

Constitutional Law Professor: Americans Must STOP “Worshiping” the Constitution

[illegible]

Nonetheless, Rana believes that we're hamstrung and imperiled by our Constitution. "The country today is wracked by a series of unfolding crises—intense police and military violence at home and abroad,



Written by [Selwyn Duke](#) on June 5, 2024

financial crisis, extreme class inequalities, the carceral state's generational effects on poor and minority communities, white authoritarianism, and ecological disaster, to name a few," he explains. "Our political class has seemed paralyzed in the face of these crises, and our constitutional system has only intensified them."

They only appear paralyzed, however, because these "crises" don't exist. What "police and military violence at home and abroad" is Rana talking about? What financial crisis, other than that created by unconstitutional government spending, is at issue? In addition, [inequality is irrelevant](#) (explanation [here](#)), imprisoning criminals is necessary, and "white authoritarianism" is as imaginary as anthropogenic climate change ("ecological disaster").

Yet even if the above crises were real, what extra-constitutional means — or what amendments — would Rana propose as remedy?

As to possible alternatives to our Constitution, the professor speaks positively of a "competing archive" that "ranges across social movements and even transnational identities, embodying perspectives grounded in Black, Indigenous, feminist, labor, immigrant, and Third World politics." Yes, definitely a consideration. "Third World politics" has worked so well for the Third World, after all.

In reality, many constitutionalists might like to make certain changes to the Constitution, illustrating how they don't "worship" it. But they also grasp something, a point expressed well by an MSN commenter.

"Imperfect, but it's the basic contract of America," the poster [wrote](#), responding to the Rana interview. "If I had agreed to pay for a subscription to The Nation, would you want me to refuse to pay, saying I don't worship the contract?"

To expand on this point, it's not surprising that pseudo-elites such as Rana are displeased with a contract that by securing rights for all — including the weak — limits the powerful's power. They'd rather effect change quickly via establishment control, whether by judicial or bureaucratic fiat or technocratic determination.

But these are just fancy, euphemistic ways of saying we'll be a land not of laws, but men (the Constitution is the supreme law of the land). It also subjects us to the programs of, as Rana put it, "new elites and alliances," which are often just flights of fancy — the latest shiny thing.

As to this, realize that our Constitution represents governmental *tradition*, and what is "tradition"? Philosopher G.K. Chesterton called it "democracy extended through time" and the "democracy of the dead." For tradition exists only because the majority of people, over the ages, have essentially "voted" for it by actively or tacitly endorsing it.

It's likewise with the Constitution. If enough Americans actually had wanted it changed or do now, they could have done so, or do so now, via one of our two amendment processes. Sure, they're long, involved processes — by *design*. That's a mandated "Take a deep breath and count to 10" serving as a firewall against fits of emotionalism, against legislative "mob justice." Without it, more likely are mistakes such as the ancient Athenians', when they voted to execute Socrates and then regretted it soon after.

People who complain about the difficulty of constitutional alteration may be tacitly admitting their ideas aren't good ones. They also seem like spoiled brats demanding immediate gratification — even when they have law degrees.



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