



Our Secret Constitution: How Lincoln Redefined American Democracy

George P. Fletcher

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In this perspective-altering new book, George P. Fletcher asserts that the Civil War was the most significant event in American legal history, an event that not only abolished slavery and changed the laws of the land but also created a new set of principles that continues to guide our thinking today. Much as historians and lawmakers strive to maintain a continuity with the Constitution of 1787, Fletcher shows that the Civil War presented a rupture not only between North and South but between two visions of the United States. The first Constitution was based on the principles of peoplehood as a voluntary association, individual freedom, and republican elitism. The government chosen by We the People sought, above all, to protect the rights of individuals and to limit the leadership of the nation to a select few. It was a Constitution, moreover, that accommodated the most undemocratic institution imaginable: slavery. The second Constitution, forged on the killing fields of Vicksburg and Antietam, articulated in Lincoln's visionary Gettysburg Address, and enacted in the Thirteenth, Fourteenth, and Fifteenth Amendments, reinvented the United States according to the principles of organic nationhood, equality of all persons, and popular democracy. Fletcher shows how these higher principles, though suppressed for decades, shape our sensibilities today in our efforts to expand the range of those protected as equal under the law, to promote equality in the workplace, to safeguard the interests of those who are at a competitive disadvantage, to rethink the limits of free speech and of religious liberty, and to amend the Constitution in the spirit of popular democracy. Written with passion, clarity, and sweeping historical knowledge, *Our Secret Constitution* will fundamentally change the way we view our past and bring new clarity to the issues we confront today.

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