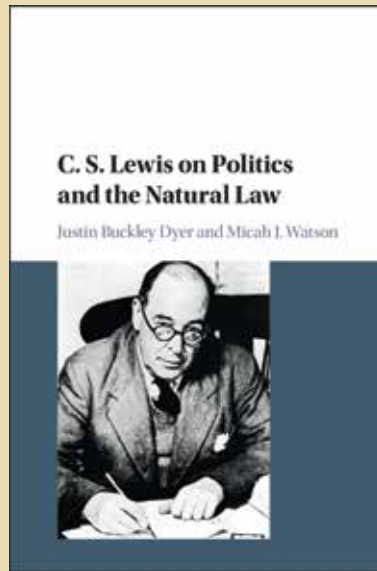


KINDER FACULTY PUBLICATIONS

From Justin Buckley Dyer and Micah J. Watson

Conventional wisdom holds that C. S. Lewis was uninterested in politics and public affairs. The conventional wisdom is wrong. As **Justin Buckley Dyer** and **Micah J. Watson** show in this groundbreaking work, Lewis was deeply interested in the fundamental truths and falsehoods about human nature and how these conceptions manifest themselves in the contested and turbulent public square. Ranging from the depths of Lewis' philosophical treatments of epistemology and moral pedagogy to practical considerations of morals legislation and responsible citizenship, this book explores the contours of Lewis' multi-faceted Christian engagement with political philosophy generally and the natural-law tradition in particular. Drawing from the full range of Lewis' corpus and situating his thought in relationship to both ancient and modern seminal thinkers, *C. S. Lewis on Politics and the Natural Law* (Cambridge University Press, forthcoming July 2016) offers an unprecedented look at politics and political thought from the perspective of one of the twentieth century's most influential writers.



UPCOMING RELEASES

Alasdair Roberts, *Four Crises of American Democracy* (Oxford University Press, forthcoming December 2016)

Jay Dow, *Electing the House: The Adoption, Institutionalization and Performance of the U.S. Single-Member District Electoral System* (University Press of Kansas, forthcoming Spring 2017)

FALL 2016 PROGRAMMING

While final details for our Fall 2016 calendar are still taking shape, we are thrilled to share news about a series of lectures that we're developing as a partner organization in the NEH's "Humanities in the Public Square" grant initiative (administered through the Missouri Humanities Council). Thematically focused on the causes and consequences of—as well as the remedies for—the social and political fracture of modern day America, the Kinder Institute's contributions to a statewide schedule of events for the grant will include an October 5 talk on religious freedoms by the University of Notre Dame's Tocqueville Associate Professor of Religion and Public Life **Vincent Phillip Muñoz**, a lecture on the future of the left, delivered by University of Pennsylvania Professor of Political Science **Adolph Reed**, and a monthly film series at Columbia's RagTag Cinema on dystopian visions of American electoral politics, beginning on September 6 with a screening of Gregory La Cava's 1933 *Gabriel Over the White House*.

In addition to the NEH events, University of Michigan Associate Professor of Political Science **Mariah Zeisberg** will give our annual Constitution Day Lecture on September 20, and University of California-Davis Professor **Eric Rauchway** will give a September 7 talk, sponsored by the Pulitzer Foundation's Centennial Project, tracing former *St. Louis Post-Dispatch* long-form journalist and Truman Press Secretary Charles Ross' Pulitzer-winning commentary on the causes of the Great Depression to the present day.

We will update the soon-to-be-revamped Kinder Institute website with further details about these and other upcoming events as the dominoes fall into place.

democracy.missouri.edu



KINDER INSTITUTE
on CONSTITUTIONAL DEMOCRACY



NEWSLETTER | SUMMER 2016

The COLUMNS



FIRST HIRES

Faculty additions mark perhaps the surest-fire indicator of growth at the Kinder Institute. Set to arrive in August, our two recent faculty hires, Professor Jay Sexton (of Oxford) and Associate Professor Adam Seagrave (of Northern Illinois University), will, among other things: allow us to add new dimensions to the curriculum for our undergraduate minor and certificate; help us attract graduate students to MU whose work focuses on American political development, thought, and history; and further enhance the intellectual community at the Kinder Institute by introducing new voices into the active, interdisciplinary fray that we've had the pleasure of cultivating over the past two years.

Continued on page 3

SUMMER GROWTH

With campus life grinding to a (near) halt, the Kinder Institute is using the summer lull as an opportunity to complete work on a handful of projects that we started developing during the past school year. We hosted our inaugural summer academy for Missouri high school teachers in mid-June to great success (see p. 12 for details); our revamped website is set to go live in August; and after two years of being scattered on campus between Read Hall, the Professional Building, and the Law School, we started the process of moving into our new central offices in Jesse Hall on June 23, where our two recent hires (see left), along with our 2016-17 graduate and postdoctoral fellows, will join us when the fall semester starts.



Another recent development that we are particularly excited about and wanted to highlight here is the Kinder Institute Scholarship Fund, which was established in late-June. Since the beginning, the heartbeat of the Kinder Institute has been our undergraduate programs, and during the past year, we have been exploring ways to extend the opportunity to participate in these programs to a greater number of MU students. It's our sincere belief that the Scholarship Fund will enable us to accomplish this goal. To start off, all contributions to the Fund will go toward providing students with the financial assistance necessary to take part in our Kinder Scholars Summer Program in Washington, D.C., as well as in our summer study abroad courses in the Netherlands and Scotland. Over time, our hope is that the Fund might evolve into a resource that can also be used both to reward excellent undergraduate scholarship on American political thought and history and to attract elite high school students to our new *Constitutionalism and Democracy* Honors College course series, which is set to launch in Fall 2016.

