tocqueville put it, "there is almost no political question in the United States that is not resolved sooner or later into a judicial question." Thus, much of the ordinary business of government in this country—taxing, spending, judging, fighting, punishing—ends up in the courts, and ultimately the Supreme Court. In addition to these judicial matters, there are questions about the Constitution itself:

- What is the proper relation between the states and the Union?
- How is a president elected and what rules govern his conduct in office?
- What do we mean by rights? Specifically, what do we mean by establishment of religion, separation of church and state, and freedom of speech?
- What are the powers of government in perilous times?
- What are the powers of government regarding the moral education of citizens?
- What is required of—or forbidden to—government to guarantee the equal protection of laws?

Berns addresses these questions at length and concludes with personal notes from his long and illustrious life. Two essays, one funny and one poignant, reflect upon his friendships with Frieda Lawrence—wife of D. H. Lawrence—and with the late political scientist Herbert Storing.

Walter Berns is a resident scholar at AEI and professor emeritus at Georgetown University. He has taught at the University of Toronto, the University of Chicago, and at Yale and Cornell Universities. He has been a Guggenheim, Rockefeller, and Fulbright Fellow and a Phi Beta Kappa lecturer. In 2005, he was awarded a National Humanities Medal. He is the author of numerous articles on American government and politics in both professional and popular journals. His books include *In Defense of Liberal Democracy* and *Making Patriots*.

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