



The Decline and Fall of the American Republic (Tanner lectures on human values)

Bruce Ackerman

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Constitutional thought is currently dominated by heroic tales of the Founding Fathers — who built an Enlightenment machine that can tick-tock its way into the twenty-first century, with a little fine-tuning by the Supreme Court. However, according to Bruce Ackerman, the modern presidency is far more dangerous today than it was when Arthur Schlesinger published the *Imperial Presidency* in 1973. In this book, he explores how the interaction of changes in the party system, mass communications, the bureaucracy, and the military have made the modern presidency too powerful and a threat to liberal constitutionalism and democracy. Ackerman argues that the principles of constitutional legitimacy have been undermined by both political and legal factors. On the political level, by “government by emergency” and “government by public-opinion poll”; on the legal, by two rising institutions: The Office of Legal Counsel in the Department of Justice and the Office of the Presidential Counsel in the White House. Both institutions came out of the New Deal, but have gained prominence only in the last generation. Lastly, Ackerman kicks off a reform debate that aims to adapt the Founding ideal of checks-and-balances to twenty-first century realities. His aim is not to propose definitive solutions but to provoke a national debate on American democracy in its time of trouble.

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