Parties interested in contributing to the Kinder Institute Scholarship Fund can do so by visiting giving.missouri.edu or by contacting the Kinder Institute directly.

We would like to thank everyone for the support they have shown over the past two years as we have steadily grown the Kinder Institute, and we hope that you enjoy reading up on our recent happenings in Columbia (and elsewhere) and that this newsletter finds you well.

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NEW HIRES *continued from page 1*

Both were generous enough to field questions from Kinder Institute Communications Associate Thomas Kane during June about their respective moves to Columbia.

A Midwestern Homecoming

If it's true, as Thomas Wolfe once famously posited, that “you can't go home again,” you can at least get within 300 miles or so. After spending 16 of the last 17 years at University of Oxford, first as a Marshall Scholar (at Worcester College) and then as a University Lecturer and Field Fellow (at Corpus Christi College), Salina, Kansas, native and KU graduate **Jay Sexton** will return to the Midwest as the first Kinder Institute Chair of Constitutional Democracy.

Though re-locating stateside, Professor Sexton's scholarly gaze remains fixed on “the global dimensions of constitutional democracy.” In discussing the critical hand that organizations like the Kinder Institute can have in steering dialogue about political history, he noted the importance of cultivating awareness not only of “how external forces have shaped American traditions” but also “how U.S. practices of constitutional democracy have conditioned the political development of nations and institutions beyond America's shores.” His current book project, a history of how steam transport “connected the United States to the wider world in the 19th century,” reflects this interest in exploring the networks of influence that have shaped political culture over time, particularly in the decades before and after the Civil War. As he explained when he presented research for his new book during a February 2016 colloquium on campus, while important work has been done to unpack the economic and technological significance of advances in steam power, far less attention has been devoted to studying the degree to which these advances contributed to and accelerated nation building and imperial expansion at home and abroad. In his telling, the rise of steam culture “is just as much a story of political processes, both in the United States and in foreign ports and transit routes, as it is one of technological innovation.”

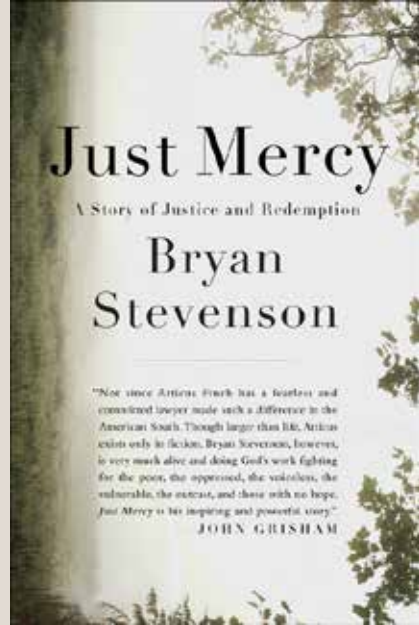
From building a study abroad program at Oxford for MU undergraduates to integrating the Kinder Institute's “cutting-edge” faculty into scholarly networks of political historians outside the United States, Professor Sexton said he likewise has aspirations on bringing the global emphasis of his current research to the Institute. Add to these opportunities “the fact that my family are in KC—and that the Truman Sports Complex is a mere 75 minute drive away—and the decision” to trek across the Atlantic to Columbia “made itself.”

The Path to Reconnection

Though it may not have the poetic meter of Tinker to Evers to Chance, the path from Aristotle to Madison to Locke was a formative one for **Adam Seagrave**, the newly minted Kinder Institute Associate Professor of Constitutional Democracy. After encountering *Ethics* and *The Federalist* as an undergraduate at Thomas Aquinas College, Professor Seagrave described how he then “got ‘stuck’ on Locke and the relationship between the ideas of natural rights and the natural law” in the early stages of his doctoral studies at the University of Notre Dame and how this worthy detour shaped his career. It led first to a stint teaching Great Books at Pepperdine University and then a return to Notre Dame, where he worked with Prof. Michael Zuckert to launch the journal *American Political Thought*, and it subsequently was central to the scope of his first book, *The Foundations of Natural Morality: On the Compatibility of Natural Rights and the Natural Law* (University of Chicago Press, 2014), which he published during his time as an Assistant Professor of Political Science at Northern Illinois University.

Far more than source material for his scholarship, though, in discussing his shift from NIU to Columbia, Prof. Seagrave underscored the broader social importance of the currents of thought that figures like Locke advanced and on which organizations like the Kinder Institute focus. Specifically, in commenting on the “crisis of identity and meaning” that mainstream American (and Western) political culture currently is experiencing, he emphasized how reinvigorating interest in the philosophical foundations of liberty and equality is essential to staving off “the disastrous consequences” that follow from free societies “progressively losing touch with their founding principles.”

If the act of rekindling interest in and reconnecting people with these principles falls at least in part on the shoulders of faculty, Prof. Seagrave is in the process of making further contributions to this cause with his two current book projects, one of which is a modern re-phrasing of selected Federalist Papers and the other of which is “an account of the role of ‘nature’ in American political history from settlement to the present.” As for future plans, he expressed a specific desire to expose “the clarity and importance of the Kinder Institute's mission” to a larger audience through the creation of an online journal that might “serve as an interdisciplinary forum for the study and discussion of the principles of the American political tradition.”



