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I am a Constitutionalist. I do Constitutional Theory.

I think abstractly about constitutions. And I believe deeply in constitutionalism.

In the color scheme of creationist logic put forward on this site, these two categories of thought are designated PURPLE and ORANGE. As two secondary colors, they are the least noticed and least used — perhaps the most artificial — hues of the spectrum, the easiest to merge into the adjacent, primary values, and perhaps the hardest to resonate with. My task in *Constitutio* is to bring them into a full and intense focus. (With mild apologies to Virginia Tech, an institution I once covered as a reporter for *The Roanoke Times*, which puts the two colors side-by-side.)

But both of these words, “constitution” and “constitutionalism” have become problematic because they have been hijacked for ideological purposes. Along with the word, “creationism” (which has very likely already miscued some readers here who nevertheless prize its enabling word, “creativity”), we need to take these words back for thoughtful general public use. People make (things) — in the image and according to the principles of what has already been created. I believe “being a maker, joining in with Creation that way” is what distinctively characterizes the human being. And the best of these creations, the most worthy and most difficult to achieve, is a plan for the well-ordered community, an organized common enterprise that reflects values beyond itself and contributes, practically, to their realization and/or enhancement.

But, while “creationism” may have been distorted as a label, the words “constitution” and “constitutionalist” have been turned against their meaning. The prevalent partisan practices of our day have deployed constitutions as weapons in the petty conflicts of self-interest cloaked with the slogans of supposed principles. Ideology replaces ideas.

In the case of the United States Constitution itself, its clauses have been weaponized. This is perhaps not surprising: First, you elevate one or two clauses, e.g., the Second Amendment (or make your choice), to the top of a hierarchy of constitutional commands. In so doing, the remainder of the text is subordinated, making it easy to dilute or ignore. Eventually, the substance of the preferred clause sets the tone for the

Constitution as a whole. A gun in the arsenal of private power against the public good. Now the Constitution itself is used as a device for aggressive private intrusion on the public domain.

I remember, when I first arrived as a Political Science faculty member at the University of Michigan, being introduced to some very thoughtful and welcoming colleagues in the Law School. They knew that my work focused on a theory of constitutional interpretation, and one of my new colleagues asked, “What clauses do you specialize in?” My response was quick, and probably too sharp: “There *are* no clauses in the Constitution.” What would that have meant? Once you separate the parts from the whole and try to get them to stand alone, their identity is perverted. And the Constitution, as an overall composition of complexly interactive components, is pushed out of view. What is left is like those huge sculptures of body parts strewn about in Italian Renaissance gardens. I would be interested in the garden designs as a whole, and what they symbolized about the order of the world.

Constitutions, fundamentally (all of them, if they are really “constitutions”) are about giving form to life, a body that sustains a spirit. They are about how something or someone or some ones are made (how they are made *whole*), what is the character of their composition. Constitutions establish the conditions of possibility. That’s what they are *for*.

And so, I claim to be a constitutional theorist. Those of us who choose this designation have typically experienced difficulty in specifying how this is different from being a political theorist, or just being persons who had “theories” or pretentious notions about something we happen to call a “constitution,” whatever that might be.

It could be that we care to develop theories about the Constitution of the United States, or some other enterprise or country — how does it come about, where are its sources and authority, what is its preferred state of affairs, why does it mean this or that, who gets to interpret it, when will it be true? It could be that we elaborate accounts of Constitutionalism as an independent political theory of properly composed power and liberty. I have both of these goals. I think, for anybody who would consider oneself a constitutional theorist, it is probably necessary to do both and to link them. In either case, however, there is an overriding concern for the creation and maintenance of a well-formed enterprise — most centrally, the well-ordered community — one that seeks not only the achievement of principles, but also employs devices that make principles practically real in the world. Besides this subject matter, the approach is “theoretical,” which I have long believed should remain closely associated with its Greek root word, which means “seeing,” and seeing the connections that make something whole. Theory is love abstracted, and embracing the world.

And, as a *theorist*, I have long been influenced by the thoughts E.M. Forster expresses in *Howard's End* (1910, ch. 22) on his theme of “Only connect....” As Margaret thinks about Henry:

Mature as he was, she might yet be able to help him to the building of the rainbow bridge that should connect the prose in us with the passion. Without it we are meaningless fragments, half monks, half beasts, unconnected arches that have never joined into a man. With it love is born, and alights on the highest curve, glowing against the gray, sober against the fire.

