



What If the Constitution No Longer Applied? Freedom's Greatest Hour of Danger Is Now

What if the rights and principles guaranteed in the Constitution have been so distorted in the past 200 years as to be unrecognizable by the Founders? What if the government was the reason we don't have a Constitution anymore? [What if freedom's greatest hour of danger is now?](#)—Andrew P. Napolitano



John Whitehead

We are approaching critical mass, the point at which all hell breaks loose.

The government is pushing us ever closer to a constitutional crisis.

What makes the outlook so much bleaker is the [utter ignorance of the American people](#)—and those who represent them—about their freedoms, history, and how the government is supposed to operate.

As Morris Berman points out in his book *Dark Ages America*, “70 percent of American adults cannot name their senators or congressmen; more than half don't know the actual number of senators, and nearly a quarter cannot name a single right guaranteed by the First Amendment. Sixty-three percent cannot name the three branches of government. Other studies reveal that uninformed or undecided voters often vote for the candidate whose name and packaging (e.g., logo) are the most powerful; color is apparently a major factor in their decision.”

More than government corruption and ineptitude, police brutality, terrorism, gun violence, drugs, illegal immigration or any other so-called “danger” that threatens our nation, civic illiteracy may be what finally pushes us over the edge.

As Thomas Jefferson warned, no nation can be both [ignorant and free](#).

Unfortunately, the American people have existed in a technology-laden, entertainment-fueled, perpetual state of cluelessness for so long that civic illiteracy has become the new normal for the citizenry.

It's telling that Americans were [more able to identify Michael Jackson as the composer of a number of songs than to know that the Bill of Rights is the first 10 amendments](#) to the U.S. Constitution.

In fact, most immigrants who aspire to become citizens know more about national civics than native-born Americans. Surveys indicate that [a majority in every state but Vermont would fail a test of U.S. citizenship questions](#).

Not even the [government bureaucrats who are supposed to represent us](#) know much about civics, American history and geography, or the Constitution, although they take an oath to uphold, support and defend the Constitution against “enemies foreign and domestic.”

For instance, a few year ago, a couple attempting to get a marriage license was [forced to prove to a](#)



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[government official that New Mexico is, in fact, one of the 50 states](#) and not a foreign country.

You can't make this stuff up.

Here's a classic example of how surreal the landscape has become.

Every year, the White House issues a proclamation affirming the importance of the Bill of Rights.

These proclamations pay lip service to the government's commitment to upholding the Constitution and guarding against government abuses of power.

Don't believe it for a second.

The government doesn't want its abuses checked and its powers restricted.

For that matter, this is not a government that holds the Constitution in high esteem.

Indeed, we wouldn't be in this sorry state if it weren't for the damage inflicted in recent years on the freedoms enshrined in the Bill of Rights, which historically served as the bulwark from government abuse.

In the name of so-called national security, the Constitution has been steadily chipped away at, undermined, eroded, whittled down, and generally discarded to such an extent that what we are left with is but a shadow of the robust document adopted more than two centuries ago.

The Bill of Rights—462 words that represent the most potent and powerful rights ever guaranteed to a group of people officially—became part of the U.S. Constitution on December 15, 1791, because early Americans such as James Madison and Thomas Jefferson understood the need to guard against the government's inclination to abuse its power.

Yet the reality we must come to terms with is that in the America we live in today, the government does whatever it wants.

Make no mistake: if our individual freedoms have been restricted, it is only so that the government's powers could be expanded at our expense.

The USA Patriot Act, passed in the wake of the 9/11 attacks, drove a stake through the heart of the Bill of Rights, violating at least six of the ten original amendments—the First, Fourth, Fifth, Sixth, Seventh and Eighth Amendments—and possibly the Thirteenth and Fourteenth Amendments, as well. The Patriot Act also redefined terrorism so broadly that many non-terrorist political activities such as protest marches, demonstrations and civil disobedience were considered potential terrorist acts, thereby rendering anyone desiring to engage in protected First Amendment expressive activities as suspects of the surveillance state.

