

years, his daughters, Suzanne Elise and Laurie Alice, grandsons Christopher and Zachary, granddaughters Elizabeth and Emily,

and sisters Kay and Gail. ■

—Daniel I. Pedreira, Florida International University

Donald S. Lutz

Donald S. Lutz passed away in Dallas, Texas, on January 14, 2024, at the age of 80 after coping courageously and gracefully for many years with the serious consequences of a major stroke. He is survived by his wonderfully caring wife, Linda Westervelt, and son, Austin Westervelt-Lutz.

Donald was Professor Emeritus of Political Science, University of Houston, where he taught from 1968 to 2014. He received his BA from Georgetown University in 1965 and his Ph.D. from Indiana University in 1969. He was a wonderful friend and colleague who will long be remembered for his work on American political theory and constitutionalism, especially during the founding era.

Donald was an outstanding teacher who received two excellence-in-teaching awards and 11 Mortarboard "Top Prof" awards. He served as director of the University of Houston's Honors Program (1976-1977), president of the university's faculty senate (1978-1979), and director of Graduate Studies for the Department of Political Science (1988-1991, 1993-1996). He also was elected chair of the Section on Federalism and Intergovernmental Relations of the American Political Science Association (1990-1992). In 1994, he was awarded a Medal of Honor by Palacký University and honorary membership in the law faculty. In 2007, he received the Martha Derthick award from APSA's Section on Federalism and Intergovernmental Relations for *The Origins of American Constitutionalism* (1988) as having made a significant contribution to the discipline. In 2008, he was honored with a festschrift, *The Constitutionalism of the American States*, co-edited by former students George E. Connor and Christopher W. Hammons.

Donald was a long-time fellow of the Center for the Study of Federalism. In that capacity, he especially enjoyed serving as a faculty member in many summer institutes hosted by the center in Colorado and Montana for high-school teachers, which were funded by the National Endowment for the Humanities, and for international academics from many countries that were funded by the USIA and Fulbright. In addition to superb teaching, he fostered a spirit of camaraderie at every institute. He also enjoyed participating in the center's Liberty Fund seminars, particularly those focused on novels about the American West.

During his career, Donald published 11 books and monographs, 25 refereed articles, and 34 book chapters and encyclopedia articles. He wrote extensively on constitutionalism and consent, his last book being *Principles of Constitutional Design* (2006), which was preceded by *Colonial Origins of the American Constitution: A Documentary History* (1998), *The Origins of American Constitutionalism* (1988), and *Popular Consent and Popular Control: Whig Political Theory in the Early State Constitutions* (1980). Donald contended that popular sovereignty rests at the base of democratic constitutionalism and that any constitution that aims to enhance the self-preservation of all citizens, improve the common good, and protect innovative citizen activity "must include all as citizens" (*Publius: The Journal of Federalism* 30:4, 2001, 134). Moreover, if the people are

sovereign, they can delegate powers to multiple agents, as in the separation of powers and federalism.

In *A Preface to American Political Theory* (1992), he sought to establish American political theory as an important field in its own right and advocated a focus on the "tradition of constitutionalism." In 1998, he published a fascinating analysis of the Iroquois Confederation Constitution. Although he did not believe the Haudenosaunee Confederation influenced the framers of the US Constitution, he contended that the Iroquois Constitution was historically important in its own right and was "a successful, independent constitutional system that had significant consequences for North American history" (*Publius* 28:2, 100).

In his widely cited *American Political Science Review* article, "Toward a Theory of Constitutional Amendment" (88:2, 1994, 355-370), Donald examined amendments to all US state constitutions since 1776 and to 32 national constitutions, finding similar patterns in both sets. He found that variance in amendment rate is due largely to the interaction of a constitution's length and the difficulty of its amendment process. These interactions generate fairly predictable amendment rates, with longer constitutions eliciting more amendments. He also found that a moderate amendment rate is associated with constitutional longevity and that increasing the difficulty of the amendment process is an "inefficient" way to reduce amendments.

Donald innovatively combined political theory and quantitative analysis. In a 1984 *American Political Science Review* article (78:1, 189-197), he demonstrated the substantial predominance of citations of Montesquieu followed by Blackstone and then Locke far behind in American political writings from 1760 to 1805. He also found that the most frequently cited book was the Judeo-Christian Bible's Book of Deuteronomy, though this was due mostly to the large number of political sermons in the database. In another article, in *Publius* (22:2, 1992, 19-45), he demonstrated that only seven of the 27 rights listed in the US Bill of Rights can be traced back to Magna Carta and later English common-law documents. The other 20 rights came from state constitutional declarations of rights.

In this regard, Donald further argued that the US Constitution is "an incomplete text." The complete text of the Constitution of the United States requires inclusion of the state constitutions because the federal Constitution, which mentions the states explicitly or implicitly 50 times in 42 separate sections, cannot be understood fully without reference to the state constitutions. The US Constitution also relies on the states for many purposes that would, absent the states, require inclusion in a complete national constitution. For example, the framers included no definition of citizenship in the US Constitution. The states defined citizenship, and in different ways.

Donald will be remembered fondly by friends, colleagues, and former students as a dedicated and innovative scholar, stimulating and compassionate teacher, and cheerful and witty raconteur. ■

—John Kincaid, Lafayette College