

Honoring Constitution Day



By Paul Engel

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- Two hundred and thirty six years ago on September 17, 1787, the Constitution for the United States was signed and sent to the states for ratification.
- When asked what type of government they had given us, Benjamin Franklin famously said, "A republic, if you can keep it."
- We've created the [Patriots Program](#) at the Constitution Study to help people keep the republic we were entrusted with some 236 years ago.

Yesterday, September 17, 2023 was the 236th anniversary of the signing of the Constitution of the United States. Did you, your family, or your neighbors honor that day? Have you considered what parts of your life you enjoy because of that document and the 27 amendments that have been made to it? Have you considered what your life, and that of your family, would be like should that document continue its fall into obscurity? To paraphrase William Shakespeare, "It was a constitution, take it for all in all, I shall not look upon its like again."

Today, I want to take some time to consider not only what life would be like with a neutered and disabled Constitution, but also what we're willing to do to keep the protection of our rights alive and well in America. In our national anthem, we proclaim that the United States of America is the land of the free and the home of the brave. If we let the Constitution fall though, then we will no longer be the land of the free, because We the People have not been brave.

On September 17, 1787, after the signing of the Constitution, Benjamin Franklin was stopped outside Liberty Hall and asked a question. What type of government have you given us? His answer?

A republic, if you can keep it.

Benjamin Franklin

The “if” in that statement is very important. Having a republic, one based on a paramount law, such as the delegates to the Constitutional Convention had proposed, is not a self-sustaining situation. The republic has been threatened many times over the years, by war, invasion, and even corruption. Today, the republic must face its greatest attack of all: Apathy. To expose this problem, let us break down what a republic is and why it’s so important.

A Republic, if You Can Keep it

Most people today refer to America as a democracy, but it’s not, it’s a republic. Why is this distinction so important?

I know we’ve all been taught, either explicitly or implicitly, that democracy is inherently a good thing. This has been so instilled into the American psyche that Merriam-Webster has even redefined the word to include a republic.

a government in which the supreme power is vested in the people and exercised by them directly or indirectly through a system of representation usually involving periodically held free elections

[Democracy – Merriam-Webster Dictionary Online](#)

This redefinition is somewhat new. Back during the drafting and ratification of the Constitution, the difference between a republic and a democracy were not only defined, but extremely important. From Noah Webster’s 1828 dictionary we read that a democracy is:

Government by the people; a form of government, in which the supreme power is lodged in the hands of the people collectively, or in which the people exercise the powers of legislation.

[Democracy – Webster's 1828 Dictionary](#)

Now compare this to Mr. Webster's definition of a republic.

A commonwealth; a state in which the exercise of the sovereign power is lodged in representatives elected by the people.

[Republic – Webster's 1828 Dictionary](#)

Do you see how the modern dictionary has redefined a democracy to include a republic? In a democracy, the people exercise their power directly, while in a republic they do so through elected representatives. Why did the Founding Fathers find this distinction so important? Look at what Alexander Hamilton said during the convention.

We are now forming a republican government. Real liberty is neither found in despotism or the extremes of democracy, but in moderate governments

[Alexander Hamilton – Federal Convention, June 26, 1787](#)

Real liberty is not found in democracies. Why, you ask? Because, in a democracy the passions of the people rule. Hence, Mr. Hamilton referred to the extremes of democracy. So the Framers of the Constitution created not a democracy, where the people rule directly, but a republic, where the people and the states choose representatives to exercise their sovereign powers. They even went so far as to insure that each state had a republican form of government.

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be

convened) against domestic Violence.

[U.S. Constitution, Article VI, Section 4](#)

In order for the republic to survive, it needed two things. A paramount law to guide it, and the people to oversee their representatives.

Paramount Law

It seems today that we don't often think about the idea of a paramount, or supreme law. However, having a law that supersedes the actions of our elected representatives and the governments they are a part of, is essential to retaining the republic.

Certainly all those who have framed written Constitutions contemplate them as forming the fundamental and paramount law of the nation, and consequently the theory of every such government must be that an act of the Legislature repugnant to the Constitution is void.

[Marbury v. Madison, 5 U.S. 137 \(1803\)](#)

The Constitution is the fundamental and paramount, or supreme, law of the nation. It supersedes every act of government, and law passed by the legislature, every treaty signed by the executive. It even says so.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

[U.S. Constitution, Article VI, Clause 2](#)

If we are to keep the republic, there must be something above the elected representatives to which we hold them accountable.

