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A New Class of Duties: Restoring America's Meaning

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The speakers that have preceded me have done a marvelous job of discussing many of the problems and challenges that have caused us to consider where America stands at the dawn of the 21st century; its identity and meaning. What I would like to do today is take a somewhat different tack.

Let me begin by citing, for purposes of illustration, some examples of where we are as a way of helping us understand just how difficult it will be to get us where we need to be. I offer the following as illustrative of aspects of America that we must understand and confront as we seek to restore America's meaning:

- No Child Left Behind,
- *Wickard v. Filburn* (1942),
- Reality television,
- iPod/iTunes/cell phones,
- Katrina,
- Red states/blue states.

No Child Left Behind

In January of 2002, President George W. Bush signed the No Child Left Behind Act into law. It was his number one domestic priority, the product of strong bipartisan support in Congress (something we have not seen since), and it has had a major impact on the way the nation approaches and understands K–12 education.

It also expanded considerably the role of the federal/national government in K–12 education. It calls for higher standards and expectations for schools, students,

Talking Points

- Restoring America's meaning must begin with restoring the Constitution, being willing to go where the Constitution takes us as opposed to taking the Constitution where we want it to go.
- Restoring America's meaning will also require the revival of constitutional and political federalism as an animating principle of the American way of life.
- Leaving education only to educators and government schools risks creating a generation of Americans who don't know who they are because they never learned what America is. We are always just one uneducated generation away from losing America's meaning.
- We must teach our young people that America was created by individuals willing to risk "their lives, their fortunes and their sacred honor" and that it is their responsibility to pass that same sentiment on to the next generation.

This paper, in its entirety, can be found at:
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The Lehrman Lectures on Restoring
America's National Identity

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and teachers. It establishes consequences for failing to live up to those expectations, and it offers parents options for their children when schools fail to deliver.

We can debate the wisdom of the law, the appropriateness of it, even the constitutionality of it. What I would like to point out is the sad fact that in 21st century America, we think we need such a law.

In 21st century America, it takes an act of Congress to expect more from our children's schools. It shouldn't. It shouldn't take an act of Congress to expect more from our schools, our teachers, our students. It shouldn't take an act of Congress to create educational opportunities or to hold schools accountable. It is, after all, public education. The public—parents, school boards, employers, local leaders, taxpayers—could have done everything contained in the No Child Left Behind Act. But they didn't. Indeed, they turned to government, first at the state and then the national level, to do what they could have done and once did.

It says something about the meaning of America, its character and identity in the 21st century. Public schools are now really thought of as government schools. Citizenship is really more akin to consumership. We purchase education with our tax dollars. We expect government to deliver it. When it doesn't, we expect government to do something about it. Those schools aren't really *our* schools; they are government schools. That's why we pay our taxes.

Wickard v. Filburn

During the Senate Judiciary Committee hearing regarding the confirmation of Judge John Roberts, an interesting exchange took place between the judge and Senator Chuck Schumer of New York. Concerned with the Court possibly overturning acts of Congress because they overstep (in the eyes of the Court) the Congress's authority under the Constitution's commerce clause, the Senator wanted to know whether Judge Roberts would consider *Wickard v. Filburn* settled precedent. He really needled him on this point. The judge, doing what he did so very well during the hearings, waffled magnificently.

In *Wickard v. Filburn*, the Supreme Court found that a farmer growing produce in his yard for per-

sonal consumption and not for sale was engaged in interstate commerce and therefore subject to regulation by Congress through the commerce clause of the Constitution. That clause states: "Congress shall have Power...to regulate Commerce with foreign nations, and among the several States, and with the Indian Tribes." Commerce. Among the States. In this decision, in other words, the Court found that the act of growing tomatoes in my garden for use in my salad at my dinner table during warm summer evenings in Carlisle, Pennsylvania, is engaging in commerce among the states (at least hypothetically).

Wickard should be understood within the line of cases that came after the Great Depression and Roosevelt's New Deal and established, after considerable economic turmoil and political pressure (the "court packing" plan), the constitutionality of the New Deal initiatives and the greatly expanded powers of the national government. Since then, and not only through the commerce clause, the powers of the national government have continued to expand under Republican and Democratic Presidents and Congresses.

