



The Constitution and Civic Virtue

Robert P. George

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I want to pause before going into my prepared remarks to make a commercial announcement. I want to tell you about my latest initiative. It's called fidelity month. By the power vested in me by absolutely no one, last spring I declared the month of June to be fidelity month, a month that we rededicate ourselves to the principle of fidelity: fidelity to God, fidelity to spouses and families, and fidelity to country and community. After all, in this great pluralistic, diverse, democratic nation, we have to rely on some things to hold us together. And the foundation of our unity can't be what it is for many other societies: blood and soil, or throne and altar. We come from many different lands; we represent many ethnicities, different races, different religions. Those can't be the sources of our unity as such. So in this exceptional nation, where our unity is not in blood and soil and not in throne and altar, but in a shared commitment to fundamental principles—we rely on things that are shared by people across the different faiths, by people of all races, all ethnicities, all cultural backgrounds.

What are those? Historically, they've been faith in God. From our different traditions, we recognize God as the source of our basic rights and duties. Our very Declaration of Independence says in its second sentence, "We hold these truths to be self-evident, that all men are created equal, endowed by their Creator with certain unalienable rights". Similarly, across the lines of theological division, across the racial lines, across the ethnic lines, we've been united in our understanding of the critical importance of the family, based on the conjugal union of husband and wife, and the fidelity of husband and wife, and the fidelity of husband and wife to their children, not farming that out to devices and machines, but being loyal to our kids. And then finally, patriotism. Honoring our country and paying back, making good on what John F. Kennedy famously said in his inaugural address: "Ask not what your country can do for you—ask what you can do for your country," and the same for our communities.

So I hope that you will join in this year's fidelity month in June. If you go to our website, just google fidelity month, or go to fidelitymonth.org, you'll see ways that in your various communities, you can observe and support and spread the word about fidelity month. All the polling data show—all of it—that faith in God is going down. Faith in the family, belief in the institution of the family—going down. Patriotism—going down. The sense of an obligation to one's community to give back—going

down. What's going up are things like the importance of money. Well, you're not going to build national unity on the importance of money; it's good to have money, that's great, but you're not going to build national unity on it. So please get involved in the fidelity month initiative.

And then finally, before launching into my formal remarks on constitutional structures and civic virtues this evening, I just want to say that I want to dedicate my remarks this evening to the late beloved Elder L. Tom Perry: soldier, patriot, apostle, friend.

Those of us who are citizens of democratic republics tend not to refer to those who govern us, do we, as rulers. No—it is our boast that as citizens of democratic republics, we rule ourselves. And there is indeed truth in this claim, inasmuch as we participate in choosing who, who will rule us. So we prefer to speak of governors and presidents and other high officials, not as our rulers, but as servants: public servants, people in public service. I mean, I'm sure you've all heard politicians say, "well, in my 47 years in public service I've never seen...". So they put themselves forward to us and we play along and say, they are our servants, public servants. But they also, of course, are rulers. So these servants are nothing like—not remotely like—say, the servants in Downton Abbey. Did you all watch Downton Abbey? The extraordinary prestige and usually the trappings attaching to public office and almost all times and places would by themselves be sufficient to distinguish, say, the mayor of Salt Lake City, or the governor of Utah or the President of the United States, from Carson, the butler. But that prestige signals an underlying fact that discomfits our democratic and egalitarian sensibilities; namely, the fact that even in democratic republics, high public officials are rulers. They make rules. They enforce the rules. They resolve disputes about the meaning and applicability of the rules. To a very large extent, at the end of the day, what they say goes. Now, of course, our rulers do not rule by dint of sheer power the way the mafia might do, in a territory over which it happens to have gained control. Rather, our rulers rule lawfully, they rule in accordance with constitutional principles. Constitutional rules specify public offices, and settle procedures for filling those offices. They determine who we elect, who is appointed, who is appointed by whom, and so forth.

So our rulers—though they are rulers, and not just servants—are not absolute rulers. Constitutional rules set the scope and thus the limits of their jurisdiction and authority. They are rulers, in other words, who are subject to rules. They rule in limited ways, and ordinarily for limited terms, which may or may not be indefinitely renewable at the pleasure of the voters. They rule by virtue of democratic processes by which they came to hold office: either they themselves were elected, or they were appointed by somebody who was elected, and so forth. They can be removed or significantly disempowered at the next election if the people are not happy with them. Still, for all

that, at the end of the day, let's not kid ourselves: they rule.

