

The Breakfast Club

Constitutional Minute for 17 September 2022

Constitution Day Musings

It seemed only fitting that I should sit down and write something on Constitution Day, perhaps a celebration of its endurance as the longest operating written Constitution in history, pointing out its many wonderful features that the genius of the 55 drafters produced. I would typically have started with an inciteful quote from British statesman Sir William Gladstone. In 1878, he said: "The American Constitution is *the most wonderful work ever struck off at a given time by the brain and purpose of man.*" And it was, there is no doubt of this. A quick web search (I'm trying to wean myself from saying "Google search") reveals glowing essays with gushing titles like: "[The Durability of the US Constitution](#)," "[The Originality Of The United States Constitution](#)," "[Why America's Constitution is Wonderful](#)," "[The enduring miracle of the American Constitution](#)." But you will also encounter essays entitled: "[The Constitution Is Broken and Should Not Be Reclaimed](#)," "[Let's Give Up on the Constitution](#)," "[America's Constitution is terrible. Let's throw it out and start over.](#)"

Yes, the Constitution has endured, sort of. But what "endures" today bears little resemblance to what was ratified in 1788. It doesn't take much effort to prove this, just look at the size of "*The U.S. Constitution, Analysis and Interpretation.*" This document has been published by the Government Printing Office [since 1913](#) but apparently only became available to the general public in 1992. It contains all the important Supreme Court interpretations that have, in the aggregate, produced a constitution which no longer constrains the federal government in any meaningful way. The government can pretty much do anything a majority of 535 Congressmen and women set their minds to and can convince the President to not veto. And thanks to the creation of the administrative state, it no longer even takes a majority of Congress to make our lives miserable, unelected bureaucrats can do so with near impunity.

The calls to scrap the Constitution are becoming more frequent and much more strident, making life more difficult for those of us who are convinced that the Constitution not only *must* be repaired and *can* be repaired, through the Article V Convention method. The hairbrained idea that a completely new, "improved" Constitution could emerge from one of these conventions and be somehow self-ratifying is making new headway; the result of which is to have some state legislatures push the COS model legislation to the back burner.

And so we plod on, harassed by a federal government that "*can do most anything in this country,*"ⁱ hoping and praying that one day we will wake up and discover 60 Senators and 218 Representatives miraculously in office, all sharing the Founder's idea of limited government.

"Please, God, fix this mess," we pray. What if God's righteous reply is: "*You created 'this mess,' you clean it up.*" Will we?

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ⁱ Former Congressman Peter Stark, D-CA, at a Townhall Meeting in 2010.