

The Constitution: Why it Matters

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We've been here before:

- Small states vs. large states
- Agriculture interests vs. high finance
- States' rights vs. federal mandates

These were some of the important political issues at the Philadelphia Constitutional Convention in the summer of 1787. On September 17, 224 years ago, delegates at that Convention from 12 of the 13 states (Rhode Island did not send delegates) signed and sent to the states for ratification our present Constitution of the United States of America.

Our Constitution has many remarkable features. Two, however, are noteworthy at this time in our history.

Strong Government at the Center

The debate over the location of governmental power was determined in Philadelphia. Power was diffused among the executive, legislative and judicial branches of government with overlapping authority with state governments. Yet those who advocated a stronger role for the federal government and a weaker role for state government won the day. They were called the Federalists, and among their number were George Washington, Alexander Hamilton and James Madison. Those who favored stronger state and weaker federal government were called the anti-Federalists. Among them were Thomas Paine, Samuel Adams and Patrick Henry. Henry best represented their position: "I smelt a rat in Philadelphia tending toward monarchy."

John Dickinson, a delegate from Delaware, said the power of the new government should be like the sun – in the center – and the states, like the planets. James Madison agreed with this metaphor. Why? Freedom was only possible at the circumference (i.e., the states) if the center (the federal government) had power. The overwhelming sentiment of the drafters of our Constitution was somewhat a paradox: a strong federal government made both freedom and democracy possible. A weak federal government, or power too diffused among the states, would jeopardize both.

The Possibility of Change

Article V of the Constitution prescribes how the constitution may be changed. Yes, it is difficult to do. To add an amendment, either a 2/3 vote in both houses of Congress, or 2/3 of the legislatures of our 50 states is necessary to call a Constitutional Convention to act on a proposed amendment. Then, 3/4 of the states must ratify the amendment. Only 27 times in American history were amendments added to the constitution.

Historically, America has been slow, deliberate and cautious in amending our Constitution. Yet, there is a common theme among most of them: expanded democracy and equality. Note the trajectory to greater democracy and inclusion of the following amendments: religious freedom for all rather than a state

church for some paid for by all (First Amendment); the right to possess firearms (Second Amendment); prohibiting slavery (13th Amendment); black male suffrage (15th Amendment); popular election of senators (17th Amendment); women's suffrage (19th Amendment); the right of 18-year-olds to vote (26th Amendment).

So, why does it matter? The Constitution created during that hot Philadelphia summer is the same one that guides our common life today. Like today, it was written in the shadow of war, economic chaos and significant political division. The debate and discussion continue – then, in Philadelphia and now in South Dakota – over the size, scope and locus of power in government.

In the end, whether you agree with the Federalist framers or prefer the anti-Federalist position and seek to strip Washington of power, both our strong federal government and the possibility of change derives from “We the People.” Perhaps this is why during another time of economic difficulty President Reagan had it just about right: “it is and will be morning in America.”