Now, my point this evening is not to hoot at the idea of government and those holding governmental offices and controlling the levers of governmental power, as servants. On the contrary, I want in the end, to defend the idea that rulers truly can be servants. I want to establish, however, that if these people we call public servants are indeed servants, they are servants in a very special sense, a sense that is compatible with them at the same time, ruling, being rulers. They are people who serve by ruling; they serve us by ruling. They serve us well by ruling well. If they rule badly, they serve us poorly, indeed, they disservice us. Now, there are, of course, lots of ways that rulers can disserve those whom they have a moral obligation to serve by ruling well. Most obviously, there is incompetence. Then, of course, there is corruption. And at the extreme, there is tyranny.

So what does it mean for the ruler to truly be a servant? What does it mean for someone holding political office and exercising public power to rule well? It means making and executing decisions for the sake of the common good, a concept which itself requires an understanding of the human good: aspects of human well being and fulfillment that are constitutive of our flourishing. At the end of the day, as Matt correctly quoted me as saying, there's no way around taking a stand on what is good and what is contrary to the good. There is no such thing, as Matt said, as perfect neutrality. It's not perfect, it's not neutral.

So the question is, what substantive vision of the good will we act on the basis of? As voters, as citizens, and for those who hold public office; as rulers who are meant to serve us by ruling in ways that are consistent with the common good, which is to say the human good, considered as the good of all members of the community: not just my tribe, not just my clan, not just my group, the whole of the community. Good decisions will necessarily be compatible with the requirements of natural law or natural justice. And at the same time, they will embody justice. If we understand the concept of the common good properly, and I'll say another word about that in a moment, then we will see that no decision that violates a requirement of justice is truly for the common good. And no decision that genuinely upholds and serves the common good, will fail to advance the cause of justice—considered, just as Plato originally defined it for us: giving to each his due.

Now, of course, reasonable people of goodwill can and very often do, disagree about what the common good requires and forbids, and what is, in truth, just or unjust. That's just a fact about life in a democracy where people's freedom is respected. If you respect people's freedom, they're not all going to come to the same conclusions about things. And they're going to disagree about some really important things, not just the trivial and minor things. And honorable people exercising public power can commit injustices—honorable people can commit injustices, even grave injustices—

while seeking in good faith to do justice, and believing in good faith that they are doing it. So just as not all violations of the common good are injustices, not all injustices are the result of malice, or ill will, or the like vices. Good people can believe and do bad things. We sometimes don't like to admit that. But that is our fallen, frail, fallible human condition.

Still, all injustices—even if committed by officials who are sincerely trying to do the right thing—harm the common good. For justice is itself a common good—it's a good for everyone—and a central aspect of the common good of the political community. It's to the benefit of each and every citizen to live in a just social order. And harm to that order, wherever it occurs, is therefore a loss for everyone, and not merely for the immediate and obvious victims of any particular injustice. Indeed, it is a loss even for the ostensible beneficiaries of injustices, and indeed, even for the perpetrators of injustices; though naturally, true evil doers don't see it that way. Corruption of character narrows their vision of the good, blinding them to the profound respects in which wrongdoing harms what is, in truth, their interest in living in a just society, as well as everyone else's interest. So take the case of what we all now agree—although earlier generations of Americans did not have consensus—but everyone today agrees that slavery is unjust: a grave gross injustice, especially race based chattel slavery, which we had. It's important to understand that slavery harmed not only those enslaved, not only the immediate victims—it harmed everyone, the whole society, the whole community, including the ostensible beneficiaries of the injustice: the slave holders; because it is as much to their good as it is to anybody else's, to live in a just society. It is as damaging to their good to live in an unjust society, as it is to anyone else's good, even though perhaps materially, they are benefiting from the injustice; morally and spiritually, which matters much more than materially, they are being harmed.