We can debate the wisdom of *Wickard*, its necessity or lack of it given the times. But it does tell me that at some point in 20th century America, the Court, along with the national government, abandoned the notion that the words in the Constitution have consequences, have meaning, and can limit what the government does in favor of economic, political, and government need and/or expediency.

In 21st century America, there are those in Congress and elsewhere who are very determined to make sure this continues to be the practice. And that says something about the meaning of America, the character of the American identity—that we have a Constitution that we tend to celebrate and revere, and yet we don't really have to pay much attention to it.

Reality Television

The still infant 21st century ushered forth a new kind of television entertainment: reality TV. It started slowly and gamely with something called "Survivor," which was about a group of relatively attractive people trying to outdo one another to become the final "survivor" on some desert island somewhere. I am

not sure how this reflects “reality,” but it was a big hit, with men and women, boys and girls all over America glued to their televisions once a week.

There followed an onslaught of similar shows with a variety of settings and themes. Some invited the viewers to get involved—“American Idol,” “American Teenage Idol.” Others employed celebrity icons such as Donald Trump or Martha Stewart or Iman to hook the viewer into weekly contests testing participants’ skills at this or that, leading up to the breathtaking final episode when the final “survivor” emerges to enormous applause, buckets of money, and the inevitable interview on morning talk-show television.

No doubt the reality television phenomenon says many things about the character of the American identity in the early 21st century. That we watch reality television because we can’t handle reality? That we are so bogged down by the downright boredom of our real daily lives that we hunger for the reality of television even though it is quite unreal? That watching something happen on television, and perhaps even trying to influence what happens, say by voting for our American Idol, is more satisfying, entertaining, fulfilling, and easier than getting up, going out, and dealing with the real reality?

That observation and “virtual” participation might be becoming the norm in our democracy can only lead to a decay of that democracy. Democratic government has always required much more than merely casting a vote every now and then. It requires mixing it up, talking with one another, thinking about things and people, debating, arguing, getting engaged—really engaged—in issues.

It is a very human enterprise, democratic self-government. It can’t be accomplished through televisions and cell phones. That we now have in place the technology and know-how to vote from our homes does not mean that we can practice democratic self-government from our living rooms.

iPod/iTunes/Cell Phones

And now we have the latest rendition of the quickly-becoming-ubiquitous iPod. Now you can watch television on a tiny screen as well as carry along, say, the 5,000 most important tunes in your life. Now you can watch the most recent segment

on “Desperate Housewives” while riding on the Metro. Now, *that’s* progress!

Soon, no doubt, you will see men and women, boys and girls, sitting at tables with wires connected to both ears and to their lapels or ties or shirts. You will see them talking into their cell phone microphones as they nod their heads and tap their toes to the iPod tunes and watch their eyes dart as they watch the iPod television screens. All of this while they “converse” with one another over lattes at Starbucks.

If you think this is a bit far-fetched, ask yourself: Who among us has not been in meetings during which people discreetly check their BlackBerries for that ever-important e-mail or try to quietly e-mail someone about some obviously very urgent matter?

All of this will become as commonplace as cell phone conversations in airports, cell phone conversations as we cross the street, walk to class, drive the car, bathe the baby, cook dinner, and spend the evening watching reality television. As commonplace as sneaking a peak at the BlackBerry while driving on the Beltway. Just think: e-mail, phone calls, favorite tunes, and “Desperate Housewives” all within easy reach to and from work!

And we will marvel at our “progress” and technology as we stop talking with each other, choosing to talk *at* each other. As we gradually replace conversation with chatter. As we stop looking into one another’s eyes, choosing to look past each other, or through one another, or in the rearview mirror. It has a label: multi-tasking. It means everyone is engaged in “continuous partial attention.” And “continuous partial attention” warps rapidly into paying no attention at all.

Katrina

All of this is becoming commonplace until something interrupts things, catches our collective attention, and interrupts our programming. Something like Katrina: a once-in-a-lifetime storm that punches us in our national gut. In its terrible wake, millions send millions to help millions recover. It’s the American way of helping out our fellow Americans. Send money. Hold bake sales, benefit concerts, television telethons.

