

6-22-2008

Fritz, Christian G.: American Sovereigns: The People and America's Constitutional Tradition Before the Civil War (Book Review)

William E. Kelly

University of New Mexico - School of Law

Follow this and additional works at: https://digitalrepository.unm.edu/law_facultyscholarship



Part of the [Law Commons](#)

Recommended Citation

William E. Kelly, *Fritz, Christian G.: American Sovereigns: The People and America's Constitutional Tradition Before the Civil War (Book Review)*, 37 *Perspectives Political Science* 176 (2008).

Available at: https://digitalrepository.unm.edu/law_facultyscholarship/181

This Article is brought to you for free and open access by the School of Law at UNM Digital Repository. It has been accepted for inclusion in Faculty Scholarship by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu.



SCHOOL
OF LAW

SMALL SCHOOL.
BIG VALUE.



Fritz, Christian G.: American Sovereigns: The People and America's Constitutional Tradition Before the Civil War.(Book review)

Article from:

[Perspectives on Political Science](#)

Article date:

[June 22, 2008](#)

Author:

[Kelly, William E.](#)

More results for:

[author:\[Kelly William E.\]](#)

Fritz, Christian G.

American Sovereigns: The People and America's Constitutional Tradition Before the Civil War

New York: Cambridge University Press

427 pp., \$80.00

ISBN 978-0-521-88188-3

Publication Date: October 2007

Ideas in American society have always played important roles. This becomes quite evident when reading this book, which analyzes the idea of constitutionalism and its effect on the United States. What Christian G. Fritz has done is challenge the view that the idea of constitutionalism today is closely related to that which was espoused at the federal Constitutional Convention in 1787. Fritz defines American constitutionalism as "the people"--that is, a collective sovereign (277). He also notes that the idea of constitutionalism has been interpreted differently at times by various factions in American society. Thus, citizens have had dissimilar views regarding important matters such as taxes, court procedures, government reform, decisions to wage war, and the scope of dissent (5). Fritz's scope of concern in this book starts with the Revolution and continues to the Civil War. However, his primary focus is on the people and their relationship to the government.

The different definitions of constitutionalism have had important effects on our country. For example, it has often divided us in terms of what we expect as the role and power of our government: some citizens believe the government should have more power, whereas others believe the government's power should be more limited.

This book has three main parts: Part 1, "The People's Sovereignty in the States," describes the idea that the people were the sovereigns who created constitutional government in the states. Part 2, "The Sovereign Behind the Federal Constitutional Convention," shows that there was no consensus on how the people could express their sovereignty. Part 3, "The Struggle Over a Constitutional Middle Ground," explores the American puzzle of a collective sovereign, a sovereign that simultaneously rules and is ruled (5-6).

Fritz concludes with an epilogue that suggests that "[t]he ideas that place the people at the center of American constitutionalism deserve more careful and exacting exploration. Identifying some of these ideas ... may stimulate new directions for research. These new directions might reintegrate into American constitutional history, theory, and jurisprudence the significance of the

once-held belief that in America, the people were the sovereign" (280). Therefore, future scholarly endeavors regarding the role of American citizens in government should prove to be quite beneficial.

There is still a debate today over the relationship between the citizens and government in American society. For this reason, this book should be of interest to those who are interested in constitutional history and the relationship between the people and the government. Fritz attempts to analyze this relationship, but the debate over these questions will continue.

WILLIAM E. KELLY

Auburn University

Copyright [c] 2008 Heldref Publications