Now, the common good requires that there be rulers. No one should imagine that there's going to be some beautiful utopian anarchical situation out there where we don't need rulers. We do need rulers, and the rulers have to actually rule. To grasp this is to begin to see the sense in which good rulers are also indeed servants. Members of societies face a range—sometimes a vast range—of challenges and opportunities, requiring various forms of coordination, including in the complex societies that we have today; coordination to address all sorts of problems, such as making sure cars don't crash into each other or crash into civilians by maintaining a system of highway traffic, putting the stoplights in place in the right places, making sure people drive on one side of the road rather than other. Doesn't matter whether you choose the left or the right. In England, they do it one way, in the United States, we do it a different way. But somebody's got to stipulate, it's going to be the right or, it's going to be the left. Otherwise, we've got traffic jams, we have people crashing into each other, we have injuries, we have deaths. So even in a society of perfect saints—not just Latter Day—perfect saints, we would need rulers who rule, to make the stipulations that solve our

coordination problems. So institutions have to be created and maintained. And persons need to be installed in the offices of those institutions, to make the choices and decisions that must be made and to do the things that need to be done for the sake of protecting public health, safety and morals, upholding the rights and dignity of individuals and of families and of non governmental entities, the institutions of civil society of every description, and advancing the overall common good.

But the moral justification for the rulers ruling is precisely service to the good of all, to the common good. And the common good is not an abstraction or a platonic form, hovering somewhere beyond the concrete well being, the flourishing of flesh and blood; human beings constituting this or that community, the community of Provo, the community of Brigham Young University, the community of the state of Utah, the community of the United States of America, the community of nations; it just is the well being—the flourishing—of those persons and of the families and other associations. Burke's little platoons of civil society, Edmund Burke's idea of little platoons of civil society, of which they are members.

The right of legitimate rulers to rule is rooted in the duty of rulers to rule in the interests of all. In other words, the basis of the right to rule is the duty to serve, you don't get the right-absence-the-duty; the right is derivative of the duty. And the realities that constitute the content of service are the various elements of the common good, by doing what is good for the community, protecting public health, public safety, public morals, protecting individual rights, protecting the vital institutions of the family, and the church and so forth, by doing what we can for the common good. And by avoiding doing things that undermine and harm the common good. Rulers fulfill their obligations to the people over whom they exercise authority, thus serving their interests, their welfare, their flourishing; in a word, serving them. But how is the common good of the political community—the common good, served by good rulers, and to which citizens also have responsibilities—best understood? Well, I think it's fundamentally understood in instrumental terms. The common good is the set of conditions that enables individuals, families, churches, to flourish. And we need to protect that common good in both negative and positive ways. We need to protect it by, for example, not interfering in the rightful conduct of individuals, of families of churches, respecting the rights of individuals, the rights of the family, the rights of the church, not overriding them by government dictate. Otherwise, we're undermining the common good.

Now, one way to think about the limits of what political society rulers should do, so that they do respect the autonomy and integrity of individuals, of families, of churches, of other institutions of civil society, is by way of what has come to be known in the philosophical tradition—and in European politics, although not so much in the United States—as the doctrine of subsidiarity. Something over 90 years ago, the pope at the time—Pope Pius the 11th—wrote an encyclical letter

called *Quadragesimo Anno*, and he explained the basic idea of subsidiarity and it's pretty straightforward and the explanation is rather good, so I'm going to quote him: "Just as it is wrong to withdraw from the individual and commit to a group what private initiative and effort can accomplish, so too it is wrong for a larger and higher association to arrogate to itself functions which can be performed efficiently by smaller and lower associations. This is a fixed, unchanged and most weighty principle of moral philosophy. Of its very nature, the true aim of all government should be to help members of a social body and never to absorb or destroy them." So we have to respect the independence, the rights, the liberty of individuals, of churches, of families.

Now, this principle is a principle of justice, and it reflects a particular understanding of human flourishing and its content. Flourishing consists in doing things, in activity. This is a point as old as Aristotle, Aristotle makes it in his *Nicomachean Ethics*. Flourishing does not consist just in getting things, or having desirable or pleasant experiences, or having things done for you. Flourishing consists in activity, in doing things, in engaging in real friendships, pursuing genuine knowledge, bringing up your family, creating or appreciating beautiful art, living a life of integrity, of honesty, of decency, and so forth. Doing stuff! Human goods are realized by acting, by participating in them, thus enriching one's life and even ennobling oneself as one exercises and fulfills one's natural human capacities. For example, one's capacities for friendship, one's capacities for knowledge, one's capacities for art, or at least the appreciation of art. And so the common good really is best conceived as a set of conditions that enable people and subunits of the larger society, families, churches, other institutions of civil society, to attain for themselves reasonable objectives, for the sake of which they have good reason to collaborate with each other in community.

