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Restoring America's Sense of Direction

By Balint Vazsonyi



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By Balint Vazsonyi

Although the press appears not to have noticed, President Clinton, in his Second Inaugural Address, called for a new Constitution. He borrowed language from the Declaration of Independence, where in 1776 Thomas Jefferson presented the argument for a new government. On January 20, 1997, Mr. Clinton proclaimed, "We need a new government for a new century." He proceeded set forth all the things this new government would give the American people.

Today, I come before you to argue that we need just the opposite. We, at the Center for the American Founding, believe that a tool is necessary to guide us back to the path of our existing Constitution. We offer this tool to the decision makers, legislators, and judges of America and ask all of you to help us develop it to its full potential. Because it points the way, we think of it as a compass.

What kind of country will exert its best efforts for the benefit of all mankind? Or engage in war without expectation of gain? What kind of country makes it possible that a person who did not grow up in it feel sufficiently at home to step forward with a major initiative? What kind of country has long-time professionals coming together to hear a relative novice with a foreign accent speak on national issues? What kind of country? A country that is one of a kind.

A Unique Nation

As we contemplate the future, it is essential that we keep in mind that America, indeed, is one of a kind. Some believe with all their hearts that people, and their aspirations, are the same everywhere. This may be so. But the *nation* established here more than 200 years ago has neither precedent nor a parallel in the known history of this planet. Not its capacity for success; not its capacity for strength; not its capacity for goodness. It is one of a kind.

One of a kind. A big term. You hear it and think of Shakespeare. Or Beethoven. Or George Washington. We look at their work and try to understand what makes it so. It is a hopeless endeavor. But with America, there are definite ingredients we can identify quite easily: the rule of law, individual rights, guaranteed property, and so forth. A funny thing, ingredients. We acknowledge their importance in all sorts of scenarios, yet ignore them when it comes to matters of life and death. If we eat something memorable, we want the recipe. With food, we know without the shadow of a doubt that the ingredients make the thing.

Chocolate ice cream, for example, takes chocolate, cream, and sugar. If, instead, you use ground beef, mustard, and A-1 Steak Sauce, you don't expect chocolate ice cream to come out of the process. Whatever else is the end creation, chocolate ice cream it will not be. Ice cream

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comes in many varieties. America is one of a kind. Do we honestly expect it to remain America if the ingredients are changed?

Over the past decades, rule of law has been displaced by something called “social justice.” Group rights and arbitrary privileges make a mockery of the constitutional rights of the individual. Where not so long ago all Americans could feel secure in their right to acquire and hold property, government today is no longer discussing whether—only how *much* of it—to confiscate, and how to redistribute it. As you see, the ingredients have already undergone drastic change. Is it reasonable to hope that America will nevertheless remain America?

And the greatest variety of assaults is launched against something I have come to refer to as “national identity.” Now, I realize that some people might have a reaction to that phrase because the term has been used by others as a wedge. I use it as a magnet. As such, it is a necessity. Something needs to bind people together, especially when they have converged, and continue to converge, upon a place from every corner of the globe.

Identity is about being similar or being different. Since our differences have been amply provided for by nature, we have to agree about those aspects of our lives that will make us similar. For the shared history that other nations have, Americans have successfully substituted a shared belief in, and adherence to, certain principles. A common language took the place of a shared culture. No state religion was established, but a Bible-based morality is taken for granted. Add to this a certain work ethic, an expectation of competence in your field of work (whether you split the atom or sweep the floors), a spirit of voluntary cooperation, insistence on choice, a fierce sense of independence—and you have the ingredients of the American identity. And, if you prefer to call it American character or, as George Washington did, “national character,” it will serve our purpose so long as we remain agreed about the ingredients. For it is these ingredients that have distinguished us from other societies, and enabled those who sweep the floors today to split the atom tomorrow.

The Founders’ Compass

Today, our nation’s leaders are engaged in choosing a path to pursue. Yet, all along, we have had a path to *follow*. It is clearly pointed in the Declaration of Independence, and our Founding Fathers complemented it with a superb road map they called the Constitution of the United States. Add to this the glossary we know as the *Federalist Papers* and it is hard to see why and how we could have lost our sense of direction. But lost it we have. That is why we need a compass—the compass in the title of these remarks.

Between 1776 and 1791, our compass was calibrated to keep us on the path of betterment—as individuals and as a nation. We even had a kind of “North Star,” a magnetic North, in what we call the rule of law. But instead, we now have rule by the *lawmaker*. Every member of the executive branch, every member of the judiciary has become a potential lawmaker, and, in most cases, they use its potential to the hilt.