Since 9/11, we've been spied on by surveillance cameras, eavesdropped on by government agents, had our belongings searched, our phones tapped, our mail opened, our email monitored, our opinions questioned, our purchases scrutinized (under the USA Patriot Act, banks are required to analyze your transactions for any patterns that raise suspicion and to see if you are connected to any objectionable people), and our activities watched.

We've also been subjected to invasive patdowns and whole-body scans of our persons and seizures of our electronic devices in the nation's airports and at border crossings.

We can't even purchase certain cold medicine at the pharmacy anymore without it being reported to the government and our names being placed on a watch list.



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Government surveillance, militarized police, SWAT team raids, asset forfeiture, eminent domain, overcriminalization, armed surveillance drones, whole body scanners, stop and frisk searches (all sanctioned by Congress, the White House, the courts and the like), etc.: these are merely the weapons of the police state.

The power of the police state is dependent on a populace that meekly obeys without question.

Remember: when it comes to the staggering loss of civil liberties, the Constitution hasn't changed. Rather, it is the American people who have changed.

Those who gave us the Constitution and the Bill of Rights believed that the [government exists at the behest of its citizens](#). The government's purpose is to protect, defend and even enhance our freedoms, not violate them.

It was no idle happenstance that the Constitution opens with these three powerful words: "We the people." Those who founded this country knew quite well that every citizen must remain vigilant or freedom would be lost. As Thomas Paine recognized, "It is the responsibility of the patriot to protect his country from its government."

You have no rights unless you exercise them.

Still, you can't exercise your rights unless you know what those rights are.

"If Americans do not understand the Constitution and the institutions and processes through which we are governed, we cannot rationally evaluate important legislation and the efforts of our elected officials, nor can we preserve the national unity necessary to meaningfully confront the multiple problems we face today," warns the Brennan Center in its [Civic Literacy Report Card](#). "Rather, every act of government will be measured only by its individual value or cost, without concern for its larger impact. More and more we will 'want what we want, and [will be] convinced that the system that is stopping us is wrong, flawed, broken or outmoded.'"

Education precedes action.

As the Brennan Center concludes "America, unlike most of the world's nations, is not a country defined by blood or belief. [America is an idea, or a set of ideas, about freedom and opportunity](#). It is these ideas that bind us together as Americans and have kept us free, strong, and prosperous. But these ideas do not perpetuate themselves. They must be taught and learned anew with each generation."

If there is to be any hope for restoring our freedoms and reclaiming our runaway government, we will have to start by breathing life into those three powerful words that set the tone for everything that follows in the Constitution: "we the people."

People get the government they deserve.

It's up to us.

We have the power to make and break the government.

We the American people—the citizenry—are the arbiters and ultimate guardians of America's welfare, defense, liberty, laws and prosperity.

It's time to stop waiting patiently for change to happen.

We must act—and act responsibly.

Get outraged, get off your duff and get out of your house, get in the streets, get in people's faces, get



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down to your local city council, get over to your local school board, get your thoughts down on paper, get your objections plastered on protest signs, get your neighbors, friends and family to join their voices to yours, get your representatives to pay attention to your grievances, get your kids to know their rights, get your local police to march in lockstep with the Constitution, get your media to act as watchdogs for the people and not lapdogs for the corporate state, get your act together, and get your house in order.

In other words, get moving.

A healthy, representative government is hard work. It takes a citizenry that is informed about the issues, educated about how the government operates, and willing to make the sacrifices necessary to stay involved, whether that means forgoing Monday night football in order to attend a city council meeting or risking arrest by picketing in front of a politician's office.

Whatever you do, please don't hinge your freedoms on politics.

The Constitution is neutral when it comes to politics. What the Constitution is not neutral about, however, is the government's duty to safeguard the rights of the citizenry.

"We the people" also have a duty that goes far beyond the act of voting: as I make clear in my book [Battlefield America: The War on the American People](#) and in its fictional counterpart [The Erik Blair Diaries](#), it's our job to keep freedom alive using every nonviolent means available to us.

Know your rights. Exercise your rights. Defend your rights. If not, you *will* lose them.

Freedom's greatest hour of danger is now.

ABOUT JOHN & NISHA WHITEHEAD:

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