

Bruce A. Ackerman

## The Future of Liberal Revolution



Born in 1943 in New York. 1964 B.A. at Harvard College; 1967 LL.B. from Yale University. 1972-74 Professor of Law and Public Policy Analysis at the University of Pennsylvania, Philadelphia; 1974-82 Professor of Law at Yale University, New Haven; 1982-87 Beekman Professor of Law and Philosophy at Columbia University, New York. Since 1987 Sterling Professor of Law and Political Science. Main publications: *Private Property and the Constitution* (1977); *Social Justice in the Liberal State* (1980, Gravel Award); *Reconstructing American Law* (1984); *We the People* (vol. 1, 1992). — Address: Yale University, Law School, 401A Yale Station, New Haven, CT 06520, USA.

We arrived, my wife and I, with a clearer sense of ending than beginning. Just before our stay in Berlin, both of us had sent off big books — the work of years and years — to the publishers. Even more wrenching, we had said good-bye to our youngest son and watched him bravely leave home to start a new life for himself as a freshman at university. After so many years with the children, we were once again alone with one another, still young enough — we anxiously assured one another — to be excited about the prospect.

For reasons I have never really understood, I had decided, in the early 1980's, to begin studying German. Year after year, I had helped finance graduate education at Columbia and Yale (where I have taught more recently) by hiring a German graduate student as a tutor. We would read books together, novels mostly, and discuss them two or three hours a week.

It was painful to mark my slow progress. Starting any large activity in my late 30's was tougher than I had supposed. Yet, after ten years, brute perseverance had begun to pay off. I began my stay at the Kolleg by reading some Heidegger and found, to my surprise, that he was more intelligible in German than in English (which is not to say that I understood him). Even more remarkably, I began to laugh at German jokes at the same time everybody else found them funny, and sometimes even could distinguish between Germanic irony and Teutonic stolidity. Developing my own ideas in German came a bit more slowly, and was never com-

pletely successful. During much of the year, I gave my public lectures (in Frankfurt, Berlin, and Vienna) in English. But by the end, I was giving them in German — at the Universities of Kiel and Bremen, and in a debate with Herrn Gauck about the proper use of the Stasi Files in Wiesbaden.

This halting *Sprung* into a *Fremdsprache* only served to emphasize the break from customary Anglophone life in New Haven. But it did little by itself to answer the question, What next?

Perhaps, of course, there would be no answer. In order to avoid the void, I had prepared a contingency plan: While I had just published a book called *We the People*, I had announced that the book was only the first of a series that would explore the philosophy, history and law of the American constitution. If nothing else came along, I would push onward to the second in the series. In fact, in the course of writing the first volume, I had already done a lot of work on material that would fit in the second. Almost too much work. During the preceding decade's research, I had already written about 850 pages of manuscript that badly needed compression. These chapters attempted an intensive analysis of the two great crises in American constitutional history: the nineteenth century crisis provoked by the Civil War; the twentieth century crisis provoked by the Great Depression. Even more important than reorganizing this material, I needed to think through, and write, an introductory chapter or two that might provide an organizing framework for the more detailed historical analysis in the rest of the book. This latter task took up much of my effort in the fall. By December or so, I had completed my framework chapters and confronted the forbidding task of reducing the 850 pages of detailed history into a less formidable, and more illuminating, 400 pages.

At this point, however, I shifted from my contingency plan. As I was writing my framework chapters for volume two of *We the People*, I was playing with some ideas provoked by my accumulating European experience. I used my Tuesday seminar at the Wissenschaftskolleg to test these ideas in a lecture, "The Future of Liberal Revolution," published in this volume. I found the response generated by my talk immensely encouraging. My friends at the Kolleg were so energetic in their objections and suggestions that I was prompted to revise and expand repeatedly. Three members of the Kolleg helped me along especially. At an early stage, Peter Glotz encouraged me to refine my ideas for a German audience. This resulted in the publication of "Die Zukunft der liberalen Revolution" in the March 1992 issue of *Die Neue Gesellschaft/Frankfurter Hefte*. Stephen Holmes made available to me all of the resources of a large research project that he is directing on Constitutionalism in Eastern Europe. This allowed me to have many spirited conversations with the Project's academic correspondents in a number of Eastern European capitals concerning

the present political and constitutional situation. Finally, Claus Offe made many extremely useful suggestions in response to my first effort at writing a book-length essay on the constitutional implications of the European revolutions of 1989.

Intensive work on this project began about January 1, 1992. In the six months, I managed to write three, very different, drafts. In addition to the ongoing critique by members of the Kolleg, the effort was aided by the very useful critique I received when I presented my thoughts in three lectures before the Institute for Human Sciences in Vienna. One of the lectures was then published in German as "Von der Revolution zur Verfassung" in the summer issue of *Transit*. By July 15, I had sent my completed manuscript off to Yale University Press — which is publishing *The Future of Liberal Revolution* with remarkable speed. The book will appear in American bookstores by November 1. A German version of it will be published by Siedler Verlag in 1993.

Obviously, I devoted most of my waking hours to writing and revising *The Future* during the bulk of my stay at the Kolleg. But I also took time out to write a lecture, "What Kind of Democracy? The Political Case for Constitutional Courts," that I delivered in May in Paris at the International College of Philosophy.

So my year in Germany provoked a new direction in my work, at least in the short run. I will let the long run take care of itself.