Yet the rule of law stands for the exact opposite. As its basic property, it places the fundamental tenets beyond the reach of politics and politicians. Whereas it confers legitimacy upon subsequent laws that spring from its eternal well, it denies legitimacy to all legislative maneuvers that corrupt its purpose. It holds the makers, executors, and adjudicators of the law accountable at all times. Above all, it demands equal application to every man, woman, and child. Within its own framework, a prescribed majority may amend the law. But as the law

stands at any given moment, it must be applied equally. If accomplished, nothing in the history of human societies can match the significance and magnificence of equality before the law.

The aspiration for equality before the law began with the Magna Carta or even earlier, in King Arthur's court, where knights sat at a *round* table. But it took Thomas Jefferson to etch the concept in the minds of freedom-loving people everywhere, more permanently than posterity could have etched the words in the marble of the Jefferson Memorial. And even then, after those immortal words of the Declaration of Independence had been written, it took most of two centuries before America, land of the many miracles, almost made it a reality for the first time ever.

Attack on Rule of Law, Individual Rights

But it was not to be. The rule of law, our only alternative to the law of the jungle, came under attack just as it was about to triumph. The attacker displayed the irresistible charm of the temptress, the armament of the enraged avenger, dressed itself in intoxicating clichés, and wore the insignia of the highest institutions of learning. It called itself "social justice."

Let me make it clear: I do not speak of social conscience. *That* is a frame of mind, a noble sentiment, a measure of civilization. Precisely for that reason, while it has everything to do with our conduct, it has nothing whatsoever to do with laws. "Social justice," on the other hand, aims at the heart of our legal system by setting an unattainable goal, by fueling discontent, by insinuating a permanent state of hopelessness.

But above all, social justice is unacceptable as the basis for a stable society because, unlike the law, it is what anyone says it is on any given day. We need only to move back a few years, or travel a few thousand miles, and one is certain to find an entirely different definition of social justice. At the end of the day, it is nothing more than an empty slogan, to be filled by power-hungry political activists so as to enlist the participation of well-intentioned people.

The rule of law and a world according to "social justice" are mutually exclusive. One cannot have it both ways.

What have the rule of law and the pursuit of "social justice" respectively spawned over time? The rule of law gave birth to a series of individual rights. In other words, rights vested solely in individuals. Only individuals are capable of having rights, just as only individuals can be free. We say a society is free if the individuals who make up that society are free. For individuals to be free, they must have certain unalienable rights, and others upon which they had agreed with one another.

Social justice has spawned an aberration called "group rights." Group rights are the negation of individual rights. Group rights in effect say, "You cannot and do not have rights as an individual—only as a member of a certain group." The rule of law knows nothing about groups; therefore, it could not provide for, or legitimize rights of, groups. Groups have no standing in the eyes of the law. And, since their so-called rights are invariably created and conferred by persons of temporary authority, they are "subject to change without notice," as the saying goes, just like the definition of social justice itself.

Individual rights recognize and promote similarity. Group rights promote differences and stereotypes. Individual rights and group rights are mutually exclusive. One cannot have it both ways.

Among our individual rights, the right to acquire and hold property has a special place. If ever a concept came to be developed to protect the weak against the strong, to balance inborn gifts with the fruits of sheer diligence and industry, *property inviolate* is its name. But who am I to speak, after John Locke, Thomas Jefferson, and James Madison have pronounced on this topic. They held that civilized society is predicated upon the sanctity of private property, and that to guarantee it is government's primary function. Without absolute property there is no incentive. Without absolute property there is no security. Without absolute property there is no liberty. The freedom to enter into contract, the freedom to keep what is mine, and the freedom to dispose of what is mine underlies all our liberties.

Neither the search for "social justice" nor so-called group rights recognize, or respect, private property. They look upon flesh-and-blood individuals as faceless members of a multitude who, together, create a certain amount of goods. These goods belong to what they call the "Community." Then certain people decide who needs what and, being privy to some higher wisdom, distribute—actually *redistribute*—the goods. Redistribution is pursuant to group rights expressed in something called *entitlement*. Entitlements are based neither upon law nor upon accomplishment. Entitlements are based on membership in a certain group, and we have seen that groups are designated by persons of temporary authority, rather than the law.

The right to property and entitlements through redistribution are mutually exclusive. One cannot have it both ways.