The common good is in this sense facilitative. Its elements are what enable people to do things individually and in cooperation with others, the doing of which—to a significant degree—constitutes their all round, or integral, flourishing. Under favoring conditions, people can more fully and more successfully carry out reasonable projects, pursue reasonable objectives, and thus participate in human values, including some like friendship and marriage, that are inherently social. It takes more than one person to have a friendship. It takes more than one person, but no more than two persons, to have a marriage, and so forth. These two are constitutive of our well being.

Properly understood, then, the common good requires—as a matter of natural law, natural justice—limited government. The rulers have to stay in their lane. They have important things to do: they have just authority; they've got to make decisions; they've got to uphold public health, safety and morals; they've got to protect individual rights and the rights of institutions. But they've got to stay out of the proper sphere of individual initiative: of the family, especially in the bringing up of children. When rulers usurped the authority of families—Hannah Smith, am I telling the truth?—when they step in, and try to take over your child rearing responsibilities, and bring up your children

in ways that are contrary to your religious beliefs and your values—they've gone way off the rails, and we need to do what Hannah Smith did: stand up to them and say, no, they've got to stay in their lane. They've got to respect the freedom of the individual, the freedom of the church, the freedom of the institutions of civil society, which are not simply departments under the control of the government. They have a natural and proper autonomy.

Properly understood then, the fundamental role of legitimate government—and thus, the responsibility of legitimate rulers, rulers who serve—is not to be doing things that people can do for themselves. When the government is doing things that you can do for yourself, it's out of line. It is rather to be helping to establish and maintain conditions that favor people's doing things for themselves. And with and for each other. The government shouldn't usurp that obligation. Government should do things for people as opposed to letting them do things for themselves only where individuals and non governmental institutions of civil society cannot do them, or cannot reasonably be expected to do them for themselves. Now, this facilitative conception of the common good does not require a doctrinaire libertarianism, either in the domain of political economy, or social morality. It's not a, it's not a minimal state that can only have a police force and a military. But it clearly excludes corporatist and socialist policies that really do withdraw from the individual and commit to the government what private individual—a private individual and communal familial ecclesiastical effort—can accomplish. So we don't want government removing from the family or the religious or civic association and committing to itself what can be accomplished by those institutions themselves through their efforts.

Now, surely a conception of the common good that is serious about the principle of subsidiarity—that we should let those lower units of society do what they do well, and only step in to cover the things that those units of society cannot do well—so surely a conception of the common good that's serious about that principle will respect private property and take care to maintain a reasonably free system of economic exchange, that is to say, a market economy. Social—that is the comprehensive or even widespread state ownership of the means of production—is plainly incompatible with subsidiarity's concerns and objectives, as is anything resembling a command economy. And this would be true, even if the record of socialist states were benign when it comes to respect for civil liberties and political freedom, which it is certainly not. And it would be true, even if again, contrary to the historical record, private property and the market system were not necessary as checks against the excessive concentration and abuse of power in the hands of public officials. But as I've noticed, the historical record demonstrates that private property in the market system, while not sufficient as guarantees against the current concentration and abuse of political power, are for all intents and purposes, necessary conditions for civil liberty and limited government.

And there's a profound lesson in this for those of us who are interested in ensuring that the rulers remain servants, ruling in the interests of citizens, and do not reduce the citizenry to a condition of dependency or servitude. For it is critical to the effective limitation of governmental power, that there be substantial non governmental centers of power in a society. There have to be alternative authority structures, those over which the state has no plenary jurisdiction. Now, the state can require that the church, for example, obey the fire code. But it shouldn't be interfering with the doctrine of the church, or the teaching of the church. Private property and the market economy not only provide the conditions of social mobility, which is important to the common good in any modern or dynamic society, but also ensure that there are significant resources—and thus opportunities for people in the private associations they form—that are not in the control of governmental officials and the apparatus of the state. This diffusion of power—so it's not all concentrated up here, but is diffused—this diffusion of power benefits society as a whole. And not only those who immediately benefit economically, from the possession of property or the ability to profit in the market. And I'm not simply here talking about general prosperity, though that's yet another benefit of private property in the market system. I'm talking about the benefit to all of us—in terms of liberty, opportunity, and security—of the diffusion of power.

