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REVIEW OF BOOKS

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A Republic, If You Can Keep It

The duel between Glenn Ellmers and William Voegeli in the summer issue's "Disputed Question" (Summer 2022) brought to mind the relationship of Andy Hardy (Mickey Rooney) and his father, Judge Hardy (Lewis Stone). With unflinching probity, patience, and forbearance, Voegeli responded to an attempted thrashing with a kindly squashing.

Unsubtly implicit in the Ellmers piece is the analogy to Samuel Adams, Thomas Paine, and maybe even Crispus Attucks and, later, John Brown: the tip of the spear whose rashness precipitated a good and necessary result. But a more precise comparison in today's circumstances would be revolutionary vanguards of the Left such as BLM or Antifa (just "an idea"). We might need revolutionary vanguards had not the founders and framers bequeathed to us a political structure and governing

system that has triumphed over stresses far greater than those of today. To abandon it—especially when whatever might replace it would draw upon the genius not of Washington, Jefferson, Adams, Franklin, et al. but that of Donald Trump, Matt Gaetz, Marjorie Taylor Greene, et al.—would be, shall we say, unwise?

But I defer to Voegeli's refutation, which stands on its own as a little masterpiece of analysis and persuasion perfectly suited to addressing the major divisions within both the country and the GOP. After careful consideration and deserved re-reading, I don't think I exaggerate in stating that its courage, clarity, and good sense is Lincolnian—as in the debates with Stephen Douglas. And with no offense to Lincoln, but in regard to Voegeli's unflappable calm, "There stands Voegeli, like a stone wall."

Stephen Rensselaer
New Orleans, LA

In their spirited exchange over the future of America, Glenn Ellmers and William Voegeli highlight the agonizing debate serious conservatives are engaged in today over the possible demise of our republic—and what alternatives, if any, are available to us to resist or reverse that demise. I, for one, would like to see the exchange continue because critical questions remain unaddressed by both gentlemen. Ellmers's call to arms is thoughtfully challenged by Voegeli's many examples of likely unpersuaded (but persuadable) Americans, as well as his warning about revolutions (be careful what you ask for). In other words, perhaps we're not as irretrievably divided as it increasingly seems

we are. A response by Ellmers would be most welcome.

But Ellmers raises serious questions about Voegeli's understanding of America's founding principles that go unanswered. If, in fact, Voegeli believes that American democracy is fundamentally flawed in its first principles—because committed to "unresting egalitarianism" at theoretical odds with the laws of nature and nature's God—then any battle conservatives engage in is, at best, a rear-guard action. Surely many, Harry Jaffa and Thomas G. West among them, have persuasively argued to the contrary. In other words, if there are many Americans that can still be persuaded, as Voegeli contends, *of what* are we to persuade them? Oddly, Voegeli is silent in the face of Ellmers's questions. His response would also be most welcome.

D. Scott Broyles
Belmont Abbey College
Belmont, NC

Glenn Ellmers replies:

If Bill Voegeli does not yet have a fan club, I suspect Stephen Rensselaer might volunteer to be the creator and first president. (May I humbly suggest as a name, "The Stonewalls"?) Rensselaer's letter strongly suggests that the founders' handiwork permanently solved the problem of politics, and thus made any future revolutions unnecessary. They themselves did not believe they had done so, and my essay was largely devoted to explaining (apparently not to Mr. Rensselaer's satisfaction) why the founders were right. As to the Constitution having overcome "stresses far greater than those

of today," I think the Constitution today is facing many stresses wholly without precedent in American history, and unlike the nation the Constitution couldn't hold together in 1861, we don't even "read the same Bible and pray to the same God," as Lincoln said. Let us hope "courage, clarity, and good sense" will be more successful this time.

In response to D. Scott Broyles, I do think the nation is irretrievably divided, though this does *not* mean that revolution is the only possible solution (even though the possibility of revolution in the face of tyranny will remain legitimate as long as human nature persists). I too wish that Voegeli had responded to what I see as the real substance of my article. If, as he argued in his original essay, America's flawed beginning made the regime doomed from the start, and the woke egalitarians are on the side of History, what exactly is Voegeli trying to conserve?