AMERICAN INJUSTICE: MERCY, HUMANITY, AND MAKING A DIFFERENCE

In partnership with the University of Missouri Honors College and numerous other departments and organizations on campus, the Kinder Institute co-sponsored a March 20, 2016, public lecture delivered by Equal Justice Initiative Executive Director and *Just Mercy* author **Bryan Stevenson**. Weaving together analysis and firsthand accounts of the injustices that currently plague American society, Stevenson focused in his talk on mapping out certain action points that might put us on a path toward becoming a more just, compassionate, and equitable nation.

He began by underscoring the importance of meaningful engagement in areas where the issues of societal abuse and neglect are most manifest. Proximity, Stevenson argued, not only grants us the power to see the consequences of these problems more clearly but also provides us with a working knowledge of both the precedents underlying their perpetuation and the complex processes—constitutional and otherwise—that go into solving them. “Where would we be,” Stevenson asked, “if lawyers had not become proximate to abuse during the Civil Rights era?”

Still, he noted, proximity alone is not enough. Comprehensively addressing the problems we face requires identifying and changing the narrative that underlies the nation’s history of racial injustice and, moreover, that has allowed it to fester and grow. Because of a collective failure on our part to realize that we live in what he termed “a post-genocidal society,” we have become numb to the fact that an attitude of racial difference continues to perpetuate the same ideology of white supremacy that supported slavery. And the result, he argued, is that the legacy of slavery haunts us to this day, whether it be in the form of a politics of fear and anger that has led us to incarcerate more and more African-American males at younger and younger ages or in how domestic terror still shapes American cities in a way that sustains generational poverty. Also integral to the solution, he noted, are hopefulness and discomfort. In closing his talk, he insisted that we remain at all times aware that the goal of establishing more powerful and more effective frameworks for justice—the goal of putting procedures into place that value fairness over finality—is difficult but possible to attain and requires that we commit ourselves to doing and witnessing uncomfortable and saddening things.

One of the most acclaimed and respected lawyers in the nation, Bryan Stevenson is the founder and executive director of the Equal Justice Initiative (EJI) in Montgomery, AL, and Professor of Clinical Law at New York University School of Law. He is the recipient of numerous awards, including the MacArthur Foundation’s Genius Grant and the NAACP Image Award for Best Non-Fiction, and, in 2015, he was named one of *Time* magazine’s 100 most influential people. He received a Masters in Public Policy from Harvard University’s Kennedy School of Government and a J.D. from the Harvard School of Law, and he joined the faculty at NYU in 1998. In addition, Stevenson served as a staff attorney with the Southern Center for Human Rights in Atlanta before founding the EJI. *Just Mercy*, which was published by Spiegel & Grau in 2014, was a finalist for the Los Angeles Book Prize and won the Carnegie Medal for Nonfiction, and it was named as one of the best books of the year by *The New York Times*, *The Washington Post*, *The Boston Globe*, and *Esquire*, among many other publications.

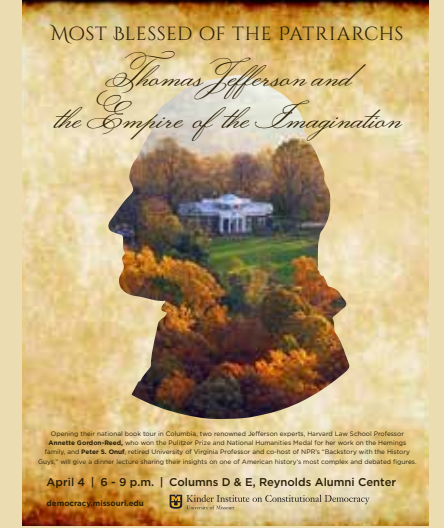
THOMAS JEFFERSON AND THE EMPIRE OF THE IMAGINATION

Kicking off the national book tour for their co-authored “*Most Blessed of the Patriarchs*”: *Thomas Jefferson and the Empire of the Imagination* in Columbia, Harvard’s **Annette Gordon-Reed** and University of Virginia’s **Peter S. Onuf** visited the University of Missouri campus on April 4, 2016, for a day of programs devoted to examining one of American history’s most revered but complicated and controversial figures. In addition to having lunch with current and former members of the Kinder Institute’s undergraduate Society of Fellows, during which they discussed topics ranging from their collaborative process to contemporary re-interpretations of the meaning and significance of the term ‘empire,’ Professors Gordon-Reed and Onuf participated in the following events during their stay at MU.

Where do we put Thomas Jefferson today?: A public forum

In what we hope will become a staple of our campus and community programming, the Institute hosted an open forum on the afternoon of April 4 to discuss approaches to placing Thomas Jefferson’s legacy in contemporary context, with a particular focus on recent debates concerning public memorials to the nation’s third president and other historical figures. University of Missouri graduate student **Maxwell Little**, whose petition to remove the Jefferson statue from the MU quad has been covered in publications including *The Washington Post* and *Inside Higher Ed*, provided opening remarks for the event, using Frederick Douglass’ 1852 “What to the Slave is the Fourth of July?” as a starting point for reevaluating Jefferson’s legacy in light of current events and discussions on campus. Specifically, Little focused on Jefferson’s status as a Virginia slaveholder and argued that Jefferson’s legacy is inconsistent not only with the founding ideals articulated in the Declaration of Independence but also with the University of Missouri’s own core values. The statue of Jefferson, Little argued, “does not represent excellence, respect, or responsibility.”

