

## Summer History & Heritage -- #8 (August 19)

(This last summer post recalls Solzhenitsyn, St. Stephen's, & the U.S. Constitution)

### **Aleksandr Solzhenitsyn --- (Andrew Doran; firstthings.com, July 31, 2013)**

**This Russian novelist (1918—2008)**, gravely ill after years in Soviet prisons, stumbled about “covered with ice, out of the dark and the cold” when finally freed in 1953? He penned many acclaimed works, the *Gulag Archipelago* among them, exposing the lies and horrors driving Communism’s conquest of his beloved Russia. In later speeches and essays, he noted the 20th-century as a time when men, having “forgotten God,” were “sucked into the vortex of atheism and self-destruction.”

### **St. Stephen’s Cathedral (Vienna) - (Grant/Wilbur; *Christian Almanac*, Aug. 1)**

**This Gothic cathedral**, originally a Romanesque basilica consecrated in 1147 but burned down in 1258, stands today as the majestic centerpiece of Vienna, Austria? Where Mozart was married in 1782, the church, called Stephansdom in German, was a labor of love of townsfolk aided by master craftsmen hired by the House of Hapsburg. As such, it shows one of history’s greatest lessons: excellence in culture is usually the work of small, cohesive, persevering societies guided by their own fathers.

### **Judicial Review --- (B. McClanahan; *Founding Fathers’ Guide*, pp. 136-144)**

**This U.S. judicial power**, generally conceded by the Founders, allows judges in formal cases to decide the constitutionality of *federal* laws and void them if found wanting? The power itself was affirmed by Supreme Court Chief Justice John Marshall in *Marbury v. Madison* (1803), now a legendary legal case. Jefferson, however, in an 1815 letter on the subject, observed that “there is not a word in the Constitution which has given that power to them [judges] more than to the Executive or Legislative branches.”

### **Judicial Review of State Laws --- (B. McClanahan; pp. 136-144)**

**This potential U.S. judicial power**, with a few qualifications, was generally denied by the Founders in the Constitutional Convention & various State ratifying conventions? Federal courts were not to exercise the aforementioned power over the public acts of States, unless those acts transgressed Article I, Section 10 of the U.S. Constitution. That provision (Art. I, Sec. 10) lists some specific items, like making war and coining money, which States were expressly forbidden to do.

### **Power to Veto State Acts & Laws --- (B. McClanahan; pp. 136-144)**

**This proposed U.S. power**, suggestive of all-encompassing federal sovereignty, was brought up for debate in the Philadelphia Convention (1787) and rejected at every turn? Charles Pinckney (SC), the power’s strongest advocate, wanted to give Congress authority to “negative all laws passed by the several states, interfering, in the opinions of the legislature, with the general interests and harmony of the Union. . .” The proposal went nowhere; only James Wilson (PA) was enthused about it.