

America's top law schools are openly abandoning the Constitution



Image by Andrea Widburg

Andrea Widburg writes in the [American Thinker](#):

America was founded as a nation that had the rule of law. The Constitution is the fount of those laws. It, in turn, looks back to the best of the British legal system. The Constitution is what has maintained stability in America and, when we've erred as a nation, it's the compass that has put us back on the path of ordered liberty. And for 250 years, America's lawyers have been the repository of constitutional wisdom and the guardians of the rule of law. That's why every one of us should be deeply concerned by a report showing that, at the nation's ostensibly "top" law schools, professors are attacking the Constitution and demanding its deletion.

A lot of nations claim to have constitutions, but they're not what we Americans have long understood to be a constitution.

They are simply statements of the privileges the governments of these nations have extended to their citizens. And, of course, if a government can “giveth,” it can also “taketh away.”

The American Constitution is a very different animal. Written by lawyers steeped in the English legal system, it is a contract between the people and their government...with the rights and equities favoring the people, not the government. The main document sets up a governmental framework that carefully allocates power between the separate branches of government in a way intended to have each branch ensure that the other cannot become tyrannical.

For most Americans, though, the Constitution’s core is the Bill of Rights. These ten amendments to the Constitution do not state privileges that the new American government graciously extends to its citizens. Instead, it states a series of rights that are inherent in America’s citizens and that the government must respect. Power vests in the citizens, not the government.

America has undoubtedly deviated from these rights. Leftists have used these deviations to say that the rights themselves are defective and must be ignored. And nowhere is this leftist line of argument more dangerous than when it appears in America’s law schools among the professors. But that’s what’s happening, and it’s taking place at many of America’s most influential law schools.

The Public Interest Legal Foundation examined courses in the country’s top ten law schools. These schools include Yale, Stanford, and Harvard, among others. What [the study found is disturbing](#), to say the least:

Law professors at elite schools are open about their disdain for the U.S. Constitution, the researchers found.

“They’re saying they want to get rid of the

Constitution—they're making no secret about it," said J. Christian Adams, president and general counsel of the Public Interest Legal Foundation. He's also worked for the U.S. Department of Justice (DOJ).

Hans von Spakovsky, a senior legal fellow at The Heritage Foundation's Edwin Meese III Center and former DOJ counsel, agreed.

"The radicalization of law schools is a threat to freedom not previously encountered in the nation's history," Mr. von Spakovsky said.

"In fact, some of them are very direct in teaching kids that they need to be revolutionaries, according to these courses that these law school students are taking," he told The Epoch Times.

Examples are legion. In 2022, professors at Yale and Harvard authored an editorial in the *New York Times* arguing that "The Constitution is Broken and Should Not Be Reclaimed." The 1619 Project claims that America's history is so intertwined with slavery that every aspect of the past, the Constitution included, must be jettisoned. Never mind that the Constitution was always right about liberty; it was we frail humans who were wrong. Yale offers classes for would-be lawyers entitled "Decentralized Resistance" and "Law and Inequality."

For a very long time, the left has been using litigation to do an end-run around Article V requirements for amending the Constitution. That is a laborious process that requires the people's consent. Using lawfare only requires some judge to say that the Constitution is all about people feeling good about themselves so, yes, let's pretend it covers gay marriage, or to say that the Second Amendment surely can't mean that residents of inner cities have the right to defend themselves. (Thank goodness that Justice Scalia put an end to that nonsense.)

In those cases, there was a pretense of working *with* the Constitution. In America's law schools today, though, that pretense is over. The leftists are creating a generation of lawyers who are not grounded in the Constitution and do not see themselves as its guardians. For them, it's an instrument of oppression that must be overthrown so that the revolutionaries can have their way. And once that revolution happens, a revolution that has absolute disdain for the rule of law, it won't be long before the guillotines start to appear.