

# CONQUERING THE POLITICAL DIVIDE



HOW THE CONSTITUTION CAN HEAL  
OUR POLARIZED NATION

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Conquering the Political Divide  
*How the Constitution Can Heal Our Polarized Nation*

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 **AUTHOR  
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*To Mom and Dad.  
You gave me everything.*



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## FOREWORD

For American students of political science and public affairs, an understanding of the United States Constitution sits front and center as a foundational element of their education. But the Constitution is not just for students. Every American should acquire an understanding of the ideas and ideals embodied in the Constitution to fully and competently participate as citizens of the United States. That is because U.S. citizenship is not just a badge of honor; citizenship is a political office with obligations and responsibilities.<sup>1</sup> As such, every citizen has a responsibility to learn about what the Constitution is, the role it defines for the federal and state governments, and the balance it creates between individual freedom and equality.

In *Conquering the Political Divide*, I have tried to make the case for why all Americans (including those serving in the judiciary) should interpret the Constitution based on the original intent of the Founders. This intent is reflected in constitutional principles inherent in our unique form of representative government, principles that have formed a basis for national unity since our country's founding. I contrast these principles with those advocated by the progressive Left to explain why their point of view is undermining both the Constitution and the Founders' vision of the American Dream. Such contrast will allow the reader to gain a deeper understanding of what makes America exceptional, even when compared to other democracies around the world.

Whether you agree or disagree with my personal view of constitutional jurisprudence, I believe *Conquering the Political Divide* will make the reader question his or her own assumptions about

the morality and effectiveness of public policy. I have encouraged such questioning by including narratives on the economy, health care, and social issues that are fact-based and sometimes provocative, but they are always focused on defending public policies that are constitutionally consistent. Therefore, this text creates an opportunity for the reader to consider how “originalists” think about public policy in deference to what the Constitution deems permissible and what is also economically realistic. It is this type of critical thinking about public policy that our nation needs more of today, not less.

Thomas Jefferson once wrote about the importance of educating the average citizen on civic affairs to protect our unique form of representative government. He wrote, “I know no safe depository of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them but to inform their discretion by education. This is the true corrective of abuses of constitutional power.”<sup>2</sup> In *Conquering the Political Divide*, I have tried to take Jefferson’s admonition to heart by presenting a defense of the Constitution and its founding principles as a basis for rallying our nation toward political unity. I expect that any student of the Constitution will find my defense both challenging and rewarding. Likewise, for those citizens simply looking for an informed perspective on how a commitment to the Constitution can overcome the political divide we face in America today, I believe this book is an important and valuable read. Enjoy.

Eric A. Beck  
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Free Nation Media LLC

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# INTRODUCTION

## WHY AMERICA IS A DIVIDED NATION

America is once again a divided nation.

At several points in our nation's history, just as we are today, America has found itself at a crossroads divided by our core values and political interests. We first came to such a point in 1787 when the American colonies had to decide whether to remain a loosely affiliated group of independent states under the Articles of Confederation, or to become a single republic under a constitution. This decision split the colonies and its citizens into two camps—the Federalists and Anti-Federalists. Each camp engaged in a tough and sometimes strident campaign to press their case for America's future form of government. The Anti-Federalists were opposed to creating an empowered federal government, fearing that it would usurp state sovereignty. The Federalists ultimately prevailed because they were better organized, they articulately defended their ideas by publishing the Federalist Papers, and they presented a work product in a draft Constitution around which they could rally public support for a single republic.<sup>3</sup>

Ultimately, it was ratification of the U.S. Constitution in 1788, including the ideas and ideals it embodied, that became the basis for consensus that overcame the political divide of that day. Although the issue of slavery had yet to be resolved, this consensus was expanded three years later in 1791 as part of the Massachusetts Compromise through final ratification of the Bill of Rights. The foundation for a United States of America was

then set, thereby establishing a nation that guaranteed individual rights (albeit at the time to white men only) while limiting the powers of the federal government.