And this goes well beyond economics. If we understand the common good—if we have a grasp of what constitutes or is conducive to the flourishing of human beings and what is not—we will recognize that limited government is also important because it permits the functioning and flourishing of non governmental institutions of civil society—those little platoons, again: families and churches and civic associations—that perform better than government could ever conceivably do: the most essential health, education and welfare functions—and which plays a primary role in transmitting to each new generation the virtues, without which these free societies cannot survive. Basic honesty, integrity, self restraint, concern for others, respect for their dignity and rights, civic mindedness, all of these virtues. Every institution of society, from the highest level of government on down, for their functioning depend on there being a large number—there will always be aberrant cases, but a large number of, not perfect, but pretty darn good—citizens. The court system relies on there being people who won't be corrupted to be jurors. Employers, Google, Apple, the local store, all rely on employees who will show up to work on time, not drunk or on drugs, do an honest day's work for an honest wage, not embezzle. Every institution of society depends for its functioning and flourishing on there being honorable people.

But none of those institutions can produce honorable people, people who have the virtues that I just listed. Who produces them, if they are produced at all? Mom and dad and grandma and grandpa and auntie and uncle, and pastor and coach and teacher. It's the family assisted by the church, and the other associations of civil society, the Little League team and so forth. The 4H, the

scouts or the campfire girls, or what have you. They are what transmit to each new generation, the virtues that enable members of that generation to be honorable people and effective citizens. As they say, again, every institution relies on them, but they can't produce them. Only the family can produce them, which means that when government or private corporations, or any other actors, damage the family—do things that undermine the integrity of the family, that promote family disintegration or failure of family formation, promote immoral practices—they are undermining the very institution on which they rely to produce their workers, their jurors, their voters, their citizens.

So these institutions of civil society can play their role, their proper role producing those people, those citizens—only when government stays in its lane, is limited by constitutional structures for unlimited government. We know this from 20th century history all too well, whether it's a government of the right or government of the left, unlimited government always usurps the authority and destroys the autonomy of families and churches and other institutions of civil society, usually recruiting or commandeering them into being state functionary organs. And where they're playing their proper role, these institutions, the institutions themselves create conditions in which the ideal of limited government is much more likely to be realized and preserved, and its benefits enjoyed by the people. And what I mean by that is simply this: where civil society breaks down, where the family disintegrates or fails to form, where the churches for all intents and purposes, "AWOL"—you got social anarchy, crime, delinquency, drugs, violence.

And somebody's got to step in. Somebody's got to restore order. Who will that somebody be? Big brother, the government, it has no choice. It has to step in because the alternative is chaos. And they will play the role that should be played by the family, and the church and the civil association. The government will do a bad job. But there is no alternative to doing it. So limited government relies on the integrity and the autonomy and the flourishing of families. Where families flourish, you don't have all that much need for an overbearing government, whether it's a police force or a welfare agency, or what have you. Government can play its limited role where the family is taking its responsibility for providing health, education, and welfare at the most fundamental level, for transmitting the virtues necessary for decent lives, and good citizenship. So a critical element of any discussion of the quality of democratic deliberation and decision making that amounts to anything more than hot air will be the indispensable role of the family and other non governmental institutions of civil society, in sustaining a culture in which political institutions do what they're established to do, do it well, and don't do what they are not constitutionally authorized to do. And so we must be mindful that bad behavior on the part of political institutions, which means bad behavior on the part of the people who exercise power as holders of public office, can and historically has weakened, enervated and even corrupted these institutions of civil society, rendering them for all intents and purposes, impotent to resist the bad behavior, and useless to the cause of political reform.

Now, none of this is to deny the importance of constitutional structural constraints on power. They are very important indeed. Much more often than I'm giving a lecture like this, I'm lecturing my students on the importance of constitutional structural restraints on power. So I see them as indispensable. Our system of separation of powers. Our system of federalism, dividing power between states as governments of general jurisdiction, and a national government of delegated and enumerated powers—Hannah's heard this lecture—those are important; our Bill of Rights, judicially enforceable, those are very important, and I preach that to my students.