Multicultural Identity

We have been ordered by the prophets of social justice to replace our national identity with something they call "multiculturalism." I will confess that some time in the past, I might have shared the allergic reaction some of you experience in the face of "national" and "identity." But then I noticed the enormous importance the social justice crowd attaches to the destruction of the American identity. Just think: bilingual education and multilingual ballots. Removal of the founding documents from our schools. Anti-American history standards. Exiling the Ten Commandments. Replacing American competence with generic "self-esteem." Replacing voluntarism with coercion. Encouraging vast numbers of new immigrants to ignore the very reasons that brought them here in the first place. The list goes on, and sooner or later it will affect national defense, if it hasn't already.

And for those who would point to Yugoslavia as proof of the tragedy nationalism can cause, let me say that a healthy national identity is utterly distinct from nationalism. Like the United States, Yugoslavia was created. But unlike in the case of the United States, ingredients for a national identity were not provided, and Yugoslavia imploded at the first opportunity precisely for that reason. Had it not done so, it would have succumbed to the first external attack, for no Croat would lay down his life for the good of Serbs or Bosnians. Will Americans lay down their lives if America is nothing but a patchwork of countless group identities?

Will the armed forces of the United States fight to uphold, defend, and advance the cause of multiculturalism?

This is not a frivolous question.

The questions before us are serious, and legion. We are virtually drowning in what we call "issues," and they are becoming increasingly difficult to sort out. How do we find our position? And, once we find our position, how do we argue its merit? Above all, how do we avoid the

plague of every issue coming at us like an octopus and, just as we figure out how to tackle each arm, turning into a turtle inside its impenetrable shell?

Re-Calibrating the Compass

We asked you to hear me today, because the Center for the American Founding has a proposal to submit. We call it “Four Points of the Compass” because these points provide direction, because, in a manner of speaking, they constitute a re-calibration of our compass, which the events of the past 30 years have distorted. They are the rule of law, individual rights, the sanctity of property, and the sense of national identity. As you have seen, they are interconnected; they literally flow from one another, just as the false compass points that have come to displace them—social justice, group rights, redistribution and multiculturalism—are interconnected and flow from one another. What is multiculturalism, if not a redistribution of cultural “goods?” What is redistribution if not a group right? What is a group right if not the implementation of some political activist’s version of “social justice?”

For 30 years, we have acquiesced in a steady erosion of America’s founding principles. The time has come to reverse the movement. Rather than contending with countless individual issues, all we need to do is take the debate down a few notches, closer to the core. We submit that all future policy and legislative initiatives be tested against the four points of the compass. Does the proposed bill negate the rule of law? Does it violate individual rights? Does it interfere with the sanctity of property? Does it constitute an assault on national identity? The proposal could proceed only if the answer is “no” in each case. In other words: Only if the answers are “no” is the bill a “go.”

A few items need tidying up. How do we know what the rule of law can accommodate, and how far do we take individual rights? The answer, in both cases, comes from Article VI of the Constitution. “This Constitution, and the laws of the United States which shall be made in Pursuance thereof...shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby.” It is as uncomplicated as that.

In the coming months, we intend to approach the citizens of this great nation and their representatives at all levels with a call to consider adopting this approach. We will hold panel discussions and town meetings so as to invite, engage, and incorporate the wisdom and experience of Americans everywhere. There will be retreats and, by year’s end, there will be a book with all the details. We do not underrate the magnitude of the step we are proposing, but we honestly believe it will make life a great deal easier. With a simple stroke, it will become clear that one cannot take an oath upon the Constitution and support group rights. One cannot take an oath upon the Constitution and support the confiscation of property without compensation. One cannot take an oath upon the Constitution and support measures that are clearly at odds with the mandate for national defense.

We cannot have it both ways. We have to choose our compass and remember the four points. They are, as we have seen, inseparable. Therefore: Only if the answers are “no” is the bill a “go.”

I do not believe that last November the people of this country voted for the lukewarm bath of bipartisanship. I believe the people of this country said: If you don’t give us a real choice, we won’t give you a real election. Yes, people probably have grown tired of the “issues,” but they are, I am certain, eager to partake in an effort to choose either a return to our original path, or a clean and honest break with the past.

Those who feel that the time has come to change the supreme law of the land should come forward, say so, and engage in an open debate. But let us not continue a pattern of self-delusion. We are heirs to a remarkable group of men who, 200-plus years ago, had every reason to feel similarly overwhelmed by the number of decisions they had to make. Their response was to make very few laws, for they knew that the fewer the laws, the broader the agreement. They knew people find it hard to agree on everything. So they sought agreement on core principles they held to be non-negotiable.

Today, we propose the four that ought to be non-negotiable. They are, as we have seen, inseparable. We call them the four points of the compass. Together, they can and will restore America's sense of direction.