In continuing the conversation, Prof. Onuf noted that Jefferson is one of many figures whose legacies *should* discomfit us, because they underscore the nation’s historical failure and current struggle to realize the social and political ideals on which the United States was founded. It’s thus important, he went on to explain, that discourse about Jefferson has shifted away from blind veneration in recent decades. At the same time, both he and Prof. Gordon-Reed agreed that it would be equally dangerous to avoid discussing Jefferson altogether. As Prof. Gordon-Reed pointed out, the fact that African-American leaders from Douglass to the present have grappled with the Declaration of Independence and have drawn on its language in the course of advancing civil rights speaks to how Jefferson and the contradictions he poses provide us with a unique opportunity to talk about, analyze, and work towards eradicating the causes and current manifestations of racial injustice. We can, Prof. Onuf added, learn from Jefferson’s achievements and his shortcomings equally. Though he often failed to live them out or fully commit to making them a reality, his ideas about justice and



Annette Gordon-Reed is the Carol K. Pforzheimer Professor at the Radcliffe Institute for Advanced Study, the Charles Warren Professor of American Legal History at Harvard Law School, and a Professor of History at Harvard University. She received the 2008 National Book Award and the 2009 Pulitzer Prize in History for *The Hemingses of Monticello: An American Family* (W.W. Norton, 2008). Prof. Gordon-Reed also is the author of *Thomas Jefferson and Sally Hemings: An American Controversy* (University of Virginia Press, 1997) and *Andrew Johnson* (Times Books, 2010); the co-author, with Vernon Jordan, Jr., of *Vernon Can Read!: A Memoir* (PublicAffairs, 2001); and the editor of *Race on Trial: Law and Justice in American History* (Oxford University Press, 2002). Her honors include the National Humanities Medal, a Guggenheim Fellowship, a fellowship from the Dorothy and Lewis B. Cullman Center for Scholars and Writers at the New York Public Library, a MacArthur Fellowship, and the National Organization for Women in New York City's Woman of Power and Influence Award.

his vision of a future republic more enlightened than the one he was a part of can still contribute to the nation's continued progress toward greater equality. "Jefferson believed in a better future; he had hope for justice, he had hope for us," Onuf said. "We still receive guidance from Jefferson because we believe in the future, and we have hopes for a better Mizzou, a better country and a better world."

"Most Blessed of the Patriarchs": Town & Gown Dinner Lecture

In providing an overview of some of the lines of inquiry at the heart of his and Prof. Gordon-Reed's new book, Prof. Onuf began the Institute's Spring 2016 Town & Gown Dinner Lecture by noting how many of the tensions that Jefferson presents us with are captured in the book's main title, "Most blessed of the patriarchs" (how Jefferson once described himself in a 1793 letter to Hamilton's sister-in-law, Angelica Schuyler Church). On the one hand, Prof. Onuf suggested, Jefferson's self-applied moniker reflects both his deep commitment to fostering the growth of the United States in the decades following the Revolution as well as his abiding faith that the next generations of citizens would continue to refine and broaden the scope of the government for which he served as a contributing, paternal architect. At the same time, Jefferson's almost wistful use of the term 'patriarch' brings with it a difficult, and one might argue impossible, task: reconciling his participation in chattel slavery with his belief that the perfection of American democracy required a proliferation of voices and a prolific respect of liberty from the national to the county to the familial level. For Jefferson, Prof. Onuf noted in concluding his opening remarks, it seems that the majority was indispensable to the health of democracy up until the gates of the plantation.

Complicating matters even further, Prof. Onuf later explained, is having to square Jefferson's commitment to majority rule with his being not only a slaveholder but also a proponent of emancipation coupled with repatriation of freed slaves back to their homelands. In commenting on this inconsistency, Prof. Gordon-Reed showed how, in actuality, a lack of economic foresight, coupled with issues of political expedience, prevented Jefferson's ideas regarding emancipation from ever materializing. For example, his belief that the expansion of slavery would diffuse it and foster social conditions hospitable to its termination was woefully, almost willfully, ignorant of the fact that achieving this outcome was made virtually impossible by the degree to which the profitability of slavery had warped society. With regard to the obstruction that expedience posed, Prof. Gordon-Reed went on to describe how Jefferson responded with a similar ineffectualness to the political reality that ending slavery



was a legislative non-starter in Virginia. That he did nothing to publicly advance and inculcate Virginians in the moral importance of the cause of emancipation and that he ultimately came to see slavery as a problem that future generations would have to resolve reflects, she argued, a recurring emotional inability on Jefferson's part to act on his intellectual beliefs. Though he prayed for the enlightenment of society on the issue of slavery, and though he wrote extensively of enlightened conceptions of justice and equality, he came to be paralyzed by not only how entrenched the culture of slavery had become in America but also how it would take an act of force—for Jefferson, an unthinkable threat to the fabric of the union—to displace it.

The forum was made possible in part by a major grant from the National Endowment for the Humanities and was conducted in partnership with the Missouri Humanities Council. Any views, findings, conclusions, or recommendations expressed during the forum do not necessarily represent those of the National Endowment for the Humanities. More information about Fall 2016 programming related to the NEH "Humanities in the Public Square" grant can be found on p. 16.



Peter S. Onuf received his A.B. and Ph.D. from Johns Hopkins University and currently serves as Thomas Jefferson Memorial Foundation Professor (Emeritus) at the University of Virginia. Prof. Onuf is the author of *The Mind of Thomas Jefferson* (University of Virginia Press, 2007), *Jefferson's Empire: The Language of American Nationhood* (UVA Press, 2001), *Statehood and Union: A History of the Northwest Ordinance* (Indiana University Press, 1987), and *Origins of the Federal Republic: Jurisdictional Controversies in the United States, 1775-1787* (University of Pennsylvania Press, 1983). He also is the co-author of numerous books, most recently *Nations, Markets, and War: Modern History and the Civil War* (UVA Press, 2006), and co-editor of a number of scholarly collections, including *The Revolution of 1800: Democracy, Race, and the New Republic* (UVA Press, 2002). Prof. Onuf is known for his role as "the 18th Century Guy" on the Virginia Foundation for the Humanities' award-winning public radio program and podcast, "Backstory...with the American History Guys."





