

8. Martin Van Buren (1837-1841)
The Little Magician
Music and Lyrics by J. Matthew Gerken

This song is a cynical view of the meaning of the United States itself. As with many of the songs in this project, the president becomes the physical embodiment of the nation itself in order to arrange a dialogue in which the nation can observe its characteristics, question itself, its motives, and the various courses of action in policymaking. Van Buren and the narrative of his life is used in this case as a metaphor for America and the identification thereof in a socio-political and geopolitical context.

Some academics have described the founding and implementation of the overall legal structure of the United States as protective of corporate and individual rights at the expense of certain aspects of the social contracts that enforced civility in the old world. Where peoples of the old world were geographically constrained, and therefore had to regulate themselves in order to coexist, the US was geographically vast, and therefore, in less need of regulation. What one neighbor does with their property, for example, has less of an impact on their neighbors with more dispersed development patterns (all else held constant). The founding of the United States is often described as partly a reaction against religious restrictions in the old world.

The history of the United States to date suggests that private, individual rights reign supreme. However, there is a dueling trend in this regard. With additional education and recognition of the connection between human quality of life and environmental issues, there is a trend toward increased regulation of private activities to safeguard against ecological damage. These limits on private freedom are designed to protect the public interest. With increased knowledge and cultural tolerance, there is a trend toward relaxed regulation and limits on the freedoms and rights of women, racial minorities, and same-sex couples. The balance between private and public interest on different topics continues its evolution in the American experience.

Oftentimes, proponents and opponents of different policy initiatives will clothe their arguments in language having to do with freedom, even when the issue at hand does not obviously relate to issues of individual rights and freedoms (at least in the constitutional context). These ideals, then, obviously have rhetorical power in the American psyche. What is more often than not overlooked is a critical analysis of the trade-offs between unconstrained individual rights and public benefit (including that benefit that would accrue to the individuals whose rights are necessarily impeded somewhat).

Assignment: Discuss the pros and cons of emphasizing private, individual rights versus public rights and benefits. Example topics include environmental regulation, government limits on speech, campaign finance, and same-sex marriage.