The *Constitutio* Website, and what stands behind it, aims to construct such constitutive connection. It is not a timid project.

For years, as an essential part of the application that teachers submit to be part of the three-week National Academy of Civics and Government (“Political and Constitutional Theory for Citizens”), I have asked for a listing of a single quotation “that has guided your professional career.” No comments, no explanation, just the quotation. And I have considered that it has been as revealing as anything else on the application. Once, one of the preceptors asked me what would be my own quotation. At the time, I was embarrassed that I could not come up with a response. But there was one that goaded (if not guided) me during my four years as founding director of the Center for the Constitution at James Madison’s Montpelier. You may recognize it as presented in a plaque in front of Union Station in Washington, D.C., quoting its architect, Daniel Burnham (1864-1912), and now serving as a rebuke to what goes on farther down Delaware Avenue:

Make no little plans. They have no magic to stir men's blood and probably themselves will not be realized. Make big plans; aim high in hope and work, remembering that a noble, logical diagram once recorded will never die, but long after we are gone will be a living thing, asserting itself with ever-growing insistency. Remember that our sons and grandsons are going to do things that would stagger us. Let your watchword be order and your beacon beauty. Think big.

Do you think James Madison and his fellow world-makers aspired to any less? Or cared any less for an order and beauty in the enterprise they diagramed and imagined into practice? Or assumed that their successors would not be able to do things that would stagger their founders — at least in part because those founders declined to “think small”?

The “building of the rainbow bridge that should connect the prose in us with the passion” and “a noble, logical diagram [that] once recorded will never die, but long after we are gone will be a living thing.” Could these be the more apt themes for “constitutionalism” and “constitution”? They are indeed the keynotes for “The *constitution* CODE” and the “*FrameWord*” system combined and presented on this Website.

Those who know me understand that I regard literature (like Forster's domain of words) and architecture (like Burnham's sphere of three-dimensional graphics) as at least as informative to the study of political and constitutional theory, at the abstract level, as supposedly more closely adjacent fields of inquiry like political science, history, law, and economics.

It is notable how each of the preceding quotations resolves to the visual. One makes a picture to show its idea of the words projected lovingly as an image in the world. The other speaks about the qualities of a picture whose idea lives provocatively in the world beyond the diagram. Again: "Constitutionalism" and "constitution," as verbal-pictorial agendas.

When I began my professional career, conceiving myself to be a "theoretical journalist" and before I finished my doctorate and became a professor, my goal was explicitly to encompass facts in words so that my readers could see the world I saw on their behalf, and as precisely as possible. Writing for a course taught by Eugene Patterson, the great former editor of *The Washington Post* and *The Atlanta Constitution*, I had been convinced by one statement and then moved by another in James Agee's Introduction to *Let Us Now Praise Famous Men* (1941):

Who, what, where, when and why (or how) is the primal cliché and complacency of journalism: but I do not wish to appear to speak favorably of journalism.

* * *

For in the immediate world, everything is to be discerned, for him who can discern it, and centrally and simply, without either dissection into science, or digestion into art, but with the whole of consciousness, seeking to perceive it as it stands: so that the aspect of a street in sunlight can roar in the heart of itself as a symphony, perhaps as no symphony can: and all consciousness is shifted from the imagined, the revisive, to the effort to perceive simply the cruel radiance of what is.

The book itself, with its powerful complement of Walker Evan's photographs, is a paradigmatic case of joining words and pictures. But Agee's prose is in itself graphic, of not actually "filmic." My project as a journalist, as it is now as a constitutional theorist, is not one of *translation* from the verbal to the visual, but of *simultaneity* or at least quick shifts back and forth — with multi-colored ("rainbow") bridges and well-proportioned ("noble") diagrams. Word-pictures and visual-language, at the same time.