NETWORKS OF NOVELTY IN THE IVORY TOWER: THE CASE OF JOHN HENRY WIGMORE

Held annually at campuses along the former Shawnee Cattle Trail, which ran from Missouri to Texas, the Shawnee Trail Conference brings together scholars from around the region to discuss their research on topics related to American constitutional and political development and American political thought and history. As part of this year's programming, University of Oklahoma Professor **Andrew Porwancher** gave a lunchtime talk on the work and era of legal scholar John Henry Wigmore, the subject of his recently published *John Henry Wigmore and the Rules of Evidence: The Hidden Origins of Modern Law*, which is the second title in the Kinder Institute's *Studies in Constitutional Democracy* book series with University of Missouri Press.

In building up to his primary argument regarding "networks and novelty in the ivory tower," Prof. Porwancher began by unpacking the paradigm shift toward legal realism that, as the common narrative goes, figures like Wigmore (in academia) and Oliver Wendell Holmes (on the bench) helped to introduce. Specifically, by promoting a jurisprudence based on accounting for the practical consequences of law, Wigmore, Holmes, and others are often credited by scholars with helping to displace a formalist legal philosophy that, because it relied too heavily on abstraction and syllogism, failed to adjust to and remedy the inequalities created by the social, political, and economic innovations of modernity—most notably widespread industrialization.

Prof. Porwancher stressed that there is certainly some truth to this narrative. The late-19th and early-20th century courts *were* slow to recalibrate to modern exigencies, and, moreover, Wigmore and Holmes' ideas on jurisprudence were consistent with (then) modern trends in American intellectual history. Still, the suggestion of a binary opposition between legal formalism and legal realism—and the subsequent casting of Wigmore, Holmes, & co. as pragmatic conquerors of a bloodless, conceptions-obsessed court system—is, Prof. Porwancher added, a bit overstated. Problematic in its own right, this act of overstatement, he went on to note, also exemplifies the "scholarly oedipalism" that springs from an incentive structure, like that of academia, which prizes originality and divergence at the expense of acknowledging—and sometimes at the high cost of defacing—the vast importance of "networks of intellectual patronage."

Take, for example, the case of Roscoe Pound, a legal scholar and eventual dean of



Harvard Law whose ascension in academia Wigmore helped jumpstart. In his 1908 "Mechanical Jurisprudence," Pound issued a realist critique of the Supreme Court's ruling in *Lochner v. New York* (1905), claiming that, in its interpretation of liberty of contract, the Court fell prey to the formalist error of ignoring the facts on the ground. As Prof. Porwancher pointed out, though, what Pound's own argument conveniently failed to account for was the degree to which the Court actually *did not* ignore these facts but merely read them differently than he did. Just as Pound somewhat speciously took the Court to task as a means of proving his own academic originality, Karl Llewellyn would do the same to Pound less than 30 years later, counter-factually arguing, in the *Columbia Law Review*, that Pound himself was guilty of the cardinal, formalist sin of producing scholarship divorced from the consequences of the law.

While insistent on celebrating his own intellectual debts, Wigmore, like Pound, was no stranger to the assaults of a younger generation of legal thinkers. Both Felix S. Cohen and Jerome Frank, for example, inaccurately critiqued Wigmore for holding positions overly wedded to abstraction—a claim that, while it may have produced an "illusion of ingenuity" for Cohen and Frank, was hardly defensible given Wigmore's wide-ranging and longstanding denunciation of exactly this jurisprudence. The problem with this kind of "scholarly oedipalism," Prof. Porwancher noted in concluding his talk, is both practical and philosophical. In defacing their intellectual debt to Wigmore, not only were Cohen and Frank wrong in their facts. They also advanced a form of reputation building-by-divergence, still practiced today, that threatened to marginalize the immense significance of Wigmore's 1904 *Treatise* on evidence, a text that, as both a practitioner's bible and a profound work of legal theory, transformed the modern jury trial and, in doing so, helped the courts adjust to the breakneck pace of change in early-20th century America.

Professors and graduate students from University of Texas-San Antonio, Baylor University, Missouri State University, University of Missouri, and University of Texas-Austin attended this year's conference. Some of the papers presented at the 2016 meeting are listed in the sidebar.

"After Propaganda: Legacies and Anti-Legacies of the American Revolutionary Press," Prof. **Jeff Pasley** (University of Missouri)

"A Pragmatic Approach to the Second Amendment: *Friedman v. Highland Park* and Beyond," **Austin Nelson** (Baylor University)

"The New World's Old World: Europe in American Revolutionary Political Thought," **Armin Mattes** (University of Missouri)

"The Forms and Processes of Authority: Tocqueville and the Separation of Powers," **Thomas Bell** (University of Texas-Austin)

2016 Kinder Scholars Internship Sites

Ashleigh Atasoy: National Academy of Public Administration

Bishop Davidson: The Heritage Foundation's Center for Principles and Politics

Delan Ellington: National Park Service Office of Native American Cultural Resources

Rachelle Engen: The Institute for Justice (as the 2016 Maffucci Fellow)

