

A "Constitution Day"

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It has been said by an eminent English historian that with Wolfe's victory over Montcalm began the history of the United States. Scarcely were the colonists free from the incubus of France than they began resistance to the mother country, whose unwise ministers persisted, with vigor, in a scheme of obnoxious taxation claimed to be inconsistent with the rights of freemen without representation. The success of the colonies eventually gave the world a constitutional form of government no less remarkable for its beginnings than for the wisdom, the elasticity, the effectiveness, the durability, and the comprehensiveness of its provisions, and secured to mankind religious and political liberty of a quality so far withstanding the test of time. The disunited colonies, through the agency of the Constitution, not only became the United States of America in name, but conquered a continent and demonstrated the truth that the people's government is synonymous with the highest growth of civilization, more pregnant of possibilities for happiness, contentment, wealth, prosperity, education and scientific advancement, individual and personal initiative, and other legitimate human activities, than any other system of government on this earth.

The French dominion on this hemisphere is a memory of the past, but a memory which teaches a lesson written by a stern drama of conquest played for the possession of a mighty

empire—one that should be emblazoned upon our national tablets, read as prefatory to our Constitution, and understood as animating, guiding, and deciding our colonists in developing and perfecting our constitutional liberty. The lesson is that of the fatality of paternal government. The English colonists, south of the St. Lawrence, were to some extent subject to the control of the grantors of the several charters. They were, however, practically free to work out their own destiny, through individualism, both spiritual, temporal, commercial, and domestic, with a horizon of reward undimmed and unlimited. North of the St. Lawrence, a widely different system existed. The hand of a master beyond the seas, aided and abetted by the church, controlled absolutely every phase of civic, commercial, domestic, educational, and religious life, with the result that the people were not self-supporting or filled with a zeal for success. New France, pressed by Great Britain and the English-speaking colonies, turned for support for her military to her civic population, which, willing enough to assist but lacking the stamina of self-reliance, failed in rendering the necessary force and comfort to its leaders and soldiery, and fell when the crisis came, because of the very absence of the thing which England possessed.

Before its adoption and in the beginnings of our national existence, the Constitution was the subject of care-

ful, continued scrutiny, analysis, and debate, in both public and private life. This, it may be said, was because it was new, or because the people then were more interested than now in such matters, and had more time for political questions and for civic duties, and were not devoted to waxing powerful through wealth, nor distracted by the pursuit of pleasure and of the social distinctions of a day. But if this nation is to continue in its phenomenal progress, it can only be accomplished by following in the footsteps of those men of the past who not only gave it birth by the Constitution, but by a wonderful exposition of its principles and provisions so enlightened and inspired a grateful posterity that the most magnificent effort of constructive statesmanship has become a living and vital thing.

Properly to estimate legislation, the possession of qualifications for judgment is imperatively required. This depends largely upon acquaintance with the general principles upon which government is based. With such knowledge, a position can be taken correctly, safely, and honestly, and without passion, in case of difference for argument or disagreement. This is not only a right, but a duty as well, and the important result is that the voter can then intelligently voice and help enforce his opinion with the ballot. He can also determine for himself whether the law passed by his legislative representatives is constitutional or not. Above all things, he is bound hereditarily and by his personal interest, to resolve this question in order to safeguard the Constitution from enervating influences.

It is said to be the practice of certain patriotic societies to celebrate the seventeenth of September—the day on which the Constitution was signed by the members of the convention—as “Constitution Day.” Why should not this excellent practice be made universal? Why should we not, as a people, give recognition to the anniversary of the most important day in our political history by placing it permanently in our calendar as a day of national observance? If we had a “Constitution Day” in our calendar of holidays, it would tend to fix in the minds of the American people the conviction that they cannot, with impunity either to themselves or to their descendants, neglect an instrument which safeguards their several kinds of liberty. The Fourth of July is set aside for celebrating the Declaration of Independence. The signing of that immortal declaration of rights and the adoption of the Constitution should ever be associated. The one beget the other; and since it is fitting that Independence Day should be kept, there is every reason to set apart a portion of time to study and reflect upon the fundamental principles of government which have made us great. There is a law for the observance of Flag Day, on which reverence is paid to the national emblem; likewise Labor Day, in recognition of the national potentiality; Columbus Day is observed in memory of the discoverer of America; Washington’s Birthday is given over to the memory of the “Father of his Country”; Lincoln’s Birthday is set apart in honor of the preserver of the Union; Thanksgiving Day is the time for thanksgiving to the Almighty for our