Yet during the subsequent seventy years leading up to the election of 1860, our nation remained bitterly divided over the issue of slavery, an institution that would later become one of several major catalysts for the American Civil War. With the benefit of hindsight, we can now see with greater clarity that the institution of slavery did not live up to the ideas and ideals expressed in the Declaration of Independence, the Constitution, or the Bill of Rights: otherwise known as America's "Founding Documents."

However, in the aftermath of the Civil War, one might ask what was the motivating force that allowed our nation to heal from the detriment of slavery, eventually leading to the strengthening of our nation's character through its abolition. Some might suggest that it was the end of the war itself, and specifically victory by the Union that opposed slavery, that helped heal the nation during Reconstruction. However, the war's end did little to deliver social and economic justice for newly enfranchised black Americans. In fact, one might say it simply changed the nature of enslavement for blacks with the rise of groups like the Ku Klux Klan dedicated to maintaining their second-class citizenship.

Ultimately it was an appeal to the ideas and ideals embodied in our Founding Documents that became the authentic basis for healing our nation, even before the Civil War had ended. President Lincoln himself set the tone for this healing process during his Gettysburg Address, reminding us with his brief but impassioned words about the ideals reflected in the both the Declaration of Independence and preamble to the Constitution:

Four score and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal. . . It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall

## INTRODUCTION

not have died in vain—that this nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.

—President Abraham Lincoln, the Gettysburg Address, 1863.

This call for recommitment to all men being “equal” and a “new birth of freedom” was no less than a call for a renewed pledge to the ideals not yet achieved by our constitutional republic. Lincoln knew that recommitment to these ideals was ultimately the only true basis for binding up the nation’s wounds. He also knew that attempts to subvert individual freedom through slavery were inconsistent with the “Laws of Nature and Nature’s God.”<sup>4</sup>

The Reverend Dr. Martin Luther King Jr. would express similar sentiments during the 1950s and 1960s as he pressed for black civil rights, working to fulfill the objectives of the abolitionist movement that began during the pre-Civil War era. Dr. King’s most eloquent expression of these sentiments came during his August 1963 “I Have a Dream” speech in Washington DC. King spoke metaphorically about a promised inheritance of inalienable rights granted by the Founding Documents, rights inherited by people of all colors and creeds. He clearly understood that the moral underpinning of our constitutional republic, founded on Judeo-Christian ethics, was the key to awakening the American consciousness about the evils of segregation and the prejudicial attitudes many whites held at that time toward blacks. And awaken the American public he did, as Dr. King’s speech became a key catalyst in building public support for passage of the Civil Rights Act of 1964 and Voting Rights Act of 1965. These watershed pieces of legislation expanded the promise of equal rights to all citizens, thereby advancing the ability of minorities to share more fully in the American Dream.

At each of these three pivotal junctures in American history our nation was deeply divided in terms of its core values and political interests. However, at each juncture there was also a call by national leaders of the day to return to the ideas and ideals embodied in the Founding Documents to reunite our nation politically, economically and culturally.

America is now at another pivotal juncture where we must once again turn to the Founding Documents to serve as the basis for healing our divided nation. However, the divide we face today is not about race, gender, or voting rights, but rather it is about the Constitution itself and what it represents about the role of government in our lives.

The pivotal event that best underscores America's modern-day political divide was the election of Barack Obama as president of the United States in 2008. Then Senator Obama, a liberal progressive, offered the American people a candidacy of "hope and change" that was little defined in terms of concrete policy. One might ask why Americans would be so willing to elect a presidential candidate whose prior qualifications included no executive experience, an undistinguished voting record in the U.S. Senate, and a network of supporters and associates that included many whose political philosophy could be fairly described as radical and economically socialist. Senator Obama gave us a clue to the answer in his autobiography called *The Audacity of Hope* where he said, "I serve as a blank screen on which people of vastly different political stripes project their own views."<sup>5</sup> If this is true, then this is a clear sign that the Center-Right American electorate did not fully grasp the nature of Mr. Obama's progressive ideology, or its political and economic implications.

