



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
Joel W. Solomon United States Courthouse
900 Georgia Avenue
Chattanooga, Tennessee 37402

THE CONSTITUTION – THE BINDING TIE

Constitution Day is September 17. Congress set this day aside in 2004 for us to honor the signing of the Constitution in Philadelphia, Pennsylvania, on September 17, 1787. In the law establishing Constitution Day, Congress also required that all publicly funded educational institutions and federal agencies provide educational programming on the history of the Constitution on this day.

THE NATION HAS GROWN GREATLY.

Since the adoption of the Constitution, we have grown greatly as a nation. We have grown from a nation of just thirteen states along the Atlantic Ocean to one that spans the continent from the Atlantic to the Pacific. We have grown from a population of approximately three million to approximately 330 million people. We have grown from a nation whose economy predominantly involved agriculture to one of great economic diversity.

THE NATION IS GREATLY DIVERSE.

In addition to the great diversity in employment opportunities and geography, we are also a nation of great diversity in nationalities, ethnicities, religions, political beliefs, customs, and cultures. And of course, we are now living in a time of significant division, polarization, and political hostility. Any discussion of political, social, educational, or economic matters is likely to degenerate into a heated argument with no resolution. Public and private institutions that in the past served to ameliorate such disputes have fallen into disrepute themselves and are no longer able to do so. Such institutions no longer bring diverse groups together like they once did. We look around our great nation and see few things that bind us together as a society.

THE CONSTITUTION IS THE TIE THAT BINDS.

Happily, the Constitution still unifies us a society. Regardless of which side of these contentious arguments we may find ourselves on, we honor the Constitution and proudly claim allegiance to it. Even those who complain about alleged defects in the Constitution do not seriously advocate for abolishing it. They may point to what they consider ways to improve it, but few people argue we should discard it altogether.

As we celebrate Constitution Day, we would be well served by taking to heart what James Madison, one of the framers of the Constitution, said in a letter written in December 1834. He

remarked “that no Government of human device, & human administration can be perfect; that that which is the least imperfect is therefore the best Govt.”

THE CONSTITUTION—NOT PERFECT, BUT THE LEAST IMPERFECT.

The Framers understood that the Constitution they were writing would not be perfect, that those charged with administering the Constitution would not be perfect, that the nation and society the Constitution would apply to would not be perfect, and that the people of this new nation, the United States of America, would not be a perfect people.

Many of those criticizing the Constitution are comparing it to the perfect. By that test, the Constitution obviously fails. In fact, any constitution would fail. A better test would be to compare the Constitution to what came before it, to what other nations and societies were doing at the time, and even to what other nations are doing today. With 235 years of history under our belt, we suggest most people would agree that the Constitution has passed Madison’s test: it is the “least imperfect” constitution we know of. In still binding us together after all these years, it passes this critical test.

On Constitution Day 2022, let us endeavor to learn more about this great document and the government it created. And let us renew our allegiance to it.

Curtis L. Collier
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