

“THE FOUNDERS’ CONSTITUTION AND THE CHALLENGE OF PROGRESSIVISM”

WEEK 1 — LARRY P. ARNN ~ PRESIDENT, HILLSDALE COLLEGE

THE PRINCIPLES OF THE AMERICAN FOUNDING, embodied in the Declaration of Independence and enshrined in the Constitution, came under assault by Progressives of the late nineteenth and early twentieth centuries. Progressivism rejects the Founders’ ideas of natural rights, limited government, the separation of powers, representation, and federalism. Progressive government, exemplified by the modern administrative state, has fundamentally transformed key aspects of the American way of life.

LECTURE SUMMARY

American history can be divided into three phases: the American Founding, the crisis of slavery and the Civil War, and Progressivism.

To understand the meaning of the American Founding, one must consider above all two fundamental documents: the Declaration of Independence and the Constitution. Looking to the “Laws of Nature and of Nature’s God” as the foundation of their arguments, the Founders established three pillars of government: limited government, representation, and the separation of powers. The new, Progressive view changes the purpose and the structure of government by breaking down these three pillars.

Both the pro-slavery advocates before and during the Civil War and the proponents of Progressivism posed a challenge to the principles of the American Founding. They both assume that the principles of the Declaration—including equality and the notion of unchanging natural rights—are outdated and irrelevant. For Progressives, the forward march of science and an ever-improving human nature have disproved them, which in turn requires that the government instituted by the Founders be discarded and replaced.

For over one hundred years, Progressives have systematically derided the principles of the American Founding as inapplicable to the complexities of contemporary politics. According to Woodrow Wilson, the Founders’ Constitution is mechanistic and Newtonian, rather than evolutionary and Darwinian. Wilson sought to substitute the notion of an

evolutionary or “living constitution” for the Founders’ Constitution. The new view of the Constitution seeks not to protect an equality of rights, but to enforce by government power an equality of economic condition.

Unless the American people—the sovereign rulers of the United States of America—rededicate themselves to the principles of limited government constitutionalism and halt the growth of bureaucratic despotism, we risk losing the last vestiges of constitutional government.

The idea of a “living constitution” takes concrete political shape in the form of a bureaucratic administrative state. As a result, modern American government to a large degree consists of thousands of unelected bureaucrats and numerous unaccountable regulatory agencies. By their very nature, they undermine the Founding principles of limited government, representation, and the separation of powers. Unless the American people—the sovereign rulers of the United States of America—halt the growth of bureaucratic despotism, we risk losing the last vestiges of constitutional government.

KEY PASSAGES FROM THE READINGS

THE DECLARATION OF INDEPENDENCE

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,—That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.”

—*The U.S. Constitution: A Reader*, PAGE 5

THE CONSTITUTION OF THE UNITED STATES OF AMERICA

“We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.”

—*The U.S. Constitution: A Reader*, PAGE 47

CORNERSTONE SPEECH ~ Alexander Stephens

“Our new government is founded upon exactly the opposite idea; its foundations are laid, its corner-stone rests upon the great truth, that the negro is not equal to the white man; that slavery—subordination to the superior race—is his natural and normal condition. This, our new government, is the first, in the history of the world, based upon this great physical, philosophical, and moral truth. This truth has been slow in the process of its development, like all other truths in the various departments of science.”

—*The U.S. Constitution: A Reader*, PAGE 577-578

“The truth announced, that it was as impossible to war successfully against a principle in politics as it was in physics and mechanics, I admitted; but told him that it was he, and those acting with him, who were warring against a principle. They were attempting to make things equal which the Creator had made unequal.”

—*The U.S. Constitution: A Reader*, PAGE 578-579

THE AMERICAN CONCEPTION OF LIBERTY ~ *Frank Goodnow*

“The rights which he possesses are, it is believed, conferred upon him, not by his Creator, but rather by the society to which he belongs. What they are is to be determined by the legislative authority in view of the needs of that society. Social expediency, rather than natural right, is thus to determine the sphere of individual freedom of action.”

—*The U.S. Constitution: A Reader*, PAGES 630-631

“Changed conditions, it has been thought, must bring in their train different conceptions of private rights if society is to be advantageously carried on.”

—*The U.S. Constitution: A Reader*, PAGE 633

“At the same time the sphere of governmental action is continually widening and the actual content of individual private rights is being increasingly narrowed.”

—*The U.S. Constitution: A Reader*, PAGE 633

WHAT IS PROGRESS? ~ *Woodrow Wilson*

“The Constitution was founded on the law of gravitation. The government was to exist and move by virtue of the efficacy of ‘checks and balances.’ The trouble with the theory is that government is not a machine, but a living thing. It falls, not under the theory of the universe, but under the theory of organic life. It is accountable to Darwin, not to Newton. It is modified by its environment, necessitated by its tasks, shaped to its functions by the sheer pressure of life. No living thing can have its organs offset against each other, as checks, and live.”

—*The U.S. Constitution: A Reader*, PAGE 640

“Living political constitutions must be Darwinian in structure and in practice. Society is a living organism and must obey the laws of life, not of mechanics; it must develop.”

—*The U.S. Constitution: A Reader*, PAGE 641

“All that progressives ask or desire is permission—in an era when ‘development,’ ‘evolution,’ is the scientific word—to interpret the Constitution according to the Darwinian principle; all they ask is recognition of the fact that a nation is a living thing and not a machine.”

—*The U.S. Constitution: A Reader*, PAGE 641

“The Declaration of Independence did not mention the questions of our day.”

—*The U.S. Constitution: A Reader*, PAGE 641

STUDY QUESTIONS

1. What are “natural rights”? What natural rights are listed in the Declaration of Independence?
2. How is Progressivism related to the pro-slavery argument of the Civil War?
3. What does “equality” mean in the context of the Declaration? How is this different from the Progressives’ understanding of “equality”?
4. According to Woodrow Wilson and other Progressives, why is the Founders’ Constitution obsolete?
5. What does Woodrow Wilson mean by the term “living constitution”?

DISCUSSION QUESTIONS

1. What does the Declaration’s famous phrase, “Laws of Nature and of Nature’s God,” mean?
2. What is the effect of the bureaucratic state on self-government?
3. How does the bureaucratic state undermine the separation of powers?
4. Progressives believe that advances in science correspond with advances in human nature. Is such progress in human nature possible?



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