

Book Review





American covenant: how the constitution unified our nation and could again [Yuval Levin. New York: basic books; 2024]

Abstract

It is much easier to find flaws than unifying traits in the U.S. Constitution. Yet, author Yuval Levin defends the bargaining and negotiating that got us the original document and its amendments against charges that the government structure wrought by them turned out to be anti-democratic. Instead, Levin contends that the Constitution's struggles have fostered solidarity and a common commitment toward success. He favors the Madisonian model of American constitutionalism.

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Introduction

In his most recently published book, Yuval Levin challenges the current political environment of partisanship and negativity, in which proposed reforms often call for a complete overhaul of the U.S. Constitution. Levin traces how the Constitution's structural components, while tested, have adapted to changes.

Levin brings a diverse background to the subject matter. He previously served as a domestic policy advisor to President George W. Bush. His journalistic experience includes stints at the several magazines and as a contributing opinion writer for the New York Times. Currently, Levin is director of social, cultural, and constitutional studies and Beth and Ravenel Curry Chair in Public Policy at the American Enterprise Institute.

Content

The book's content includes nine chapters, bordered by a separate Introduction and Conclusion. In the Introduction, Levin asserts that the success of the Constitution's framers in crafting the document amid the turmoil of their time should give hope to the present predicament. In Chapter 1, Levin outlines a five-part framework for highlighting components of the Constitution: legal, policymaking, institutional political, and unity. He notes that the first four approaches contribute to the fifth's emphasis on common ground. The methods by which the framers resolved differences competition, negotiation, and productive tension have been ingrained as part of the shared American experience.

Levin explores ways to conceive of the public in Chapter 3. These conceptions include as an electorate, as an organized body of citizens, and as individuals and communities pursuing self-government. How citizens interact with government at various levels is the topic of Chapter 4, which outlines benefits and drawbacks of American federalism. Just as federalism can be faulted for facilitating slavery, so it allows diversity and communal rights. In Chapters 5 through 7, Levin explores how the framers created the branches of national government in the Constitution and how each has evolved over time. Dealing with the legislature, Levin depicts how the Congress has gone from a unifying force to a broke and dysfunctional institution.

However, his ideas for reform remain within the current system. Levin explains how the presidency's positive features have been muted by sudden electoral changes and by growth of an "administrative state." He recommends returning to unity acting together as a mode of action. For Levin, the contemporary criticism of the courts in the American political system can be reversed by a proper understanding of their role in the first place.

In Chapter 8, Levin discusses trends in partisanship which have affected the American political system at various junctures. He cites the Madisonian model of American government over more extreme forms which dilute or prevent minority participation, arguing the end result is consensus. In Chapter 9, he reviews the type of unity which the Constitution represents: a civic friendship; solidarity from shared commitments; and ultimately, a way of life more than simply a condition. In the Conclusion, Levin acknowledges the Constitution's shortcomings and the pursuit of improvement promised in its Preamble.

Comparison

Levin's book can be compared to other books which evaluate the Constitution. There are generally three types of books in this regard. First, some publications analyze the Constitution from a neutral perspective, such as that of Sally McFall in 2005.¹ Conversely, research by Edward Snowden in 2013,² Rana Aziz in 2024,³ and Erwin Chemerinsky in 2024⁴ are decidedly pessimistic about the Constitution's prospects. The present book is closest to another 2024 book authored by Dennis Hale and Marc Landy,⁵ which trumpets the Constitution's procedures and processes.

Commentary

Two writers offered a judgement of Levin's book shortly after its publication. Samuel Goldman states that "the crises of the past were surmounted by adopting and upholding the Constitution, not by overturning it. That is the blessing and burden of a covenant to which Mr. Levin recalls us in this most recent hour of need". Similarly, Michael Rosen observes that "Levin persuasively points a way forward for us to clean up our republican hygiene, inspired as we



should be by the Constitution, that supremely benevolent gift of our founding generation".⁷

Conclusion

Beyond offering an effective defense of the Constitution generally, Levin identifies those traits which promote unity. Chief among them is a connection between the Constitution's structure and the political culture that it is a part of. If nothing else, Levin is eternally optimistic. Yet, his prescription is logical: renewing a spirit of cohesion by common action will reverse the declining trust in American institutions and rejuvenate confidence, proving the longevity and limberness of the Constitution.

Acknowledgments

None.

Conflicts of interest

The authors declare that there is no conflict of interest.

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