

## Constitutional Corner – Securing the Blessings

Part of the Constitution's goals, stated in the Preamble, is to "secure the Blessings of Liberty to ourselves and our Posterity." In 1776, General George Washington [implored his officers and men](#) to fight for "the blessings of Liberty"<sup>1</sup> What are these "blessings," how does the Constitution secure them, and who, exactly, is our "posterity?"

If asked to enumerate the "blessings of liberty," I doubt any two Founding Fathers would have come up with precisely the same list, but these lists would have nevertheless had much in common. Liberty and its blessings had been the topic of essays, correspondence, sermons and tracts for decades leading to the revolution.

Winning the war for independence had been a great first step, but the Founders soon found that more than a loose confederation of independent states was needed to secure this hard-fought-for liberty and to ensure the states themselves did not trample on the liberties of their own citizens.<sup>2</sup> They hoped and prayed that with the Constitution they "got it right." Delaware delegate John Dickinson admonished them to keep the long view<sup>3</sup> and they did, yet they could only hope they had arrived at the right mix of law and liberty.

Unfortunately, the Preamble's lofty goal has been imperiled by nearly a hundred years of neglect by the American citizenry, and purposeful manipulation of the document's original constraints by Executive and Legislative branches alike, facilitated by the Judiciary.

Many of the "blessings of liberty" that the Founders enjoyed no longer exist, and as John Adams warned, might not be recoverable: "A Constitution of Government once changed from Freedom, can never be restored. Liberty, once lost, is lost forever."<sup>4</sup>

In this case, I think Adams was wrong, one of the few times I've been willing to say that. But Adams wrote those words in 1775, prior to the Constitution and, most importantly, prior to the inclusion in that Constitution of its fifth article. Although there certainly are other means of restoring lost liberty - even normal statute law can be useful - Article V provides "We the People" a means of restoring lost liberty in a way that is far more secure from future usurpation.

But before we can secure the blessings of liberty, to either ourselves or our posterity, it behooves us to know what these blessings comprise and how best to secure them.

[Webster's 1828 dictionary](#) breaks the term into its main component parts: natural liberty, civil liberty, political liberty, and religious liberty. To this I would add economic liberty. The Preamble certainly does not constrain itself to any one or any combination of these and we should not either; liberty in every sense should be pursued. A complete discussion of the liberties in each category is well beyond the

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<sup>1</sup> General Orders, August 23, 1776

<sup>2</sup> See "Vices of the Political System of the United States," by James Madison.

<sup>3</sup> "We are not forming plans for a day, month, year or age, but for an eternity."

<sup>4</sup> in a July 7, 1775 letter to Abigail Adams

scope of this short essay. And it is easy to discover those rights/liberties secured by the Constitution by perusing the first eight amendments as well as some provisions of Article 4. But don't overlook Amendments 9, 13-15 and a few others.

Conversely, complete liberty, the total lack of restraint in any dimension of life, was not the Founder's (or the Constitution's) goal; nor should it be ours. Such a state would necessarily lead to anarchy and, ironically, the loss of that same liberty.

No, "ordered liberty" would be the better term: maximum liberty of action and thought that does not infringe on the liberty of others. To borrow from Jefferson: the ability to pursue individual happiness, cognizant of, and respectful of the similar pursuits of others. Fisher Ames put it this way: "Liberty is not to be enjoyed, indeed it cannot exist, without the habits of just subordination; it consists, not so much in removing all restraint from the orderly, as in imposing it on the violent."<sup>5</sup> To Founder (and Framers) George Mason, the "blessings of liberty" could not be preserved to any people "but by a firm adherence to justice, moderation, temperance, frugality, and virtue, and by frequent recurrence to fundamental principles."<sup>6</sup>

One truth the Founders would all agree upon is that government is necessary to achieve ordered liberty, but that "limited government" should be the watchword. Government sufficient - again borrowing from Jefferson - to "secure our rights," and not much else. In this, we Americans have reached an amazingly horrible condition: we have permitted government to grow beyond reasonable bounds and intrude upon our "ordered liberty," almost ad nauseam. We have permitted our government to accumulate such debt (remember economic liberty?) and make such unrealistic promises that the "blessings of liberty," indeed the survival of posterity itself, is imperiled. At least some of this has been due to our abandonment of the first principle of government: self-government. Americans today have no idea what is meant by the term, and unless they have taken certain Constitution seminars which teach it, they never will.

Some will no doubt be surprised at charges of liberty lost; America is still the freest country in the world - right? Just try expounding conservative views on some college campuses, just try digging a pond in your own backyard (even with all required state permits in hand), just try growing corn next door to a farm using Monsanto-supplied GMO seed, just try holding up an "animal rights" sign at a rodeo, just try disparaging Woodsy the Owl or his slogan "Give a hoot, don't pollute," just try a whole host of things that Americans of fifty years ago could do, and see whether your federal government objects. The 1787 Constitution described four federal crimes, today there are more than 4500, nearly every one a symbol of liberty lost.