But tonight I'm telling another part of the story. It's not denying the importance of those structural constraints. They are, I repeat, necessary: but they are not sufficient. The American constitutional system is on solid ground in establishing and insisting upon those constraints. But experience shows all too well—we got 250 years of it, now—we know all too well that structural constraints on power will be effective only where they are effectually supported by the people, that is to say, the political culture. The people need to understand them, and value them, and value them enough to resist usurpations by their rulers, even when unconstitutional programs offer immediate gratification or relief of what are perceived as urgent problems, the avoidance of catastrophe. In one of the sessions with the students earlier today, I was talking about the dangers to republican democracies—and to really all societies—of catastrophizing: believing that there's this terrible, terrible bad thing that's going to end civilization tomorrow, and it's just got to be stopped, and all of a sudden, we've talked ourselves into believing, since it's absolutely necessary to stop it because the catastrophe's coming, we can use—remember Malcolm X's words—“any means necessary”: the highway to tyranny and abuse. This in turn—this “will” not to yield to usurpations of power—requires certain virtues, strengths of character, habits of the mind and heart among the people over whom the rulers rule.

But these virtues do not simply fall down from heaven; they have to be transmitted through the generations and nurtured by each generation. James Madison famously said that only a well-instructed people can be permanently a free people. And that's absolutely right. If we don't know what the constitutional principles are, if we don't know how the institutions of the Constitution work, if we're not committed to them, if we don't appreciate them, if we don't understand them—they are going to prove, in the end, useless to us. They will be what our founders derided as “parchment guarantees”: words on a page. Justice Scalia, when he was alive, used to in lectures like this, pull out his copy, used to have it in his pocket, of the Soviet Constitution. And he'd read parts of it, man sounded great: the freedom of speech shall be respected, the freedom of religion shall be respected. There shall be due process of law and so forth and so on. Sounds great. But because there was no political culture supporting them, this was simply words on page. They were meaningless. Soviet tyrants could simply laugh at their constitution. So we do need to be a well-instructed people. And it points to the fact that even the best constitutional structures—even the

strongest structural constraints on governmental power—aren't worth the paper they're printed on if people don't understand them, value them, and have the will to resist the blandishments of those offering something tempting in return for giving them up, or letting violations of them occur without swift and certain political retaliation. But it is also true that virtue is needed.

I'm sure you're all familiar with that quotation, it's actually true. It's actually accurate. For once it's a quotation accurately attributed to the person who said it. It was John Adams, the finest political thinker of all the founders. People think that was Jefferson, he was good; it's actually Adams. Adams himself understood—he was a candid man, he was an honest man—he understood very well why people thought more highly of Jefferson than of him, despite Adams' own many virtues, that Matt's written about. As Adams said, "Jefferson is tall and winning. I am short and obnoxious." It was all true. He knew, he knew himself. But that famous quotation is that our constitution is made only for a moral and religious people—and will serve well no other kind of people. My goodness—if I can, if you'll excuse the analogy—we should bind them over our eyes and on our arms that statement: that our constitution is made only for a moral and religious people. These structures, as good as they are, these principles, as sound as they are, really are like the Soviet Constitution, if the people lack virtue. The Constitution presumes that there will be a virtuous people who will observe and live by and honor and support and uphold and protect those principles. It's also true that virtue is needed in a way that comes down to not merely improving civics teaching in homes and schools. That would be good—civics teaching, especially in schools, is very poor. We can do better from K-12, all the way through universities. Elder Holland established, when he was president of Utah Valley University, a program in constitutional studies aimed at becoming a great institution of civic learning. We try to do that at the Madison program at Princeton.

But, it goes beyond that. The Constitution of the United States was famously defended by Madison in Federalist Paper number 51 as—and I quote: "supplying by opposite and rival interest, the defect of better motives," unquote. Now, if that sounds obscure, I'll explain it. We do need constitutional structures and principles because sometimes people will not behave themselves. Some people will never behave themselves, all of us misbehave ourselves sometimes. So we do need them. Because sometimes people don't have better motives. But he made this point immediately after observing that the first task of government is to control the governed. And the second is to control itself. He allowed that, and I quote, "A dependence on the people is no doubt the primary control on the government, but experience has taught mankind the necessity of auxiliary precautions." In other words, the people and the virtue of the people is the primary control on government. The Constitutional structures and principles are auxiliary, secondary. Notice, it's not the other way around—that we need a little virtue, to help the main work that's being done by the structures—it's exactly the other way around. We need the structures to supply the defect of better motives. But we rely for the most part on the honor of the people; our constitution is made for a moral and religious people. If we become anything other than a moral and religious people—and you can

assess for yourself today whether we qualify as a moral and religious people—the Constitution becomes like that Soviet Constitution, it really is just words on a page. But even in this formulation, where we do need the constitutional structural constraints as auxiliary protections, those constraints don't stand alone; they really are secondary. What we really need—what is primary—is a healthy and vibrant political culture, a dependence on the people to keep the rulers in line.