Nora Faris: FLM+ Public Affairs Group

Sarah Gillespie: The Board of Governors at the Federal Reserve

Kate Hargis: Bromberg, Kohler Maya & Maschler, PLLC

Blake Harting: US Commodity Futures Trading Commission

Lindsay McManus: The Children's Defense Fund

William Neer: Public Citizen

Jacob Otto: Department of Defense

Paige Ondr: Lupus Foundation

Leslie Parker: The Office of Missouri Congressman Sam Graves

Jennifer Prohov: SCOTUSblog

Anne Russell: FCC Media Division

Kalli Sikes: International Justice Mission

Andrew Wisniewsky: President's Park at the White House

NOTES FROM THE CAPITAL

Over the course of the summer, participants in the Kinder Scholars Program report back to the Institute with news about their internships (see sidebar), the “Beltway Politics & History” seminar, and life in D.C. What follows is the first installment of our annual *Notes from the Capital* series (check the Kinder Institute website, democracy.missouri.edu, for subsequent updates, which will be posted approximately every other week):

Rising senior **Kate Hargis** (Political Science) wrote in with news from her internship at the D.C.-based immigration law firm Bromberg, Kohler Maya & Maschler, PLLC, where her summer work has found her helping people from around the globe with asylum applications. While confidentiality prevented her from going into specifics, Kate did note “that it’s a lot of tough, really moving work. [The] internship,” she continued, “gives me the opportunity to see how challenging it is to be granted all of the benefits and privileges that come with holding American citizenship or even permanent residency, and I feel like my work directly contributes to individuals chasing those dreams.”

Will Neer, a rising senior majoring in Chemistry and Spanish, spent his first weeks working in Public Citizen’s Global Access to Medicine Division bouncing between a number of tasks related to the organization’s research into topics such as plant-related inventions and biologics that fall under the Trans-pacific Partnership and the World Trade Organization’s Trade Related Aspects of Intellectual Property Rights. After sitting in on an Intellectual Property Trade Law class taught by the WTO’s Antony Taubman during his first week on the job, Will shifted his attention to assisting in a project regarding India’s intellectual property laws (while also somehow finding time to help with translating various Spanish-English correspondences).

Junior **Sarah Gillespie** (Political Science & Accounting) will spend the summer working with the Board of Governors of the Federal Reserve in the Congressional Liaison Office, where she’ll assist with correspondence between the Fed and Capitol Hill. “The coolest experiences so far,” she wrote back to Kinder Institute Communications Associate Thomas Kane, “have been seeing the Governors and Chairwoman of the Federal Reserve on a consistent basis, as well as seeing my work directly and positively impact the work they’re doing.”

Finally, **Paige Ondr**, an Organizational and Political Communication major set to graduate in December 2016, reported back from the Lupus Foundation, where she’s been doing event planning, including helping to secure donations for the November 19th Purple Passion Gala, and where she’s also taken the reins of all the Foundation’s social media accounts. And while all the Kinder Scholars certainly have been busy at their jobs and with the summer seminar, she reassured everyone back in Columbia that it hasn’t been only work so far, noting that program participants have been diligently exploring Woodley Park and have already organized group trips to the D.C. Zoo and the American History Museum.



As for coursework, listed below are primary topics, as well as faculty leaders and field trip locations, for each week of the “Beltway Politics & History” seminar:

Week 1: “Revolutionary Constitutionalism,” with Professors **Justin Dyer** and **Carli Conklin**

Week 2: “James Madison and Constitutional Paternity,” with Professor **Bill Horner** (field trip to the National Archives)

Week 3: “Thomas Jefferson,” with Kinder Research Fellow **Armin Mattes** (field trip to Monticello)

Week 4: “Kings of Democracy: Congress vs. the Presidency in the 19th Century Party System,” with Professor **Jay Dow** (field trip to Annapolis)

Week 5: “Reconstruction,” with Professor **Michael Minta** (field trip to the Frederick Douglass National Historic Site and the African American Civil War Memorial and Museum)

Week 6: “The New Deal,” with Professor **Marvin Overby** (field trip to the Smithsonian Museum of American Art with a guest lecture by **David A. Taylor**, who will speak about his book *Soul of a People: The WPA Writers’ Project Uncovers Depression America*)

Week 7: “Equal Rights and Equal Protection,” with Professor **Catherine Rymph** (field trip to the Sewall-Belmont House & Museum, home of the National Woman’s Party archives)

Week 8: “Constitutional Democracy Challenged: The Cold War and the National Security State,” with Professor **Cooper Drury** (field trip to the Pentagon and the Navy Museum)





From June 13-16, 2016, the Kinder Institute hosted its inaugural Missouri Summer Teachers Academy at the Tiger Hotel in downtown Columbia. Developed in partnership with, and generously funded by, the Missouri Humanities Council, the Summer Academy was designed to provide high school American history and government teachers from throughout Missouri with an opportunity to spend three days studying various aspects of the foundations and evolution of constitutional democracy in the United States alongside Kinder Institute faculty and other scholars from around the region. Organized each year around a new theme drawn from the state curriculum for secondary social studies education, the 2016 Academy took on the task of exploring the relationship between majority rule and minority rights and its central importance to both the origins and development of American government and society.

