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A
MACHINE
THAT
WOULD GO
OF ITSELF

The Constitution
in American Culture

MICHAEL
KAMMEN

Machine That Would Go Of Itself The Constitution In American Culture

Michael Kammen



Machine That Would Go Of Itself The Constitution In American Culture:

A Machine That Would Go of Itself Russell Fraser, Michael Kammen, 2017-10-02 In this volume Pulitzer Prize winning historian Michael Kammen explores the U S Constitution s place in the public consciousness and its role as a symbol in American life from ratification in 1788 to our own time As he examines what the Constitution has meant to the American people perceptions and misperceptions uses and abuses knowledge and ignorance Kammen shows that although there are recurrent declarations of reverence most of us neither know nor fully understand our Constitution How did this gap between ideal and reality come about To explain it Kammen examines the complex and contradictory feelings about the Constitution that emerged during its preparation and that have been with us ever since He begins with our confusion as to the kind of Union we created especially with regard to how much sovereignty the states actually surrendered to the central government This confusion is the source of the constitutional crisis that led to the Civil War and its aftermath Kammen also describes and analyzes changing perceptions of the differences and similarities between the British and American constitutions turn of the century debates about states rights versus national authority and disagreements about how easy or difficult it ought to be to amend the Constitution Moving into the twentieth century he notes the development of a cult of the Constitution following World War I and the conflict over policy issues that persisted despite a shared commitment to the Constitution **A**

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Machine That Would Go of Itself Michael G. Kammen, **A Machine That Would Go of Itself** Russell Fraser, Michael Kammen, 2017-07-12 In this volume Pulitzer Prize winning historian Michael Kammen explores the U S Constitution s place in the public consciousness and its role as a symbol in American life from ratification in 1788 to our own

time As he examines what the Constitution has meant to the American people perceptions and misperceptions uses and abuses knowledge and ignorance Kammen shows that although there are recurrent declarations of reverence most of us neither know nor fully understand our Constitution How did this gap between ideal and reality come about To explain it Kammen examines the complex and contradictory feelings about the Constitution that emerged during its preparation and that have been with us ever since He begins with our confusion as to the kind of Union we created especially with regard to how much sovereignty the states actually surrendered to the central government This confusion is the source of the constitutional crisis that led to the Civil War and its aftermath Kammen also describes and analyzes changing perceptions of the differences and similarities between the British and American constitutions turn of the century debates about states rights versus national authority and disagreements about how easy or difficult it ought to be to amend the Constitution Moving into the twentieth century he notes the development of a cult of the Constitution following World War I and the conflict over policy issues that persisted despite a shared commitment to the Constitution The Oxford Handbook of the U.S. Constitution Mark V. Tushnet, Mark A. Graber, Sanford Levinson, 2015 The Oxford Handbook of the U S Constitution offers a comprehensive overview and introduction to the U S Constitution from the perspectives of history political science law rights and constitutional themes while focusing on its development structures rights and role in the U S political system and culture This Handbook enables readers within and beyond the U S to develop a critical comprehension of the literature on the Constitution along with accessible and up to date analysis Whether a return to the pristine constitutional institutions of the founding or a translation of these constitutional norms in the present is possible remains the central challenge of U S constitutionalism today The Founding Fathers V. the People Anthony King, 2012-01-02 As pundits and politicians remind us at every election cycle or turn of the television dial the United States sees itself as the world s greatest democracy But what citizens might also hear if they knew how to listen is the grinding of two tectonic plates on which this democracy was established In the venerable tradition of keen foreign observers of American politics Anthony King exposes the political paradoxes in our system that we may well be too close to see founding principles of our great democracy that are distinctly undemocratic In an extended essay eloquent in its plainspoken good sense King begins on the one hand with the founding fathers who emphasized moderation deliberation checks and balances and the separation of powers a system in which the people were allowed to play only a limited role On the other hand were radical democrats who insisted that the people and only the people should rule The result was a political system tangled up in conflicts that persist to this day unelected and unaccountable Supreme Court justices who exercise enormous personal power severe restrictions on the kind of person the people can elect as president popular referendums at the state and local level but none at the federal level not even to ratify amendments to the Constitution In King s provocative analysis we see how these puzzles play out in the turmoil of our nation s public life and political culture and we glimpse perhaps a new way to address them , Amending America: If We Love