Two big takeaways from our Katrina experience: Send money and governments screwed up. We have come to expect and rely upon the governments to help us get through disasters like Katrina: local, state, federal governments. Organize the effort, deliver the goods, mobilize the masses, coordinate the relief, get the job done.

But it didn't. They didn't. By most accounts, they still aren't. Governments are not getting this job done. Is it because it's too big a job? One might think that one of the reasons governments exist, after all, is to do the sorts of things that are beyond individual or community effort. Or is it because we have lost touch with the fact that the government is us?

We send them billions of dollars, and we expect the governments to get the job done. With Katrina, mayor looked to governor, governor looked to President, and President looked to "Brownie,"—then-FEMA director Michael Brown—and "Brownie" looked around and no one was there. The people in Mississippi and Louisiana did what the governments told them to do, but the governments didn't do what they said they would do. But it can't happen without governments. So it didn't happen—and still isn't happening.

What does it tell us about us when we have come to depend upon governments to take care of us and don't know what to do when they don't? Katrina is the most potent example, but there are countless others every day, less dramatic but potentially very dramatic: health care, energy, environment, transportation, education, Social Security, economic development, etc. The governments are supposed to take care of those things. That's why we have the governments.

When things go wrong, we expect the governments to fix things, but we don't know what to do when they don't. We don't know how to fix things ourselves anymore. Our governments are different from ourselves now. Government is supposed to fix our problems, take care of things, take care of us. We're too busy doing what we do.

Red States, Blue States

There are deep divisions among us: red state, blue state. Not just partisanship and competition,

but moral outrage and anger and frustration. Votes don't count, go to court. Election shenanigans, go to court. Recount, go to court. Once elected, continue to campaign. It is personal. The divisions are deep. We talk about a divided nation, divided families. It sounds like a civil war. Our politics has taken on the veneer of hostilities between the states, among the states: Take no prisoners. Battle for the soul of America. And it is taking its toll on the soul of America.

Are you red or blue? Are you this kind of American or that kind of American: African American, Hispanic American, Italian American, Latin American, Native American, Asian American, Pacific American, Red American, Blue American? Melting pot, mosaic, tossed salad, boiling pot: a nation made up of people who identify themselves by something apart from the nation in which they live. I am what I am and then American. It has become the American way, even though it is at odds with the way of America. *E pluribus unum* has become *E pluribus pluribus*.

We have allowed ourselves to become obsessed with who we are as people rather than focusing on who we are as a people. Even as we think of ourselves as individuals, we identify with the larger group, but not the group that counts: America. Individual rights have been transformed into group rights as we identify with this or that group. And then, of course, we go to court, and in the process, the distinctions between rights and privileges and entitlements and interests begin to blur, and we need someone in the governments to settle the dust for us.

In this very divided America, the language that is employed becomes coarse and harsh and, at times, nasty. But that's all right, because we have become used to it after years of watching television and movies and listening to our parents.

And what about our children? They're listening and watching and will mimic us and learn from us. What will America mean to our children? More of the same?

This lecture series has focused on some of the real challenges to the meaning of America. It has focused on how we have come to this time and place.

What I have cited here are merely examples of the sorts of challenges we must confront if we are to seek to restore America's meaning. They are not really signs of troubled times; they are merely signs of the times. But they challenge our very ability to take stock of ourselves as a nation and as a people and as we seek to reaffirm those principles, values, ideals, and ideas that give America its meaning and identity. They represent some of the "noise" we will have to penetrate in order to animate the sentiments, the soul of America.

These are merely examples of where we stand today, who we are today, how we think, talk, act, and react. I don't begrudge any of it. I don't own an iPod, but as I worked on this presentation at my computer, I listened to *Beethoven.com* and checked my e-mails and scanned the Web blogs for breaking news. And I sent some money for Katrina victims and screamed at the television as I learned of the incompetence of disaster relief efforts.

My point is not to pass any judgment here. It is merely to point out that this is where we are, who we are, and to point out that we need to acknowledge this as we go about seeking to build a campaign to restore America's meaning. It will be difficult, but it is essential.