MAIDEN VOYAGE: THE INAUGURAL MISSOURI SUMMER TEACHERS ACADEMY

Day 1 June 14, 2016

Kody Cooper, Kinder Research Fellow in Political Science, “Thomas Jefferson and Religious Establishment”

Dan Mandell, Truman State University Professor of History, “From Sovereignty to Subjugation to Autonomy: The Evolving Legal Status of Native Americans, 1790-1960”

Carli Conklin, Kinder Institute Undergraduate Programs Coordinator and Associate Professor of Law, “Perfection, Improvement and Unalienable Rights”

Beginning with definitions taken from Samuel Johnson’s 1755 *Dictionary of the English Language* and concluding with the 14th Amendment, with stops along the way to look at the Virginia Declaration of Rights and the Articles of Confederation (among other texts), Prof. Conklin’s seminar examined the documentary history of claims to liberty in early America. In particular, Prof. Conklin focused on the philosophical argument colonists constructed “for asserting and vindicating their rights,” noting how they appealed to the immutable laws of nature (as articulated in the Magna Carta) as a foundation for all men’s basic right to individual freedom while also citing the need for a system of rule that was adaptable to the unique conditions of North America to justify the colonies’ claim to self-governance. The necessity of an adaptable government, Prof. Conklin noted in concluding her seminar, is perhaps most evident in the shift from colonial representatives’ 1775 claim that “our union is perfect” to the Preamble’s language of “a more perfect union”—a shift that underscores the constant re-evaluation of rights, liberties, and conditions that is at the heart of the democratic process and, with regard to the Academy’s theme, instrumental to promoting and protecting minority rights.

Day 2 June 15, 2016

Armin Mattes, Kinder Research Fellow in History, “The Great Friendship Tested: Jefferson and Madison on Majority Rule and Minority Rights”

In a seminar that in many ways provided the backbone for all others at the Academy, Prof. Mattes laid out the theoretical basis for majority rule and minority rights by examining the writings and friendship of Madison and Jefferson. He first looked at Madison’s secular application of the insights on the issue of minority rights that he gained during debates in Virginia regarding religious freedom and toleration. Specifically, Prof. Mattes argued that it was during these debates that Madison began to develop the extended sphere theory of “Federalist 10” through observations of the degree to which rivalries between and the multiplicity of interests could secure minority rights—or, alternately, could prevent majority trespass—in a way that appeals to principle could not. In his subsequent examination of the famous “Earth belongs to the living” letter, Prof. Mattes noted how, rather than share in Madison’s skepticism regarding representatives’ character and commitment to the public good, Jefferson demonstrated an unwavering belief that the common people could (and must) be able to govern themselves and, in this, that the will of the majority should always prevail. And while many scholars use these differences as evidence of an unbridgeable philosophical divide between the two leaders, Prof. Mattes concluded by pointing to Madison and Jefferson’s mutual acknowledgment of the importance of the Bill of Rights as a sign of the harmony (if not identity) of their respective political principles and ideas about the structure of government.

Dr. Steve Belko, Executive Director Missouri Humanities Council, “Jacksonian Democracy versus the American System”

Adam Seagrave, Kinder Institute Associate Professor of Constitutional Democracy, “Natural Rights, Majority Rule, and Slavery”

Day 3 June 16, 2016

Kris Maulden, University of Missouri Ph.D. (History), “‘Just remember...I was a man’: Jack Johnson and the Struggle Against White Supremacy, 1900-1915”