the Constitution So Much, Why Do We Keep Trying to Change It? Richard B. Bernstein, 2022-09-25 The story of how the Constitution has been reshaped over the past 200 years to meet America's changing needs Since 1789 27 amendments were adopted creating the Bill of Rights banning liquor protecting the right to vote and reworking how we choose presidents and senators and more than 10 000 failed Proposed amendments tried to stave off the Civil War and then wrote its results into the Constitution A thoughtful history of the Amendments to the Constitution An excellent delineation of issues debated by modern constitutional scholars Kirkus A sober straightforward history of the process of amending the Constitution Publishers Weekly A comprehensive and engaging study of Article V's procedures for amending the constitution Washington Post The authors capture the essence of the importance of the amending process in a highly readable gracefully written book This book which discusses knotty legal and constitutional issues without stuffiness and in plain language should be easy reading for students and laypersons The Journal of American History A readable intelligently organized and well informed history of how and why the Constitution has been amended The Historian Scholarly and readable Human Rights Bernstein's work is engaging and stimulating he is to be commended for explaining so carefully just how complex a set of questions and problems cluster around Article 5 The American Historical Review Well written this volume fills an important gap in the current literature and is likely to be the standard account of amending history for some time to come The American Journal of Legal History A masterful book daring in its scope and impeccable in its execution Amending America is a great work of scholarship that does justice to the United States Constitution as a living and evolving document It is a tribute to the working of American democracy and contributes to our understanding of its evolution and its unfinished agenda Vartan Gregorian President Brown University A magnificent treasure trove of American history which brings to life why our Constitution has remained a living document for over two centuries Amending America is a wonderful book for anyone interested in our country Arthur R Miller Bruce Bromley Professor of Law Harvard Law School Amending America is invaluable for just about anybody seeking to understand the contradictions of our approach to constitutional government With grace insight and considerable information Bernstein and Agel have written what should be the standard work for a long time to come Herbert S Parmet Distinguished Professor of History City University of New York author of Richard Nixon and His America Amending America admirably illuminates the complex and remarkable history of the American people's repeated attempts to amend the Constitution and captures that history's enduring significance Written with scholarship clarity and grace this book recovers a previously neglected dimension of American constitutional history William E Nelson Professor of Law New York University author of The Fourteenth Amendment From Political Principle to Judicial Doctrine Instructive and fascinating The book is thorough erudite and packed with the anecdotes that make our political past so enjoyable to review Minneapolis Star Tribune An intelligent carefully researched and highly readable account Detroit News *Antonin Scalia and American Constitutionalism* Edward A. Purcell, Jr., 2020-05-07 Antonin Scalia and American Constitutionalism is an in depth study of

Justice Antonin Scalia's jurisprudence his work on the Supreme Court and his significance in the history of American constitutionalism After tracing Scalia's rise to Associate Justice and his subsequent emergence as a hero of the Republican Party and the political right this book reviews and criticizes his general jurisprudential theory arguing that he failed to produce either the objective method he claimed or the correct constitutional results he promised Focusing on his judicial performance over his thirty years on the Court it examines his decisions and opinions on virtually all of the constitutional issues he addressed from the fundamentals of structure federalism separation of powers and the Article III judicial power to specific interpretations of most major constitutional provisions involving governmental powers and the rights of individuals under the Bill of Rights and the Fourteenth Amendment This book argues that Scalia applied his jurisprudential theories in inconsistent and contradictory ways and often ignored distorted or abandoned the interpretive methods he proclaimed to reach the results he sought results that were aligned with and supported by the post Reagan Republican coalition Scalia was far more consistent in enforcing such ideologically compatible results than he was in following his proclaimed jurisprudential theories Finally assessing Scalia's historical significance Antonin Scalia and American Constitutionalism argues that his jurisprudence and career are particularly illuminating because they exemplify contrary to his persistent claims three paramount characteristics of American constitutionalism the inherent inadequacy of originalism and other formal interpretive methodologies to produce consistent and correct answers to controverted constitutional questions the close relationship that exists particularly so in Scalia's case between constitutional theories and interpretations on one hand and substantive political goals and values on the other and the unavoidably living nature of American constitutionalism itself All in all Scalia stands as a towering figure of irony because his judicial career deconstructed the central claims of his own jurisprudence

