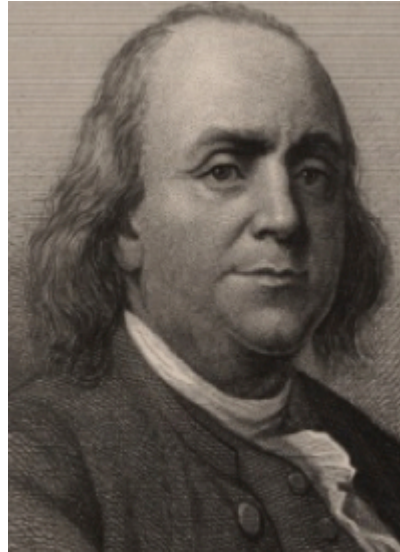




September 17, 1787

Not surprisingly, it was the Nestor of the Founding Generation who made the most lasting and dramatic impact on the final day of the Constitutional Convention of 1787. Benjamin Franklin, hobbled by gout, was the central player in three scenes of the final act of this history-changing event.



First, there was the influential speech he wrote, encouraging his fellow delegates to overlook the shortcomings of the document they produced over the course of the last few months and endorse it. Second, there was the rising sun versus setting sun comment, dictum endowed with the poesy of which few other men were capable of creating. Third, there was the response Dr. Franklin gave to a Mrs. Powel of Philadelphia, who prompted by courage and curiosity, asked the sage what kind of government he and his colleagues had given America. His now-famous answer, A republic, madam, if you can keep it.

At the close of the convention, Franklin was 82 years old and had devoted three score years to the service of his state, his country, and the principles of self-government and liberty. From the Albany Plan of Union in 1754 to the Constitution of 1787, Franklin had delivered one remarkable performance after another, adding up to a remarkable life. Although he had reservations, he recognized the virtue of the Constitution and the genius and novelty that increased exponentially the tensile strength of the girders upon which the framework of the new American union was constructed.

James Wilson's involvement in the establishment of the American Republic included playing pivotal roles in the ratification of both of Americas foundation documents the Declaration of Independence and the Constitution. On that Monday in mid-September, however, Wilson was an ensemble player. He was the narrator of a monologue written by his elder fellow delegate from Pennsylvania, Benjamin Franklin. Franklin rose and handed Wilson the paper upon which he had written the speech that he himself considered so impressive that in the weeks following its delivery, he made copies and sent them to his friends for them to keep, read, and admire. It reads, in relevant part:

I confess that there are several parts of this constitution which I do not at present approve, but I am not sure I shall never approve them: For having lived long, I have experienced many instances of being obliged by better information, or fuller consideration, to change opinions even on important subjects, which I once thought right, but found to be otherwise. It is therefore that the older I grow, the more apt I am to doubt my own judgment, and to pay more respect to the judgment of others.



In these sentiments, Sir, I agree to this Constitution with all its faults, if they are such; because I think a general Government necessary for us, and there is no form of Government but what may be a blessing to the people if well administered, and believe farther that this is likely to be well administered for a course of years, and can only end in Despotism, as other forms have done before it, when the people shall become so corrupted as to need despotic Government, being incapable of any other. I doubt too whether any other Convention we can obtain, may be able to make a better Constitution. For when you assemble a number of men to have the advantage of their joint wisdom, you inevitably assemble with those men, all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views. From such an assembly can a perfect production be expected? It therefore astonishes me, Sir, to find this system approaching so near to perfection as it does; and I think it will astonish our enemies, who are waiting with confidence to hear that our councils are confounded like those of the Builders of Babel; and that our States are on the point of separation, only to meet hereafter for the purpose of cutting one another's throats. Thus I consent, Sir, to this Constitution because I expect no better, and because I am not sure, that it is not the best. Much of the strength & efficiency of any Government in procuring and securing happiness to the people, depends, on opinion, on the general opinion of the goodness of the Government, as well as of the wisdom and integrity of its Governors. I hope therefore that for our own sakes as a part of the people, and for the sake of posterity, we shall act heartily and unanimously in recommending this Constitution (if approved by Congress & confirmed by the Conventions) wherever our influence may extend, and turn our future thoughts & endeavors to the means of having it well administered. On the whole, Sir, I can not help expressing a wish that every member of the Convention who may still have objections to it, would with me, on this occasion doubt a little of his own infallibility, and to make manifest our unanimity, put his name to this instrument.

Sitting in rapt attention to the words of their elder statesman on that afternoon of the 17th of September, 1787, were 40 delegates of the 55 that were present at one time or another during the summer. Everyone of them, whether heartily for or immovably opposed to the document, recognized that for all its enshrined wisdom and good government, it was also a bundle of compromises. That bitter little pill was swallowed by every one of the demi-gods who affixed their signature on that parchment that sunny day.

Two days of clouds and rain were broken by a glorious sunshine as the delegates made their way, many for the final time, down Chestnut Street. As they entered the State House, as described above, they were of varying opinions as to the advisability of recommending the ratification of the product of their seemingly endless hours of partisan debate. They listened to Franklin's well-reasoned, well-crafted plea, and they lined up, with three exceptions (one of whom, George Mason of Virginia, was particularly notable), according to the state they represented, and endorsed the Constitution.

As the ink dried on the signatures, Benjamin Franklin made a final and impromptu observation that was recorded by James Madison. According to Madison's account of the scene:

While the last members were signing it, Doctor Franklin looking towards the Presidents chair, at the back of which a rising sun happened to be painted, observed to a few members near him, that painters had found it difficult to distinguish in their art a rising from a setting sun. I have, said he, often and often in the course of this session, and the vicissitudes of my hopes and fears as to its issue, looked at that behind the President, without being able to tell whether it was



Written by [Joe Wolverton, II, J.D.](#) on September 16, 2010

rising or setting; but now at length I have the happiness to know that it is a rising and not a setting sun.

Franklin, Madison, Washington, Hamilton, and the rest approach us now and they ask, Have you kept it? This Republic we bequeathed you? Today, as a visitor to Independence Hall admires the very chair that inspired Franklin's comments on that day over 200 years ago, could he confidently discern whether it was a rising or a setting sun? Is our systemic neglect of the Constitution accelerating the demise of our Republic? Is the sun setting on this noble experiment? Or, as some hope, are the glorious rays of dawn breaking across the horizon? Have we, lovers of liberty and sentinels on the parapets of limited government, yet been granted by the hand of Him who guided the hands of our forefathers, another day with which to prove our commitment to freedom?

May we take this new day and devote even a few minutes to the study the Constitution. May we learn to cherish the principles of limited government, personal responsibility, separated powers, and state sovereignty upon which it is built. May our familiarity with the articles thereof breed not contempt, but concern and may we channel that concern into gushing streams of influence, and with Herculean effort clean the stables of government and renew our dedication to the election of good, honest men and women and to the manly defense of our Republic. Maybe then, we can keep it.



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