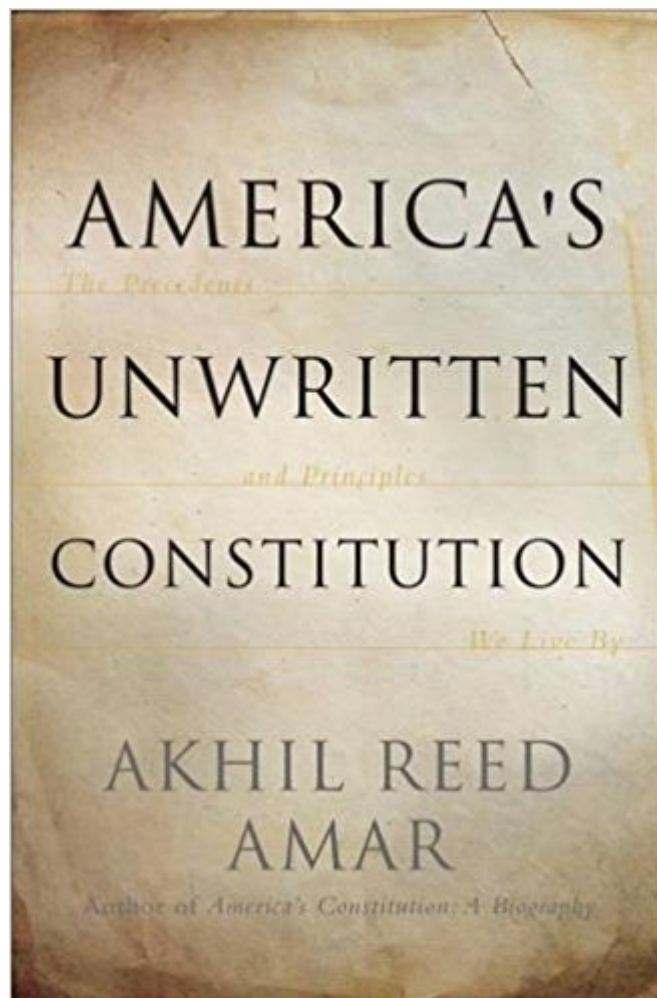




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America's Unwritten Constitution: The Precedents And Principles We Live By



Synopsis

Despite its venerated place atop American law and politics, our written Constitution does not enumerate all of the rules and rights, principles and procedures that actually govern modern America. The document makes no explicit mention of cherished concepts like the separation of powers and the rule of law. On some issues, the plain meaning of the text misleads. For example, the text seems to say that the vice president presides over his own impeachment trial—but surely this cannot be right. As esteemed legal scholar Akhil Reed Amar explains in *America's Unwritten Constitution*, the solution to many constitutional puzzles lies not solely within the written document, but beyond it—in the vast trove of values, precedents, and practices that complement and complete the terse text. In this sequel to *America's Constitution: A Biography*, Amar takes readers on a tour of our nation's unwritten Constitution, showing how America's foundational document cannot be understood in textual isolation. Proper constitutional interpretation depends on a variety of factors, such as the precedents set by early presidents and Congresses; common practices of modern American citizens; venerable judicial decisions; and particularly privileged sources of inspiration and guidance, including the Federalist papers, William Blackstone's *Commentaries on the Laws of England*, the Northwest Ordinance of 1787, Lincoln's Gettysburg Address, and Martin Luther King, Jr.'s "I Have a Dream" speech. These diverse supplements are indispensable instruments for making sense of the written Constitution. When used correctly, these extra-textual aids support and enrich the written document without supplanting it. An authoritative work by one of America's preeminent legal scholars, *America's Unwritten Constitution* presents a bold new vision of the American constitutional system, showing how the complementary relationship between the Constitution's written and unwritten components is one of America's greatest and most enduring strengths.

Customer Reviews

Washington Post: In *America's Unwritten Constitution*, Akhil Reed Amar aims high and has produced a masterful, readable book that constitutes one of the best, most creative treatments of the U.S. Constitution in decades.... [The book] is filled with thought-provoking material and fun vignettes, suitable for a wide audience.... Amar's approach is refreshing. Amar makes a creative case that America's written Constitution and its unwritten Constitution, since the beginning of the nation, have fit snugly together to form a single, more perfect union. —*Wall Street Journal*; Akhil Reed Amar is a rarity: a progressive law professor who is unafraid of the text of the Constitution.... In his ambitious new book, *America's Unwritten Constitution*, he

examines the paradox of needing to go beyond the text in order to faithfully follow the text.... His is a 'holistic' interpretation, one that rejects reading passages or clauses of the text in isolation from the document as a whole. He is masterfully creative in finding overarching themes that tie the disparate clauses together in novel and sometimes counterintuitive ways.... A highly engaging and thought-provoking book. —

Akhil Reed Amar is the Sterling Professor of Law and Political Science at Yale University, and also periodically serves as a visiting professor at Harvard, Stanford, Columbia, and Pepperdine Law Schools. Amar is the author of five books, including *America's Constitution*, which won the Silver Gavel Award from the American Bar Association, and *The Bill of Rights*. A member of the American Academy of Arts and Sciences and a Senior Scholar at the National Constitution Center, Amar is often cited by the Supreme Court and is a frequent expert witness in Congressional hearings.

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