I should be quick to point out that our loss of liberty has not been the fault of the Constitution itself. Although the Framers can be rightfully faulted for their use of overly ambiguous language, it is we, through our elected officials and our courts, who have chosen to take unwarranted advantage of that language to expand government beyond reasonable bounds. The legacy we are currently handing to

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<sup>5</sup> Essay on Equality, 1801

<sup>6</sup> Virginia Declaration of Rights, Section XV [1776]

posterity is not one worthy of pride. Yes, the republic survives, and has survived longer than those of antiquity; but, in my view, it hangs by a thread. Liberty, in nearly every dimension, has been greatly reduced, and we are handing this imperiled republic to a “posterity” ill-equipped to “keep” it.

"Let the American youth never forget, that they possess a noble inheritance, bought by the toils, and sufferings, and blood of their ancestors; and capacity, if wisely improved, and faithfully guarded, of transmitting to their latest posterity all the substantial blessings of life, the peaceful enjoyment of liberty, property, religion, and independence," wrote the eminent jurist Joseph Story.<sup>7</sup>

Do you suppose today's American youth, the most immediate inheritors of the “blessings of liberty,” understand the sacrifices that procured their liberty, or what remains of it? Even while Standards of Learning (SOLs) insist they must receive this knowledge, [polls consistently show they do not](#), or, if they do, that it such knowledge is retained not a millisecond longer than necessary to pass the appropriate tests. And these young people, who cannot name their own congressional representatives, are now or will soon be voting. One young 20 year-old I interviewed this last Bill of Rights Day (you do know when that is, don't you?) told me she always votes: “for whoever (sic) my Dad tells me to.” Lovely.

There are, however, a few rays of sunshine in this otherwise gloomy picture.

The “[We the People Contest](#)” sponsored by the Center for Civic Education has been sponsoring annual debates of Constitutional questions for 29 years. Middle and Senior High-based teams compete in local, regional and, finally, [national competitions](#), judged by Constitutional scholars, professors and retired judges.

In 2003, former Congressional staffer Cathy Travis [re-wrote the Constitution](#) in language that today's youth would better understand. Now if they will only read it.

And then there's Constituting America (CA).

[Constituting America](#), formed a mere five years ago by actress Janine Turner and activist Cathy Gillespie, takes a unique approach: mix kids and media to generate excitement about the Constitution. CA sponsors an annual contest series entitled “We the Future”<sup>8</sup> that awards kids for producing the best essay, short film, speech, Public Service Announcement (PSA), original art, etc., focused on some Constitutional theme; there's even a contest to come up with the best marketing plan to promote the “We The Future” contest itself. Having separate categories for Elementary, Middle School, High School, College, Law/Grad School and Adults levels the playing field. Winners are feted with all-expense paid trips to Nashville, Hollywood, Washington, D.C., etc., depending on their category. There they meet musicians, actors, celebrities and/or politicians -- people who have demonstrated success in the arts and/or politics. For instance, last year's music winners got to jam with Vince Gill in his home studio near Nashville, while video winners got to meet actor Gary Sinise and receive a VIP tour of Disneyland Studios. If you have a child or grandchild you would like to see get excited about America's unique

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<sup>7</sup> Commentaries on the Constitution, 1833

<sup>8</sup> Previously called “We the People 9/17”

governing document, download and send them a contest application (what's keeping you from submitting an adult essay?)

Janine's daughter, Juliette Turner, has become a "rock star" in her own right. Named CA's National Youth Director, Juliette is the youngest person to have ever addressed the [Mount Vernon Ladies Association](#) (a video of the address is on CA's webpage), and a best-selling author. Juliette turned a series of essays she had written about various parts of the Constitution into the book: "[Our Constitution Rocks](#)," published by Zondervan Publishing Company. The book breaks down the sometimes archaic language of the Constitution in ways today's kids will understand by asking (and answering) questions such as "Why Should I Care?" and "What's (this part of the Constitution) Done for Me Lately?"

Seminars based on Juliette's book are now becoming available in some areas.

If Ronald Reagan was right when he said: "Freedom is never more than one generation away from extinction," then Constituting America, and a few other organizations are determined to see that the flame of freedom never grows dim.

They have their work cut out for them. The next generation is being handed a weakened Constitution, a fiscal time bomb, and an "instruction manual" with many of the pages missing.

"Those who expect to reap the blessings of freedom, must, like men, undergo the fatigues of supporting it," wrote Thomas Paine.<sup>9</sup> The present generation took the lazy man's approach. Sending improperly vetted representatives to Congress, not monitoring them closely enough, and not studying the Constitution well enough to know when its constraints were being violated. Whether the "blessings of liberty" remain secure for our posterity – well, I think the jury's still out.

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<sup>9</sup> The American Crisis, Sept. 12, 1777