What the presidential candidacy of Barack Obama did offer the electorate was an opportunity to change political direction away from two unpopular wars in Iraq and Afghanistan, and from an economic crisis whose root cause the American people did not fully understand. More importantly, his election offered the average citizen a way to make a personal statement about how far our nation had come in terms of race relations by electing America's first black president. Such a statement should be a cause for celebration given our nation's history. However, making this statement came at the price of ignoring Mr. Obama's progressive values and his stated intention to "fundamentally transform America" in ways that sought to undermine the Constitution.

As we have seen during his eight years in office, President Obama's vision for America did little to close our nation's political

divide. This was not an accident. As a subscriber to modern-day progressive ideology, Mr. Obama viewed the Constitution as a frivolous annoyance, something that impeded his ability to transform our nation in ways that are consistent with his radical brand of liberalism. While the Constitution embodies a standard of individual rights and limited government, Mr. Obama preferred to speak of “collective salvation.”<sup>6</sup> While he periodically reminded us that America does not guarantee equal outcomes, he worked to undermine private property rights through a plethora of wealth transfer initiatives that included his signature health-care reform program: The Patient Protection and Affordable Care Act (aka the “Affordable Care Act or “Obamacare”). He chose to distract Americans from the ideas and ideals of the Constitution as a basis for healing, and instead preferred to preach middle-class victimization.<sup>7</sup> He decried the “rugged individualism”<sup>8</sup> of entrepreneurs, who are the only real hope for middle-class advancement, suggesting that business owners owed their success to government.<sup>9</sup> He also mocked the concerns of traditional Americans by saying that they “they cling to guns or religion or antipathy toward people who aren’t like them, or anti-immigrant sentiment, or anti-trade sentiment as a way to explain their frustrations.”<sup>10</sup> It is for these reasons, and others reflected in his progressive thinking, that President Obama left office with America remaining a divided nation.

This book was written to empower Americans with a deeper understanding of the failings and dangers of progressive ideology. Likewise, this book was written to remind the reader about the unique benefits of America’s constitutional republic that has sustained and advanced our nation for more than two hundred years. As such, it will not present a lengthy history of the Progressive movement, as other authors have covered such material in separate texts. This book will focus primarily on how modern-day progressive ideology has influenced current political debate. It will also show how progressive ideology lacks respect for the Constitution as the standard by which we restrain the federal government and secure individual rights.

Further, this book will arm the reader with a series of credible arguments that refute the core ideology of modern-day

progressivism; that ideology being that a bigger and more intrusive government is required to advance social and economic justice. It will also present a framework that explains the progressive end-game and why their interventionist solutions are inefficient, produce undesirable consequences, or simply do not work. In doing so, the reader will be better prepared to defend the Constitution from progressive influence in their public and private lives, this while gaining a renewed appreciation for limited government. The reader will also develop a deeper understanding of why building public support, respect, and appreciation for the ideas and ideals embodied in the Constitution and our other Founding Documents is ultimately the key to healing America's current political divide.

For those who call themselves conservatives or who lean that way politically, this book will become your playbook for argument when defending the Constitution and traditional American values from progressive influence. Therefore, you will be able to use the ideas and arguments contained herein in your daily conversation with friends, relatives and coworkers who do not yet fully understand the implications to our country of the modern-day progressive agenda.

For political independents and thoughtful liberals who claim the mantle of informed citizen and voter, this book will be one that expands your understanding and perspective on the benefits of individual freedom, free markets and limited government, and the threat that progressive ideology poses to each.

Finally, for progressives and others on the far Left whose ideas and ideals this book is challenging, here is your opportunity to demonstrate your credentials as a "thoughtful liberal." If you are already turned off and choose to ignore my direct challenge to read further, I am reminded of that wise old saying: "none are so blind than those who will not see." The fact is, true liberals who proclaim their open mindedness probably have the most to gain from this read. Therefore, read on if you dare and don't be afraid. This book only reflects a set of logically organized ideas that just may give you a new perspective on our nation's political future, and maybe even your own.