Visual Shock Michael Kammen, 2009-04-22 In this lively narrative award winning author Michael Kammen presents a fascinating analysis of cutting edge art and artists and their unique ability to both delight and provoke us He illuminates America's obsession with public memorials and the changing role of art and museums in our society From Thomas Eakins's 1875 masterpiece The Gross Clinic considered too big bold and gory when first exhibited to the bitter disputes about Maya Lin's Vietnam War Memorial this is an eye opening account of American art and the battles and controversies that it has ignited Prologue, 1987 **Questions of Order** Peter Price, 2021 Canadian Confederation has long been assessed as a political moment that created a new national entity This book breaks new ground by arguing that Confederation was an imperial event that generated new questions and ideas about the future of global political order

Conceptual Change and the Constitution Terence Ball, John Greville Agard Pocock, 1988 In this volume distinguished historians and political scientists examine the linguistic and conceptual dimension of the American Founding They analyze political discourse during the short span of years from the Revolution through ratification *Constitutionalism and the Rule of Law* Maurice Adams, Anne Meuwese, Ernst Hirsch Ballin, 2017-02-02 Rule of law and constitutionalist ideals are understood

by many if not most as necessary to create a just political order Defying the traditional division between normative and positive theoretical approaches this book explores how political reality on the one hand and constitutional ideals on the other mutually inform and influence each other Seventeen chapters from leading international scholars cover a diverse range of topics and case studies to test the hypothesis that the best normative theories including those regarding the role of constitutions constitutionalism and the rule of law conceive of the ideal and the real as mutually regulating Themes of the American Civil War Susan-Mary Grant,Brian Holden-Reid,2009-09-10 Themes of the American Civil War offers a timely and useful guide to this vast topic for a new generation of students The volume provides a broad ranging assessment of the causes complexities and consequences of America s most destructive conflict to date The essays written by top scholars in the field and reworked for this new edition explore how and in what ways differing interpretations of the war have arisen and explains clearly why the American Civil War remains a subject of enduring interest It includes chapters covering four broad areas including The Political Front The Military Front The Race Front and The Ideological Front Additions to the second edition include a new introduction added to the current introduction by James McPherson a chapter on gender as well as information on the remembrance of the war historical memory The addition of several maps a timeline and an appendix listing further reading battlefield statistics and battle regiment general names focuses the book squarely at undergraduates in both the US and abroad **We the People** Jill Lepore,2025-09-16 Lepore s 15th book We the People a history of the U S Constitution may be her best yet a capacious work that lands at the right moment like a life buoy as our ship of state takes on water Hamilton Cain Los Angeles Times From the best selling author of These Truths comes We the People a stunning new history of the U S Constitution for a troubling new era New York Times 21 New Nonfiction Books Coming This Fall The U S Constitution is among the oldest constitutions in the world but also one of the most difficult to amend Jill Lepore Harvard professor of history and law explains why in We the People the most original history of the Constitution in decades and an essential companion to her landmark history of the United States These Truths Published on the occasion of the 250th anniversary of the nation s founding the anniversary too of the first state constitutions We the People offers a wholly new history of the Constitution One of the Constitution s founding purposes was to prevent change Lepore writes Another was to allow for change without violence Relying on the extraordinary database she has assembled at the Amendments Project Lepore recounts centuries of attempts mostly by ordinary Americans to realize the promise of the Constitution Yet nearly all those efforts have failed Although nearly twelve thousand amendments have been introduced in Congress since 1789 and thousands more have been proposed outside its doors only twenty seven have ever been ratified More troubling the Constitution has not been meaningfully amended since 1971 Without recourse to amendment she argues the risk of political violence rises So does the risk of constitutional change by presidential or judicial fiat Challenging both the Supreme Court s monopoly on constitutional interpretation and the flawed theory of originalism Lepore contends in this gripping and