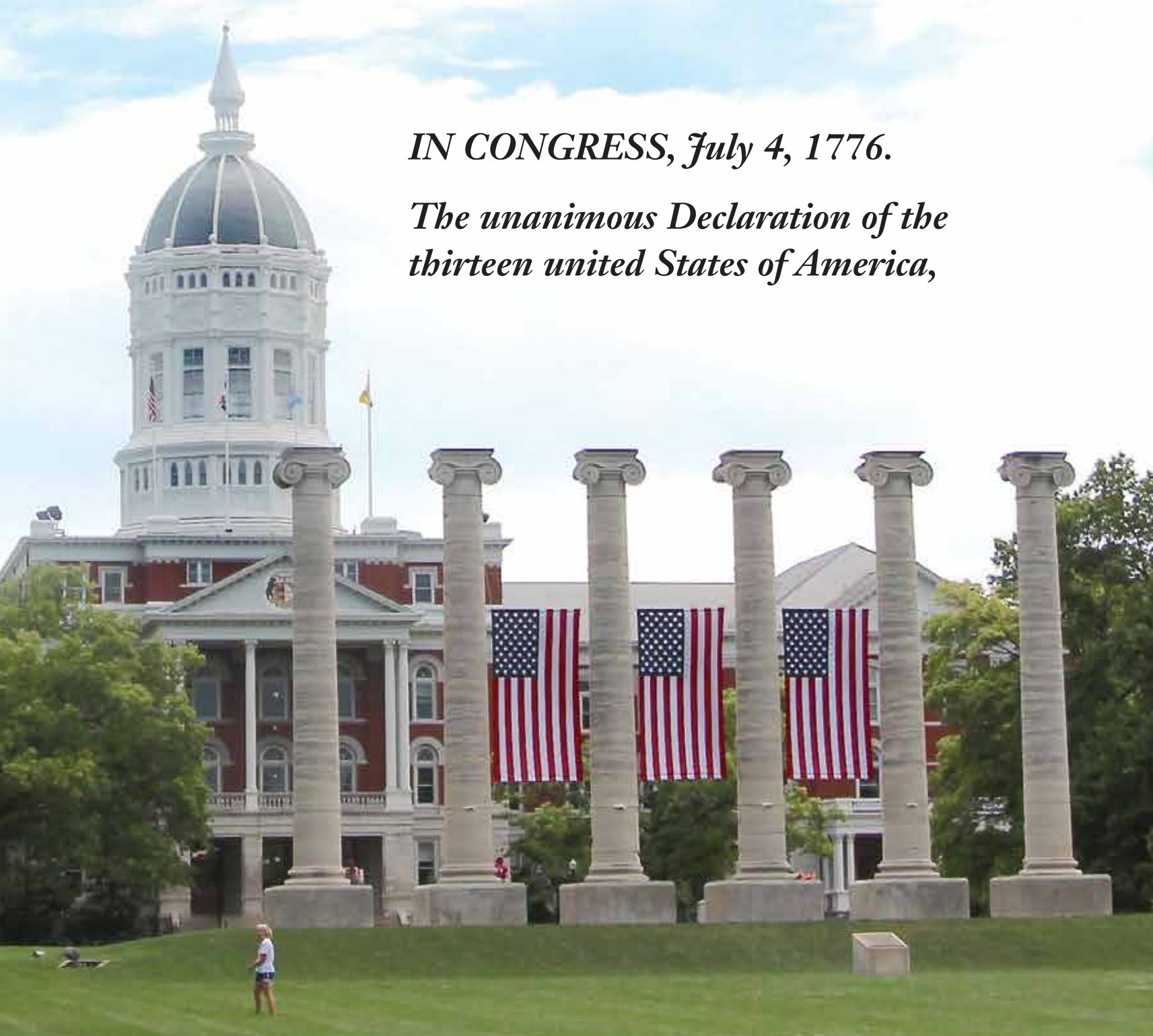
On one hand, in examining the life and career of heavyweight champion Jack Johnson, Dr. Maulden provided a sobering reminder of the extent and horrific consequences of white supremacy in early-20th century America. From the *L.A. Times* invoking the language of slavery in its reporting on Johnson’s victory over Jim Jeffries to the rampant violence African-American citizens faced in the match’s wake, the “fight of the century,” Dr. Maulden pointed out, sadly captured the institutionalized forms of dehumanization and persecution that minorities suffered from in 1910. He also noted, however, that studying Johnson can very much enrich the historical narrative of the efforts made by individuals in the struggle against white supremacy. For one, he argued that Johnson’s commitment to choice and individualism—the fact that he ignored the customs of white supremacy—adds an interesting dimension to classroom discussions that focus on DuBois and Washington’s debates over how best to respond to and counteract the various institutions and laws that were in place at the time to disenfranchise African Americans. In wrapping up his seminar, Dr. Maulden added how the legal persecution that Johnson faced under the Mann Act became an important talking point for DuBois in particular in the quest for progress, change, and equality.

Justin Dyer, Kinder Institute Director and Associate Professor of Political Science, “Equal Protection and Racial Discrimination”

Jeff Pasley, Kinder Institute Associate Director and Professor of History and Journalism, “The Racial Transformation of the Democratic Party in Missouri”

In addition to the daily seminars, participants in the Academy also attended dinner lectures on Tuesday and Wednesday, with Arent Fox LLC Attorney **Stephen Davis** giving a talk on the history of religious freedom in the state of Missouri and Lt. Gen. **Rich Harding** (USAF, retired) presenting on steps taken in recent decades to better protect and promote minority rights in the military. Participants in the inaugural Academy included: **Andrew Hanch** (Center High School), **Carrie Homan** (Cole Camp), **Kimberly Thielen-Metcalf** (Rock Bridge), **Kim Plemmons** (Marshfield), **Lynnette Williams** (Odessa), **Martha Burich** (Riverview Gardens School District), **Benjamin Strauser** (Kingston), and **Tim Hebron** (Trinity Catholic).





IN CONGRESS, July 4, 1776.

The unanimous Declaration of the thirteen united States of America,

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience bath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.-- Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government.

SOCIETY OF FELLOWS NOTE



While a report on the annual residential summer seminar and early-fall events for our Society of Fellows will come in the September 2016 newsletter, we wanted to take a moment to introduce our 2016-17 undergraduate fellows, who were welcomed into the Kinder Institute fold at a May 4 reception—featuring three generations of program participants!—in the T.O. Wright Room at Reynolds Alumni Center:

Full bios for each member of the new class of undergraduate fellows are available on the Kinder Institute website. A competitive, yearlong academic fellowship program open to all sophomores, juniors, and seniors at the University of Missouri, the Society of Fellows provides undergraduates interested in American politics and history with an opportunity to build an intellectual community dedicated to engaging in an in-depth inquiry into the origins, development, and contemporary practice of constitutional democracy in the United States and around the globe.

Tom Coulter (Sophomore, Journalism & History)
Emma Earley (Junior, History & Political Science)
Natalie Fitts (Junior, Journalism)
Alexander Galvin (Sophomore, History & Political Science)
Thomas Groeller (Senior, Political Science & Economics)
Kate Hargis (Senior, Political Science)
Bryanna Leach (Sophomore, Journalism)
Ryan Loftis (Senior, Political Science)
Hunter Norton (Senior, Political Science)
Jordan Pellerito (Senior, History & Political Science)

Nick Perryman (Sophomore, Political Science)
Peyton Rosencrants (Senior, Journalism)
Logan Smith (Senior, Political Science)
Tricia Swartz (Sophomore, Political Science)
Spencer Tauchen (Junior, Philosophy, Political Science & Sociology)
Taylor Tutin (Senior, Political Science & Philosophy)
Derek Van Becelaere (Senior, History)
Isaac VanDyne (Sophomore, Economics)
Tessa Weinberg (Sophomore, Journalism)
Aryn Williams-Vann (Senior, Psychology & Sociology)