UNIVERSITY OF HOUSTON LAW CENTER

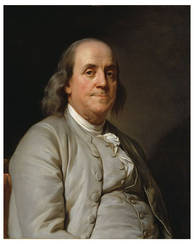
A Note from the Office of Dean Leonard M. Baynes

This July, the United States marks the 250th anniversary of the adoption of the Declaration of Independence—a historic milestone in the life of our nation. In 1776, the nation's founders launched an ambitious experiment in self-governance, which at the time was remarkable by establishing a representative and participatory democracy. It was inspirational, and the absolute antithesis of what the early colonists experienced at the hands of Great Britain's governance.

What is very important to note is that our 250th anniversary is so much more than the very influential and significant words in the Constitution and the Declaration of Independence. It is the power of our people from our founding until today who have ensured that these words have meaning and impact.

For two and a half centuries, the American constitutional system has endured. Throughout our history, we have worked through many challenges including the Civil War, The Great Depression, profound social change, domestic conflict, foreign wars, and other domestic and global crises. Today, our institutions continue to face significant political, social, legal, and economic challenges. But our nation remains standing as it was designed to accommodate disagreement, channel dissent through lawful processes, and provide continuity through periods of uncertainty.

Our Constitutional system was initially designed as a compact among the states and the people. It provided inherent compromises and balances to save us from our differences by creating a form of government that held our very disparate nation together. While the Declaration of Independence articulated our nation's core democratic ideals, the Constitution and the expansion of rights and equality principles came later through the adoption of the Bill of Rights (the First 10 Amendments), the Civil War Amendments (13th, 14th, and 15th Amendments) and Women's Suffrage (the 19th Amendment). The original text and these Constitutional Amendments serve as the foundation of our republic and reflect the ideals expressed in the Declaration of Independence. Together these documents establish the framework of government that translates abstract principles into a durable, functioning reality. It provides the legal and procedural mechanisms required to resolve complex disputes, protect civil rights and liberties, and adapt to the needs of a changing society.



A painting of Benjamin Franklin by Joseph Siffrein Duplessis ca. 1785

At the close of the Constitutional Convention of 1787, Benjamin Franklin warned that we had: "A Republic, if you can keep it." The meaning of this phrase is that it requires the people to protect and preserve our democracy. We are in a moment when many have doubts. According to the Pew Research Center, recent survey results show that many Americans see the U.S. democracy, once a model for other nations, as in decline, and about 70% of Americans are dissatisfied with how it is working today. These findings are not signs of a failed experiment. They, instead, present us with a critical challenge.

Our constitutional story has never belonged to the authors of these great documents alone, but to the American people. It has been shaped, again and again, by the people. Initially, it was those who drafted the Declaration of Independence, spelling out their grievances against Great Britain. It continued with those who challenged the new nation to live up to its ideals embodied in the Declaration of Independence. In a 1776 letter to her husband, John Adams, Abigail Adams famously urged the nation's founders to "remember the ladies" as they established a new system of government, arguing that those subject to the law deserved a voice in its creation. Decades later, abolitionist and the formerly enslaved Frederick Douglass pointed out the gap between America's founding ideals and the reality of slavery, while recognizing that those same ideals contained the principles needed to challenge that injustice.

A painting of Abigail Adams by Gilbert Stuart, ca. 1810

A painting of John Adams by Gilbert Stuart, ca. 1810/1815

A painting of Frederick Douglass by Elisha Livermore Hammond, ca. 1844

These voices remind us that progress is not separate from our constitutional tradition. Each generation is called not only to inherit this system, but to engage with it, test it, and reform it.

This historic anniversary reinforces an essential fact: a constitutional republic is not self-executing. Its preservation depends on us. It depends on people being informed, engaged and willing to take part in the hard work of maintaining a healthy democracy. It is important to remember that our constitutional system gives us rights and freedom:

- To practice any religion or no religion
- To speak our opinions on matters of public importance
- To bear arms
- To be secure in our person, property, and homes
- To be treated equally and fairly
- To be free to associate with whomever we choose
- To have due process under law
- To have a right of privacy

These are inalienable rights that our founders and their successors specified in our founding documents and their subsequent amendments.

For those in the legal profession, this responsibility is even greater. We have the responsibility to steward our great democracy and make it stronger and fairer. Whether through advocacy, service, scholarship, or civic engagement, we are called to bolster the integrity of our institutions and live up to our founding ideals.

At the University of Houston Law Center, our academic mission is grounded in the rigorous study of our constitutional system and the rule of law. Our exceptionally talented faculty, by employing different variations of the Socratic Method, prepare future lawyers to think critically and judiciously. We use the case study method where students read majority and dissenting opinions. They are required to know both sides of every argument. As practicing lawyers know, if you don't anticipate what the other side will argue, you will lose your case. Through this pedagogy, our law students not only learn the law, but understand it, apply it, strengthen it, and carry it forward.

We extend that commitment beyond the classrooms and into the broader community. For the past 10 years, UH Law has broadcast Briefcase, a segment on the local NPR affiliate KUHF, which focuses on legal issues, most recently explaining Constitutional concepts and principles. See https://www.houstonpublicmedia.org/shows/briefcase/.

We have also created a special series of educational videos and an accompanying one-page instructional guide on constitutional amendments to help make our founding documents clear, accessible, and meaningful. In doing so, we hope to empower students, educators, and the broader community to engage with the U.S. Constitution not as an abstract text, but as a living framework that shapes their lives. These resources are available at: https://law.uh.edu/constitution/.

As we mark this important milestone, let us reflect on what the Constitution requires of each one of us. The American constitutional system endures not because it is finished, but because each generation is willing to take up the challenge to understand its legacy and engage thoughtfully in civic life to ensure that we retain our democracy. Now it is our turn.

Sincerely,

Leonard M. Baynes
Dean, Hugh Roy and Lillie Cranz Cullen Distinguished Chair, and Professor of Law
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