A Campaign to Restore America's Meaning

As has occurred in our nation's past, we stand once again at a crossroads. Some of the challenges are obvious: government exceeding its authority, spending beyond its resources, and trying to do just about everything and ending up doing almost nothing very well; a nation confronting a relatively new enemy who knows no nation or state and seeks to cripple ours; another foreign war being fought to advance the cause of freedom, even while sentiment at home is divided over the war and perhaps even ambivalent about advancing the principle; and an economy that seems fragile and dependent upon forces and actors beyond our control and not necessarily friendly to our interests.

But some of the challenges are more subtle—such as the ones I have sought to point out here. They are aspects of the culture of America that are

as much the product of America's success as they might be challenges to its very meaning and future.

- They challenge the way we have come to know one another, interact and deal with one another.
- They challenge how we think, speak, listen, and learn.
- They stimulate the mind even while they deaden the intellect and, gradually, everything begins to blur: information and entertainment, facts and opinions, ideas and idols.
- They define how we think of one another, ourselves, and our nation.
- They tell us a great deal about who we are; how we understand our government, our Constitution, and our constitution as a nation; how we are constituted.

A campaign to restore America's meaning must begin by recognizing all of this. And, recognizing all of this, a campaign to restore America's meaning takes on even more urgency.

What might be the components of such a campaign, and how might such a campaign be waged?

A campaign to restore America's meaning must begin with restoring the Constitution. Recent weeks demonstrate just how difficult this is proving to be. Restoring the Constitution begins with recognizing that words matter, that the document was designed to get in the way, and that we shouldn't seek to invent ways to get from words meaning that might suit our needs and wants and desires but does violence to the words themselves.

Restoring the Constitution means what we may want as a result must always matter less than what the Constitution says and means. *Wickard v. Filburn* is a good example of the problem. So is *Roe v. Wade*. The issue should not be whether the Constitution is read as pro-abortion or anti-abortion. The issue is whether *Roe* is good constitutional law. One can be in favor of choice in abortion and acknowledge that *Roe* is bad law. We must be willing to set aside our personal policy predilections in favor of "taking the Constitution seriously." We must be willing to go where the Constitution takes us as opposed to taking the Constitution where we want it to go.

This will require us to deal, finally, with the idea of the “living” Constitution. Born of the Progressive Era and nurtured to this day by a philosophy that says the Constitution’s meaning must be adjusted as time goes by, as time goes by the Constitution begins to mean whatever judges feel it has to mean; which is to say, it has no meaning independent of the one of the moment and rendered by the robe.

This is at odds with the very idea of a written Constitution and everything those who wrote the document had in mind: not a “living” Constitution, but a permanent one. I think Walter Berns said it best: The idea isn’t to keep the Constitution in touch with the times; it is to keep the times in touch with the Constitution.

Restoring America’s meaning will require reacquainting Americans with their governments in a way that nurtures citizenship and self-government. This is especially difficult in the modern age—and especially important. It will require countering our tendency to turn to governments for the answer to our problems with a sense that we should turn to one another, and to ourselves as individuals.

Self-government always begins with governing one’s self. It will require turning to social and community institutions more often than governmental institutions. It will require the revival of constitutional and political federalism as an animating principle of the American way of life. It will require us to reestablish the notion that governments exist to facilitate and enable us to get things done, to do what we want to do, accomplish what we seek to accomplish, not to do all things for us.

Restoring America’s meaning will require us to pay much greater attention to our children’s education and to who teaches our children and what they are being taught—not only in elementary and secondary school, but in college as well. Public education needs to help us create good citizens capable of self-government. It needs to help us ensure that our children learn fundamental principles and practices of government and the ideals behind those principles and practices. It needs to help us instill those values in our children that will enable them to grow into honorable adults who understand and know their country.

Schooling, at any and every level, needs to help us prepare our children. We, the adults, the parents, must always be the first teachers. Public education begins and ends with the public—the people. We must reinvigorate the idea that those are our schools, our children.

We cannot allow the attitude that education in America is to be left to educators and government schools to continue. If we do, we forsake one of the fundamental responsibilities of a democratic people and run the risk of creating a generation of Americans who don’t know who they are because they never learned what America is. We are always just one uneducated generation away from losing America’s meaning.