many blessings; and it is believed that there is as much room for a "Constitution Day" as for the other important holidays. It is thought that no one would deny the necessity for such a day or oppose legislation providing for it. The importance at the present time of having such a day is obvious.

Another way to inculcate reverence for the Constitution, besides setting apart a day for its commemoration, is to instruct the young in the sacred, vital, and elastic principles of our fundamental laws. This could be done by reading daily in our public schools and colleges and other institutions of learning passages from the Constitution, in a similar manner to the reading of the Bible. Some one has characterized the Bible as the Book that paved the way and made possible by evolution religious liberty. Since the reading of the Bible is held to be essential to the well-being of the people, and the Constitution is sometimes called the palladium of our liberty, no good reason is perceived why a document which has formed us into a mighty nation should not receive at least the same attention as is given to the Book of Books. There can be no doubt that the reverence for the Bible is the result of early teaching and study; and if the prevalent slight esteem for the Constitution is the result of inattention, there can be no better remedy evolved than to implant in the minds and hearts of the young the purposes and genius of our scheme of government.

The popular ignorance of the meaning of the Constitution is appalling. Enshrined in that document is all that the average man holds most dear—al-

though he is little aware of it. It contains the right of free speech, the right of peaceable assembly, the right of petition; it provides for religious liberty, for trial by jury, for immunity from unreasonable searches and seizures, for freedom of the press. In short, it gives guarantees which all freemen, if they would deserve the name, must not only reverence but vigorously support. The statement may be ventured that, outside of the legal fraternity, very few understand the spirit, intentment, scope, and practical workings, in its triumvirate provisions, of this fundamental law. The existence of this very ignorance, if not checked and eradicated from the body public, will make possible the attempts of designing persons to change it into a congeries of laws embodying mere police questions having to do with state, municipal, or local policies. The Constitution, in its several specific and general sections and paragraphs, is not addressed to the government or regulation of private or individual rights or to interference in local or state matters. It is a generic scheme of government, comprehensive in its provisions, and relates to the control and operation of the activities committed to the federal government, as distinguished from those which flow out of the several necessities of individual communities throughout the states. An examination of the context of the Constitution and of the amendments will show that it was never originally ordained, nor has it through its amendments acquired the power, to regulate the individual in his personal, moral, religious, and other similar pursuits.

Some may say unthinkingly, and some have said with design, that such an ancient work as the Constitution has but an historic value; that it is to be regarded as antiquarian property and examined as such, merely as a curiosity; that it was sufficient when the country was in the formative stage, but not at its fruition; and that what is now needed is centralization of power. When this is the position taken, and when reference to the men of the past and their writings is derided by the young and the old, then indeed our form of government is in danger. There is as much, nay, more, reason today to do as our predecessors did in government in their day and age; for it is certain that by the instrumentality that creates, the creation must stand; and it were the height of folly to be blind to its virtue and worth.

After securing the establishment by law of a "Constitution Day," the legislatures of the several states should call for the daily reading of the Constitution to the school children of America, and this effort should be supplemented by groups of men versed in the meaning of the Constitution, who would take upon themselves the task of expounding it in their respective communities. This would have a salutary effect in checking and preventing unscrupulous persons in their assaults upon the sacred principles of the Constitution, and at the same time would help to explain intelligently and successfully to the citizen the wonderful work of our forefathers who builded so well.