William Voegeli replies:

I thank Glenn Ellmers for pursuing the discussion I began with "The Right Now" in CRB's Spring 2022 issue. I also thank Messrs. Rensselaer and Broyles for their astute comments on our argument.

To address the point raised by Dr. Broyles and Dr. Ellmers, I do not believe that American democracy is fundamentally flawed in its first principles, doomed from the start, or that woke egalitarians are on the right side of History. Nor do I consider "The Right Now" an effort to advance such claims.

I was attempting, rather, to make a point similar to one Glenn puts forward here: the

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founding did not permanently solve the problem of politics, and therefore did not obviate the need for vigorous, purposeful, and ongoing political activity to sustain a republic created in the late 18th century.

Like other Claremonsters, I admire Calvin Coolidge's praise of the Declaration of Independence: "If all men are created equal, that is final. If they are endowed with inalienable rights, that is final. If governments derive their just powers from the consent of the governed, that is final." But they are final, Coolidge said, as *propositions*, ones true and sound. They settled the theoretical question once and for all, but not the practical problem of making a republic work.

However brilliantly designed and nobly intended, a republic cannot be better than its citizens. A republic that honors natural rights and popular consent is the best expression of the egalitarian idea, but other manifestations, such as moral relativism, are inimical to self-government. As tute republicans should shrewdly assess what their fellow citizens are prepared to understand and accept, and then fashion rhetoric and policies most likely to preserve the republic against humans' proclivities to make choic-

es that will harm themselves and others.

Constitutionalism and Popular Control

In reviewing *Against Constitutionalism* (Summer 2022), Jeremy Rabkin expresses his disappointment that the book is not an "impassioned brief." Failing to appreciate the point of ideological analysis, he castigates me for not discussing Trump's MAGA movement or the U.S. debate about the constitutional status of abortion, and for failing to explain how jettisoning India's constitutional order might help village dwellers—all matters well beyond my remit. He then proceeds to twist the book's conservative defense of constitutional democracy against rampant constitutionalism into an argument in favor of untrammelled popular control, implying that my argument somehow endorses the misery Putin has unleashed on the world.

The book offers a precise account of the ideology of constitutionalism, arguing that the term is commonly invoked but rarely defined and is now being tossed around to mean whatever the speaker desires. In revealing just how little he learned from it,

Rabkin's review also vindicates the book's essential point.

Martin Loughlin
London School of Economics
& Political Science
University of London, England

Jeremy Rabkin replies:

Professor Loughlin complains that I "fail[ed] to appreciate the point of ideological analysis." He seems to believe that simply belaboring the obvious fact that "constitutionalism" is a brake on majority preferences is an illuminating form of "analysis." In a book called *Against Constitutionalism*, one would expect the author to tell readers what a post-constitutional world would be like. Would it have less secure property rights and consequently less economic growth? Would it have more ethnic and religious strife? But Loughlin says analyzing the consequences of "popular control" is not within his "remit." As I pointed out in my review, terms like "popular control" are as disputable as "constitutionalism." Loughlin himself protests here that he is against "untrammelled popular control." It is regrettable that he never explains (here or in his book) what "trammels" he does support and why those "trammels"

differ from "constitutionalism." Loughlin's "ideological analysis" never seems to escape the crudest forms of ideology.

That's Crazy

My thanks to Richard Samuelson for his excellent summary of a legal regime that has metastasized to a cancer consuming U.S. society ("The Great Unwakening," Summer 2022). There's one small point I'd like to address. Samuelson describes one of the many bizarre twists and turns in anti-discrimination law as "meshuganah." I'm a Yiddish speaker (it was, in fact, my first language). A "meshuganah" means a crazy person. If one wants to use the term as an adjective, one would say "meshugah." In Yiddish, one would say, "*Er iz meshugah*" ("He's crazy") or "*Meshugah miz man zonn*" ("One has to be crazy"). One would say, slightly differently, "*Er iz a meshuganah*" ("He's a crazy person"). Just as one wouldn't say in English, "He's an insanity" (one would say "He's insane"), it's improper to use "meshuganah" to mean crazy (as opposed to a crazy person). The difference is slight, but it's there.

Hyman Sisman
Los Angeles, CA

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