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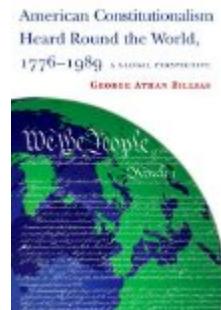
in the Humanities & Social Sciences

George Athan Billias. *American Constitutionalism Heard Round the World*. New York: New York University Press, 2009. 544 pp. \$60.00 (cloth), ISBN 978-0-8147-9107-3.

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Published on H-Law (December, 2010)

Commissioned by Christopher R. Waldrep



Paper Echoes

At the close of this remarkable work, Billias reminds his reader that “my book should be considered mainly as a pioneering effort” (p. 376). Billias has achieved this goal with a sturdy and detailed survey of American constitutionalism’s impact throughout the world. The work is a synthesis “based largely on secondary sources” (p. 376), filling a vast void in the literature. It is a sweeping introduction, an agenda for research for scores of historians, and an education in both the field and in how to construct such a study. It is written in clear, unencumbered, honest prose, and has a carefully considered scholarly apparatus of notes and index entries. It is a monumental work of thought, energy, and scholarship. Legal historians and constitutional comparatists are now most fortunate to have this work to guide us in the relatively uncharted waters of American influences on global constitutional history.

Billias, the Jacob and Frances Hiatt Professor Emeritus of American history at Clark University, focuses on six documents or sets of documents that define American constitutionalism for this work. They are: the Declaration of Independence, the first state constitutions, the Articles of Confederation, the U.S. Constitution, *The Federalist*, and the Bill of Rights. These works, viewed by Billias as a “simultaneous whole,” established and represented a cluster of constitutional principles that spread from the United States to the rest of the world over two centuries (p. 9). Because these principles are transmitted by and extracted from particular documents and expressed in written form, Billias limits constitutionalism

to “documentary constitutionalism” (p. 8). The essential features of American documentary constitutionalism are written constitutions, constituent conventions, ratification, amendment, presidentialism, federalism, and judicial review. Billias matches different contributions to different documents. For example, the Articles of Confederation are credited with the idea of a union based on federalism. The contribution and correlation of each document with particular principles are set out in chapter 2 of the work, “American Constitutionalism Defined: Six Seminal Documents.”

Billias uses the metaphor of a shot and echoes to chronicle the spread of these ideas via these documents throughout the world over time. At first, I was not convinced that the idea of echoes was the best analogy. I thought of cluster bombs spewing ideas in every direction at different intensities or biological models of vines or bacteria. The more I read Billias’s work, the more I understood the subtlety of his choice beyond the parallel to Ralph Waldo Emerson’s “shot heard round the world.” As echoes become fainter and fainter with each hearing, they also become less and less defined. Echoes help Billias write history because his first echo is clear and strong. The documentary evidence is there and irrefutable when he writes about the first echo in chapter 3, “First Echo: Europe, 1776-1800.” By the time we reach chapter 11, “Seventh Echo: American Constitutionalism and Democratization, 1974-1989,” the echoes of these documents are faint indeed and sometimes drowned out by French sources, German practice, international law,

and more modern models and documents that contain only the distorted distant whispers of, for example, Jefferson, Madison, and Hamilton. Billias must admit that the role of American constitutionalism as constructed from the six documents became “more indirect than direct” (p. 320).

Between Western Europe in 1800 (first echo) and Eastern Europe in 1989 (seventh echo), the book undertakes a comprehensive survey of the world to include chapters on nineteenth-century Latin America (second echo), the “European Interlude” of 1800-48, the European revolutions of 1848 (third echo), another “European Interlude” from 1850-1900 and the American Civil War, the American empire following the Spanish-American War (fourth echo), the period from 1919 to 1945 (fifth echo), and the “American Crescendo, 1945-1974” (sixth echo). A brief concluding chapter, “Global Consciousness,” is followed by an excellent but all too short historiographical note on the influence of American constitutionalism abroad. This shortcoming is counterbalanced by the quality of the work’s notes, which sometime approach mini-historiographical essays in their own right (e.g., pp. 398-399 n. 126, p. 473 n. 1).

Because the influence of American constitutionalism must be weighed against other sources and traditions, the work serves as a general introduction to comparative constitutional history. I will use the book as an introductory work for students of comparative constitutionalism. I will also pick it up as a sourcebook on world constitutionalism for both the analysis provided in its text and the materials that Billias cites. Although treatment of Argentina, France, Germany, Japan, and Mexico is somewhat expected, Billias provides insights into constitutional change in countries that may be less known to readers of the comparative literature, including, for example, Albania, Brazil, Greece, Haiti, Hungary, India, Israel, Italy, Latvia, Panama, The Philippines, Poland, and

Switzerland.

With the work’s ambitious geographical and temporal scope, almost every page entreats the reader to dig deeper into the questions or issues raised that are not answered by the text and notes. As a pioneering work, it is an almost endless source of research questions to be undertaken by students of comparative constitutionalism and legal history. I will use the work in this way too, for my students and for myself.

Because it is written so broadly, it is apt to have areas that might be improved. For example, in the chapter dealing with Latin American constitutionalism in the nineteenth century, the area of the work I am most familiar with, I found that Billias too heavily relied on some sources that provide a somewhat skewed perspective. For example, from this reader’s standpoint, it is somewhat inaccurate to write that “Latin American countries began with a lack of respect for the law” or that in Latin America “there existed a tradition of noncompliance with the law” or that “disregard for law often degenerated into anarchy” (p. 111). Furthermore, a colonial administrator’s response to a royal decree of “I obey, but do not carry it out,” should not be seen as supporting disrespect for the rule of law, if such a concept can be easily mapped onto colonial Spanish society (p. 113). A substantial literature now exists on this point.

Such minor criticism, however, amounts to very little when stacked against the vast accomplishment of Billias’s work. In the effort of pioneering the field of global constitutional legal history, one may be pushed a little too hard by one secondary source or another. Overall, it is Billias’s book that pushes us and inspires us as students of comparative constitutional history. In areas we once had to venture into alone, we now have the guidance of a reassuring arm around our shoulders and someone suggesting a path to pursue, *American Constitutionalism Heard Round the World*.

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Citation: Matthew Mirow. Review of George Athan Billias, *American Constitutionalism Heard Round the World*. H-Law, H-Net Reviews. December, 2010.

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