From the outset of my scholarly career, I have presented my arguments about constitutional theory dually — in text and graphics. When I was an advanced doctoral

student at Princeton, negotiating with the new editor of the *American Political Science Review* after my first solo-authored article (“Bonding Word and Polity: The Logic of American Constitutionalism”) had been accepted for publication, she asked whether it was really necessary to include the half-page graphic representation of my argument, which was placed at about midpoint in the text of the article. My response was that, if she had to cut one or the other, she should eliminate the text. The picture contained a lot more than all of the words of the article. She kept both, of course. Later on, the book that arose from the article, *The Interpretable Constitution*, contained on its cover a color illustration of the entire treatise, with the original picture still at the midpoint of that longer text, which had been built out from that central graphic.

As I have explained elsewhere on this Website (see ABOUT), I have chosen to communicate constitutional theory in words and graphics because I believe that the conceptual material and constructive vision in this field naturally belong in both of these formats. They are parallel.

So, when I began my first sustained venture teaching teachers in the 1997 Summer Institute of the National Endowment for the Humanities, initially focusing exclusively on the classic texts of political theory, I automatically turned to semi-graphic strategies of communication (mostly, structured lists with lines, angles, and arrows), when participants said they were having difficulty grappling with the concepts. The Institute was offered two years later in a law-school classroom with whiteboards where colored markers were available. Simple as that, colors became part of the instructional tactics. At that point, they were merely decorative, devices for contrast and interest. At the end of that Summer Institute, however, the teachers presented me with the standard set of markers in seven colors and black — an implicit assignment, apparently so that I could develop this incipient project when I returned home. (Teachers, after all, are like that.) I speculated that these hues could make a compositional grammar, not just a decorative palette. Variation in what we can see implies meaning, and systematic variation entails an architectonic format in the background, which could provide a standard for communication. Could there be an approach that would fit the material?

Over the next 13 years of what became the National Academy of Civics and Government (more often than not, funded as a Summer Institute of the NEH), this scheme of presentation was refined by practice, and it gradually shifted to become *a system of thinking* in its own right — not just a method of depicting thought but a way of conducting it. The project advanced concurrently with my teaching and scholarship at the University of Pennsylvania and elsewhere, focused on in my courses in “Constitution Making,” “The Constitution of Democracy,” “Constitutionalism,” and the “Political Theory of the Bible.” Starting in 2003, it became the central part of the curricular approach for programs I created for teachers and state supreme court justices at the Center for the Constitution at

James Madison's Montpelier (including the five year's of offering my NEH Landmarks Workshops there). It was also propelled by the need to communicate beyond linguistic constraints in international civic education projects, culminating in the Center for Civic Education's project, *RES PUBLICA: An International Framework for Education in Democracy*. And, since 2008, I have extended it to my professional development courses on constitutional thought for senior government leaders at the Federal Executive Institute in Charlottesville, VA, and for the Brookings Institution's Executive Education programs.

By now, I have used these approaches and materials with more than 1,600 teachers and about 2,000 Federal executives. The framework has been tested, refined and adjusted, and tested again, several times over. In effect, it has been vetted in a sustained practice. And it works.

It works by allowing complicated and nuanced theoretical works (like those of Aristotle, Locke, Cicero, Madison) to be rendered in a way that corresponds with their level of sophistication. My educational strategies in all of these venues have been marked by an insistence on teaching intelligent persons at a high level of academic ambition. Rather than fearing or rejecting abstract thinking, we need to master the ability to conduct and assess it as a part of the normal human repertory of reasoning and imagining. The co-equal emphasis on visual thinking and textual interpretation — moving back and forth — has made that approach successful. It has, by now, also been subtly disseminated. But, at a time of pervasive public confusion about constitutional ideas, I believe the framework is ready for a broader diffusion.

It is offered now, as I have noted, as *a system of thinking* for carrying out constitutional theory — not just a means of depicting thought — but a method of conducting it, moving well beyond illustration and toward construction. If constitutional theory creates or describes civic worlds by means of a capacity for political vision (which is then formulated as a model), the typical focus on elucidating a two-dimensional text may indeed be valuable if it moves outward, but it is not sufficient to understand how such theory might be projected into three- or four-dimensional realization — especially in an environment where the accepted interpretations of things as they are may have ceased to be good enough to serve a People's purposes.

The linkage of words and pictures is, to be sure, an elucidating device for portraying and explaining concepts; but it is also a noetic strategy for creating ideas of the world and projecting their being brought into effect. This linkage can, therefore, serve as a sort of theoretical grammar for actively *doing* the inventive work of making alternative constitutional possibilities.