We the People must have a way to oversee those who are exercising sovereign power in our name. That ultimate power is established and protected by the Constitution of the United States, and confirmed in the Tenth Amendment.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

[U.S. Constitution, Amendment X](#)

As I have said, if we are to keep the republic, we need two things; a paramount law and a people to oversee their representatives.

Government Oversight

The thing is, the Constitution is just ink on parchment; it cannot rise up and save the day. It's not going to land on Capitol Hill in some superhero pose and defeat its enemies in Congress. No one is going to rush into 1600 Pennsylvania Avenue and cry, "There's no need to fear! The Constitution is here!" The Constitution is not the method of reining in an out of control government, it's the tool by which We the People do so. This is why our first Chief Justice, John Jay, once said:

Every member of the State ought diligently to read and to study the constitution of his country, and teach the rising generation to be free. By knowing their rights, they will sooner perceive when they are violated, and be the better prepared to defend and assert them.

John Jay, First Chief Justice of the United States

The Constitution was not written to be understood only by lawyers and judges, but by 18th century farmers. It was not meant solely for the politicians, but for everyone. This is why Mr. Jay said, "Every member of the state ought diligently to read and to study the constitution of his country". This

document was never meant solely for the elite, but for We the People. It includes the tools we need to control the government of the United States, of the several states, and even of our cities, towns, and counties.

Like any other tool, the Constitution is useless unless and until we pick it up and learn how to use it. Which is why I encourage every American to see Constitution Day as an opportunity to read and study the Constitution of our country. Whether this would be the first time, or the thousandth, take this opportunity to learn how to defend and assert your rights. This has been the goal of The Constitution Study since its inception. It is why I devote so much time every week to these [articles](#), [videos](#), and [podcast](#) episodes. It is why I wrote and published [tools to help you read and study the Constitution](#). And in honor of this Constitution Day, [The Constitution Study](#) is announcing the [Patriots Program](#).

The Patriots Program

I believe the root of many of the problems afflicting the United States and the Several States today, come from a failure of these entities to follow the Constitution. Why do so many government entities not follow the Constitution? Because most Americans have not read, much less studied, the constitution of their country, meaning their assumptions about the role and function of governments is skewed. Furthermore, we as a society have not prioritized teaching the rising generation to be free. In large part because of these failings, we have now multiple generations who neither understand nor cherish what Thomas Jefferson referred to as self-evident truths.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

[Declaration of Independence](#)

What can we do about these problems? Most people I've encountered look at the size of the problem and are overwhelmed. So what Harvard researcher Erica Chenoweth, who has been studying political protests, has found is extremely interesting.

Looking at hundreds of campaigns over the last century, Chenoweth found that nonviolent campaigns are twice as likely to achieve their goals as violent campaigns. And although the exact dynamics will depend on many factors, she has shown it takes around 3.5% of the population actively participating in the protests to ensure serious political change.

[The '3.5% rule': How a small minority can change the world](#) – BBC

Notice two things. First, those campaigns that are non-violent are twice as likely to achieve their goals. Second, it only takes around 3.5% of the population to actively engage to bring about serious political change. Which brings me to the Patriots Program.

The Patriots Program is designed to take a few dedicated people and help make them more effective. In other words, it's not about replacing whatever you are doing, but to give you tools so you can be more effective, more confident in your positions, and better able to defend and assert your rights.

I have an entire page devoted to the [Patriots Program](#), so if you are interested, or just intrigued by the idea, please check it out. Before you enter the program though, you have to do it through a [Bootcamp](#). I've videoed one of these bootcamps, so you don't have to travel to take part. Once you've been through the video and pass the test, you'll receive an invitation to the Patriots program. If you join the program you can choose any or all of the specialities, the Scholars, the Committee of Correspondence, or the Minute Men. Just as a

small band of dedicated men and women won our independence, I believe a small group can preserve our independence today.

Conclusion

I believe most Americans have never read the Constitution of their country, and of those who have they seem to lack the confidence and understanding to use it. Part of the reason for this seems to be the fact that the Constitution is not taught in schools anymore. Sure, students may be told about the Constitution, expected to memorize when it was signed, and even taught about the three branches of government, but are they taught what it says? For example, how many of you were taught that the federal government has three co-equal branches of government? There are three branches, but if you read the Constitution you should quickly realize that most of the powers delegated to the United States are actually vested in Congress. I discussed this in my article [Do We Have Three Co-Equal Branches of Government?](#) If we cannot depend on our government run schools, or even our law schools, to teach the rising generation to be free, then it is up to us, We the People, to do it for ourselves. I hope you have found The Constitution Study helpful in your efforts to live free. I also hope you will join us as we continue to learn to defend and assert our rights.

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