unfamiliar story of our own past that the philosophy of amendment is foundational to American constitutionalism The framers never intended for the Constitution to be preserved like a butterfly under glass Lepore argues but expected that future generations would be forever tinkering with it hoping to mend America by amending its Constitution through an orderly deliberative and democratic process Lepore s remarkable history seeks too to rekindle a sense of constitutional possibility Congressman Jamie Raskin writes that Lepore has thrown us a lifeline a way of seeing the Constitution neither as an authoritarian straitjacket nor a foolproof magic amulet but as the arena of fierce logical passionate and often deadly struggle for a more perfect union At a time when the Constitution s vulnerability is all too evident and the risk of political violence all too real *We the People* with its shimmering prose and pioneering research hints at the prospects for a better constitutional future an amended America

The Constitutional Origins of the American Civil War Michael F. Conlin,2019-07-18

Demonstrates the crucial role that the Constitution played in the coming of the Civil War *The History of Ohio Law* Michael Les Benedict,John F. Winkler,2004 In The Two Volume *The History of Ohio Law* distinguished legal historians practicing Ohio attorneys and judges present the history of Ohio law and the interaction between law and society in the state The first history of Ohio law in nearly seventy years and the most comprehensive compilation of essays on any state s law its twenty two topics range from the history of Ohio s constitutional conventions and legal institutions to the history of civil procedure evidence land use civil liberties and utility regulation The essays describe Ohio s legal institutions legal procedures and the substance of Ohio law as it has changed over time institutions have affected Ohio law and how the law has affected them The essays provide important information to practitioners and offer attorneys legal scholars historians and the public a broad understanding of the relationship between law and society in Ohio intersections between law and race gender and labor Insightful essays also discuss the development of Ohio s legal literature the impact of federal courts and Ohio s most important contributions to American constitutional development Written by twenty two leading lawyers and historians *The History of Ohio Law* will be the indispensable reference and invaluable first source for learning about law and society in Ohio

Confucianism, Law, and Democracy in Contemporary Korea Sungmoon Kim,2015-03-26

Comparative political theory has grown into a recognized discipline in its own right in the last two decades Yet little has been done to explore how political theory engages with the actual social legal and political reality of a particular polity East Asians are complexly conditioned by traditional Confucian norms and habits despite significant social economic and political changes in their contemporary lives This volume seeks to address this important issue by developing a specifically Confucian political and legal theory The volume focuses on South Korea whose traditional society was and remains the most Confucianized among pre modern East Asian countries It offers an interesting case for thinking about Confucian democracy and constitutionalism because its liberal democratic institutions are compatible with and profoundly influenced by the Confucian habit of the heart The book wrestles with the practical meaning of liberal rights under the Korean Confucian

societal culture and illuminates a way in which traditional Confucianism can be transformed through legal and political processes into a new Confucianism relevant to democratic practices in contemporary Korea Foundations of Public Law

Martin Loughlin, 2012-09-27 Foundations of Public Law offers an account of the formation of the discipline of public law with a view to identifying its essential character explaining its particular modes of operation and specifying its unique task Building on the framework first outlined in The Idea of Public Law OUP 2003 the book conceives public law broadly as a type of law that comes into existence as a consequence of the secularization rationalization and positivization of the medieval idea of fundamental law Formed as a result of the changes that give birth to the modern state public law establishes the authority and legitimacy of modern governmental ordering Public law today is a universal phenomenon but its origins are European Part I of the book examines the conditions of its formation showing how much the concept borrowed from the refined debates of medieval jurists Part II then examines the nature of public law Drawing on a line of juristic inquiry that developed from the late sixteenth to the early nineteenth centuries extending from Bodin Althusius Lipsius Grotius Hobbes Spinoza Locke and Pufendorf to the later works of Montesquieu Rousseau Kant Fichte Smith and Hegel it presents an account of public law as a special type of political reason The remaining three Parts unpack the core elements of this concept state constitution and government By taking this broad approach to the subject Professor Loughlin shows how rather than being viewed as a limitation on power law is better conceived as a means by which public power is generated And by explaining the way that these core elements of state constitution and government were shaped respectively by the technological bourgeois and disciplinary revolutions of the sixteenth century through to the nineteenth century he reveals a concept of public law of considerable ambiguity complexity and resilience

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