But that brings us straight to the main object of this evening's lecture: the role and importance of virtue. Adams understood as well as anyone the general theory of the Constitution. As I say, he was the ableist scholar and political theorist of the founding generation: he got the point about supplying the defect of better motives, yet he also understood, as that quotation makes clear, that the health of political culture was an indispensable element of the success of the constitutional enterprise; an enterprise of ensuring that the rulers stay within the bounds of their legitimate authority—stay in their lane—and indeed be servants of the common good, servants of the people they rule. That's why he made the statement about the Constitution only working for a moral and religious people. And that's because a people lacking in virtue—these may be the most important words I say this evening, so let me emphasize them. If you take nothing else home, tonight, take this: because a people lacking in virtue can be counted on to trade their constitutional liberties for protection, for financial or personal security, for comfort, for being looked after, for being taken care of, for having their problems solved quickly. And there will always be people occupying or standing for public office, who will be happy to offer the deal: an expansion of their power in return for what they can offer in return for that expansion. That, my friends, brothers and sisters, is how liberty is lost.

So the question becomes, how do we form people fitted out with the virtues making them worthy of freedom, and capable of preserving constitutionally limited government, even in the face of strong temptations—which inevitably come—to compromise it away? There will always be financial depressions, economic depressions. There will always be threats from abroad—wars, invasions. There will always be problems that worry us. And there will always be demagogues who come along to say, I'll solve your problems. Just give me more power. The words “give me more power” translate into “give up your liberties”. And here we see the central political role and significance of those most basic institutions of civil society: the family, the church, other private associations, especially those devoted to the inculcation of knowledge and virtue, like religiously affiliated universities, that are in the business of transmitting essential virtues.

As I said to our group earlier today, the mission of this university—the mission of any great university—is to form the young men and women placed in our charge to be determined truth seekers, and courageous truth speakers. If we're not doing that, we're failing; if we are doing that, bravo. Brigham Young is a great university because it is doing that, and it is my hope and prayer

that it will always do that, it will never lose its mission. And when we do that, we not only enrich the lives of those students, we also fit them out for citizenship in a democratic republic. We give them the tools and resources and self understanding that they need to be loyal and effective citizens: patriots in the highest and best sense.

These institutions: schools, churches, family itself—that are in the business of transmitting virtue, are sometimes described, for example, by my beloved friend, Professor Marianne Glennon at Harvard, as mediating institutions. And by that she means institutions that provide a buffer between the individual and the power of the central state; between you or me, and the power of the central state, is the family, the church, the civic association, these alternative authority structures that ensure that government is not totalitarian, and doesn't have all the power. It's ultimately the autonomy, integrity and general flourishing of these institutions—these little platoons—that will determine the fate of limited constitutional government. And this is not only because of their primary and indispensable role in transmitting virtues, it's also because of their performance of health, education and welfare functions as the only alternative to the removal of those functions to the government. Which again is what happens—inevitably happens, necessarily happens—when family disintegration is the norm, or failures of family formation, situations of anarchy. When government expands to play the primary role in performing those functions, the ideal of limited government is soon lost, no matter the formal structural constraints of the Constitution. Our formal structural constraints in the Constitution—our separation of powers, our federalism principles, our Bill of Rights, our other constitutional principles—they all are the substance of limited government, they are constraints on the power of rulers, of officials.

When the family breaks down, when the church isn't doing its job or can't do its job, when it's captured or compromised, or tyrannized over, government will become unlimited. And it won't matter what the words on the page say. And the corresponding weakening of the status and authority of the family and the church damages the ability of these institutions to perform their health, education and welfare functions well, and to perform their moral and pedagogical ones: transmitting knowledge and virtue. With that, they surely lose their capacity to influence for good the political culture, which at the end of the day, is the whole shootin' match: when it comes to whether the ruler can truly be a servant. Thank you for your kind indulgence and patience.