Making Patriots

We will need to teach our children to believe in something, to stand for something, that tolerance is not indifference, that an open mind is not the same thing as an empty head. They need to learn the three things essential to a full life: something to live on, something to live for, and something to die for. We must teach our young people that America was created by individuals willing to risk “their lives, their fortunes and their sacred honor” and that it is their responsibility to pass that same sentiment on to the next generation.

We must be about the business of making patriots.

In order to restore America’s meaning, we must employ a better and more meaningful rhetoric in our discussion of American culture, politics, and values. We need to be willing to unselfconsciously speak of those ideals and principles that give America meaning.

We all learned years ago that “ideas have consequences.” We need to remember that how we convey those ideas does too. And we need to refer to those American ideas as we discuss and advance or oppose policy prescriptions. We need to clothe the policy debates in broader philosophical and intellectual contexts. You make the case for the meaning of America in how you talk about America.

We must talk to America and have a conversation with America. Restoring America’s meaning will require getting beyond the governments and

the filters of the “chattering classes.” It will require engaging Americans where they are, getting them to put aside, even if only briefly, the clutter and to take time to reflect and consider what it is that should matter to Americans.

A nation of multi-taskers—a nation of men and women in a state of “continuous partial attention”—is a nation not really paying attention to anything. It is a nation so caught up in itself and the moment that it has a difficult time engaging in self-conscious reflection about who we are, what we stand for, what truly matters, and how to protect what truly matters. We need to wage a popular campaign to help Americans come to remember America, get to know it again, identify with it again. We need to get America’s attention.

As we go about all of this, we will need to change our tone. It’s all about what America stands for, not what it opposes. Our nation is all about hope, aspirations, and dreams. It is about the endless possibilities of individual freedom and community and civic cooperation.

Our rhetoric—and never underestimate the importance of rhetoric—needs to reflect this. We need to be hopeful, aspirational, inviting, encouraging. Remember the lessons of Ronald Reagan: We can restore America’s meaning only by employing in our language and actions the positive, confident, uplifting, and inspiring message that is America.

Restoring America’s meaning will require us to put America ahead of ourselves in how we think of ourselves. This doesn’t mean we must set aside our culture, heritage, language, race, gender, etc. It means we celebrate all of those things within the context of being an American. It means thinking about what we have in common before thinking about what distinguishes one from another. It means that understanding what America means should inform who we are as individuals.

And we must seek to move beyond the temporary divisions that cripple us and seek to emphasize those values that unite us. It is impossible to restore America’s meaning among a people wedded to a moment, a candidate, a cause, or a contest. We must seek to get beyond the divisions and the moment so that we might reacquaint Americans

with the larger purposes those candidates and causes and elections are supposed to serve.

Restoring America’s meaning will require, in the end, our willingness to assert that it indeed does mean something, to assert that America is indeed different. It is more than a place. It is more than a people. It will require a willingness to assert that it is a special place with a special purpose—indeed, that it is the best place because of its purpose. If we are not willing to do that, then America has no meaning.

Needed: Unswerving Dedication

To accomplish all of this—and there is so much more that we shall need to be about—will require an unswerving dedication to a cause that is larger than any time or place or person or policy. It will require a willingness to put aside momentary victories in order to ensure long-term triumph. It will require the prudent marriage of principle with politics. It will require identifying those men and women with the intellect, integrity, talent, and courage to engage others in the essential conversation. It will require us, each of us, to get to know America again before it is too late. This will be our duty as Americans.

At the dawn of the Great Republic, Benjamin Rush contemplated the challenges confronting an emerging nation with a new form of government. He knew that how that nation prepared its next generation would, in large part, shape the destiny of the nation. He knew that the new nation would offer both the awesome responsibilities and magnificent opportunities of self-government. He knew that “the form of government we have assumed has created a new class of duties to every American.”

Rush and the Founding Generation lived in a time unlike any in the history of the world. They worked to begin the world anew. Their creation has changed the world forever.

We must be willing, as every generation of Americans must be, to take on this “new class of duties” as well. For we, too, live in a time unlike any other, and there is everything at stake.

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