

Founding Fathers' Message on Unity and Civic Charity Is More Relevant Than Ever



by **W. West Allen**

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We the People, as judges, lawyers, and engaged citizens, are the guardians of the U.S. Constitution. We must understand, teach, and defend our Constitution and its foundational principles. It is time for a recurrence to these principles. Among these are indispensable, unspoken principles, seemingly forgotten by our nation collectively: Unity and Civic Charity. During the Constitutional Convention and immediately thereafter, these virtues were manifest by the Founders' actions and genuine desire for national amity and mutual respect despite their extraordinary political differences. Our generation can learn from theirs.

It is the call of this generation for the wise and honest to repair the constitutional standard that protects the rights and freedom of all people throughout the world. We cannot, we must not, descend into political tribalism. America is inclusive. It's the greatest hope of freedom to the world. Its Constitution is this hope. Here, we build bridges of understanding for liberty, not walls of segregation by tyranny. As Lincoln reminded us, "We are not enemies, but friends." Let us not now break our bonds of civic affection. It is time again to bind up the nation's wounds.

Thomas Jefferson taught us during his days of great political division that we must "unite with one heart and one mind [and] restore to social intercourse that harmony and affection without which liberty, and even life itself, are but dreary things." He referred to this as "social love." George Washington, in his capacity as president of the Constitutional Convention, called it the "spirit of amity." It is civic charity. Here in America, we must all be engaged in the great and noble work of forming a more perfect union and securing the blessings of liberty to ourselves and our posterity. Here, all are invited to join in the eternal cause of freedom.

We are living in the most profound and perilous days of our lifetimes. We have had several wakeup calls to "come to ourselves" thanks to COVID-19. Yet now it feels as though the future of America—this great experiment in self-government as well as our U.S. Constitution—hangs in the balance based on the choices we make right now ... whether we **act** or are **acted upon**. We must dust off our constitutional instincts and forge new habits of unity and civic charity in America.

We can begin by studying the fundamental constitutional principles of popular sovereignty, federalism, separation of powers, the bill of rights, and the rule of law. Too few of our national leaders today understand the significance of these wise Constitution principles. Too few remember that the people are the only lawful source of governmental power. Too few understand the covenant of federalism between the people and their government, by which the people chartered government in exchange for the promise that government would safeguard and defend the people's liberty and civil rights. Too few respect separation of powers and refrain from the seductive tendency to venture into the field of a coordinate branch to which they were neither elected nor appointed. Too few hold inviolate the Bill of Rights and sustain laws that are just, equally enforced, and independently adjudicated.

But we must also understand the unspoken fundamental principles from our American heritage. George Washington in his farewell address taught us this critical lesson for a new republic: "Your Union ought to be considered as a main prop of your liberty and ... the love of the one ought to endear you to the preservation of the other." Unity is interconnected with, and leads

Importantly, unity does not mean uniformity. All have gifts that contribute to the greater national whole. We are dependent on each other. We have need of every citizen. If one suffers, we all suffer. If one rejoices, we all rejoice together. If one of us is bound, none of us is free. Harmony is a sound far greater than dissonance and unison. The political orchestra of contrasting souls working together for freedom is as powerful as it is beautiful. This is the greatness of a republic. We are one. We eschew contention; we love one another.

“Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that.” –Reverend Martin Luther King Jr.

May each of us hear and understand the wise lessons of the Constitution that our Founders left for our discovery. May the Hand of Providence continue to guide this nation and its leaders as our Founders testified it did in their generation. May all those who serve the People of this great nation have the humility and wisdom to understand the power of unity and civic charity.

Resources

Derek A. Webb, The Original Meaning of Civility: Democratic Deliberation at the Philadelphia Constitutional Convention, 64 S.C. L. REV. 183 (2012).

Mathew Holland, Bonds of Affection: Civic Charity and the Making of America (2007).

Jonathan Haidt, The Righteous Mind: Why Good People Are Divided by Politics and Religion (2012)

<https://www.harvard-jlpp.com/wp-content/uploads/sites/21/2020/05/Griffith-FINAL.pdf>

<https://harvardlawreview.org/202012/the-degradation-of-civic-charity>

About the Author

W. West Allen is the 93rd national president of the Federal Bar Association, one of the largest national bar associations in the country, with approximately 20,000 members nationwide. W. West Allen is an intellectual property litigator and counselor in Las Vegas who represents a wide variety of international clients in federal courts. He served as chair of the FBA's Government Relations Committee for seven years and has served as a member of the FBA's board of directors for much of the past decade. In 2016, Allen received the FBA's President's Award for longstanding service to the FBA and as chair of its Government Relations Committee.

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