

Where does free stuff come from, professors?



by Lev Tsitrin

US Constitution is a dead weight on a country's neck, slowing down its progress if not entirely preventing it – and it should be left by historical wayside, the country to be ruled “not by law that stands apart from politics but by ordinary expressions of popular will,” bypassing the “deadlock that the Constitution imposes through the Electoral College and Senate on the country, in which substantial majorities are foiled on issue after issue.” To complete the overhaul, we “need to insulate the law from judicial review,” too.

This is the gist of a lengthy [“guest essay”](#) in the *New York Times* penned jointly by professors Ryan Doerfler and Samuel Moyn who teach law at Harvard and Yale and who want “to reclaim America from constitutionalism” – because “constitutions ... inevitably orient us to the past and

misdirect the present into a dispute over what people agreed on once upon a time, not on what the present and future demand for and from those who live now.”

Though their claim is odd – despite the shackles presumably placed by US Constitution on the nation’s progress, America did not turn into a backwater nation, but somehow managed to become the most powerful and most free nation on Earth, empirically contradicting the respected professors’ claims, I’ll let this rather obvious point slip. Instead, I’d like to keep an open mind and understand what is it that professors hope to achieve by dumping the Constitution, and how do they envision the desired state of the country that will come after it gets liberated from a quarter-millennium-long yoke of its founding document.

Their ultimate goal, it turns out upon careful reading, is indeed noble and high-minded. They wish only the very best for the country – the “real freedom” – it being hyperlinked in their opus to graciously allow yet another academic, one “Corey Robin, a professor of political science at Brooklyn College and the City University of New York Graduate Center” to explain it via yet another [New York Times opinion piece](#) from four years ago. This one is an unabashed paean to socialism and its great prophets, “Self-identified socialists like Bernie Sanders, Alexandria Ocasio-Cortez and Rashida Tlaib [who] are making inroads into the Democratic Party.”

So “real freedom,” according to the professors, is socialism. Why? Because “making things free makes people free.”

This, I admit, is highly logical. “The socialist argument against capitalism isn’t that it makes us poor. It’s that it makes us unfree. When my well-being depends upon your whim, when the basic needs of life compel submission to the market and subjugation at work, we live not in freedom but in domination. Socialists want to end that domination: to establish freedom from rule by the boss, from the need to

smile for the sake of a sale, from the obligation to sell for the sake of survival.”

Makes sense. Why work when things can be had for free? Why get up so early in the morning, why drag yourself to work, why spend the best time of the day laboring – all to be able to buy stuff – when that same stuff can be yours for the taking? Socialism, it appears, makes making a living unnecessary. Once you get up in the morning, do what you want. Yes, the life of leisure is “real freedom” – well worth dumping the Constitution for!

So of course, I am all for it – yet an insignificant, lingering, nagging question remains: where will all those “free things” that will make our “real freedom” possible come from? If no one works, who will make them? Will socialism make them magically come into being, just on their own? Will “socialists like Bernie Sanders, Alexandria Ocasio-Cortez and Rashida Tlaib” gang together to work at nights making them for all of us to enjoy for free, their daytime hours taken up by legislating the Constitution out? Or will the people still need to work, denying them “real freedom”?

I read professors’ essays carefully to see how dumping of the Constitution will result in creation of goods *ex nihilo*, but did not find the answer. Perhaps it will come in their next *New York Times* “guest essay.” But it is a shame we are left in suspense on how the professors plan to make goods out of nothing, so we can all live happily and freely under miraculous socialism, our nation cured from the terrible curse of the Constitution.

I wonder – are those professors just professors of Law, or of alchemy, too? And then, I have one other question, a question addressed to the *New York Times* itself. With so many real issues left without press coverage, why does the *New York Times* give room on its pages to such utter drivel?