

Resuscitating the Bill of Rights

A Commentary

By Nicholas von Hoffman

Some of us who've been sending away for Senator Sam T-shirts do remember that he helped draft the Southern Manifesto and that he fought all the civil rights legislation of a decade. We remember and then we send away for our Senator Sam wall posters and we wonder at him and ourselves and the times.

President Truthful must wonder also. After the Senate rejected his nominations of Haynsworth and Carswell, he cried out, "... it is not possible to get confirmation for a Judge on the Supreme Court of any man who believes in the strict construction of the Constitution, as I do, if he happens to come from the South ... when you strip away all the hypocrisy the real reason for their rejection was their legal philosophy that I share of strict construction of the Constitution, and also the accident of their birth, the fact that they were born in the South."



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"Faced with Nixon," says one, "What America needs now is a hero. I suppose we invent a fat, old, white-haired guy who talks corn mush so hoary nobody living north of Aberdeen, Md., can understand him.

Call 'im Sam, that's a great old Southern name, and have 'im all the time tellin' stories about two backwoods colorful characters called Job Hicks and Uncle Ephraim Swink. Also, he ought to quote the Bible and say the President should come up to the Senate to be cross-examined because, 'When you reduce the testimony of George Washington and that of Ananias to cold paper with no opportunity to see their demeanor of conduct, it is practically impossible to distinguish between them.'"

"You're crazy," says another. "Why you couldn't sell that kind of stereotype central casting character in eighteen seventy-three, let alone now. This is the Kennedy era. Youth. Bushy hair, slim hip sincerity, Mr. Smith goes to Washington, at the very least."

Yet four years after having thus lamented so loudly and bitterly he's been driven under the bed by the strictest constructionist in the federal government, the most classically ham and hominy national politician now performing nightly on your TV sets, the Honorable member from Dogpatch, Senator Sam himself. And who's lovin' it? Millions of damn Yankee liberals who're leaping off school buses to help Senator Sam save habeas corpus. Even in Bella Abzug's district where you can lose an election if you're caught saluting an American flag, the consensus seems to be civil rights don't mean much without civil liberties. If Senator Sam shows a little wobble on the 13th and 14th Amendments, he's a tiger on the first 10.

Men of Senator Sam's persuasion have not to this date been able to come up with a practical substitute for civil rights legislation. Granted Senator Sam had more than a debating point when he said the Constitution was never meant to tell a truck stop operator who he can sell hotdogs to, these dangerous legislative remedies were the only ones available. But now the liberal-New Dealish belief in universal federal fix-it-upism has been shattered for our lifetime. Strict constructionism is no longer an annoying Southern cultural lag, as the pre-1932, decentralist Democratic Party returns as a common ideal for people who thought they'd never be in the same political organization again. To the Northern ear, the Southern drawl is no longer the voice of bigotry, and Senator Sam is again recorded as a National Democrat.

For this we are obliged to President Truthful for making himself and his party the symbol of corporate Stalinism and his opposition into Congressional-Constitutionalists, thereby allowing Teddy Kennedy and George Wallace to find out they can both sit on the same speakers platform without it collapsing. Indeed, a new Majority seems to be forming.

Yet while these are considerations which would explain why so many people respect Senator Sam, it doesn't explain why they love him. On first thought, Senator Sam strikes one as an out-and-out impossibility. Picture the men who invent, package and propagate ersatz political personalities:

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Yet that's why we love Sam and need him just now. He reeks of the decency and kind justice we incorrigibly associate with our largely mythical, simple rural past. And those of us who are so snidely contemptuous of Nixon's public pieties, his recourse to cheap patriotism, adore those same traits in our Senator Sam. He can't tell us enough Bible stories, he can't preach enough patriotic homilies. We watch him every day on television and when he makes his silent hurrumphs and invisible nose wrinkle at the perjuries that assault his ears, we take his reaction to be our guide.

We overlook the fact that Sam went to Harvard Law School and fix our minds on this contest between the American Stalin with his reelection organization of ten thousand yeslings and our North Carolina folk hero who gets in the family Buick every six years and says, "Well, I'm runnin' again, folks."

So it's not true that we pointy-headed fancy pants dislike red, white and blue as a color combination, but you have to drape the bunting with a sincere hand. Senator Sam, we love you.