

Populist #11 Deficiencies of Our Current Federal System

In this series of papers, we have already seen the necessity of changing our federal structure to that of a Constitutional Democracy, by which I mean a form of government where the final check and balance on the power of the federal authorities is directly in the hands of the People with the Bill of Rights serving to protect the liberty of all citizens, as a defense against foreign powers, as the guardian of peace internally, and as a solution to the mortal dilemma of centralized power which has proven to be fatal to many representative governments throughout the world, and is currently showing its deadly designs in our own.

What remains uncovered in this segment of our discussion is an examination and understanding of the deficiencies in our current system of government. The level to which our national security, credit and dignity has sunk naturally forces upon us this question; are we to continue under this structure, which itself is responsible for allowing this; without a forthright examination; without considering changing it to the benefit of our future liberty, security, and prosperity?

Many have said that when we think about those who designed our constitution we should consider it venerable, and without hesitation; that they were the greatest wisdom of the times, and had no goal but the good of the people. I do not doubt all this, but the facts of how our nation has since then developed, as well as the facts of our current situation, should not be easily disregarded. To ignore the problems we faced in the past, those that we face today, and those that we will face in the future would be a great injustice to ourselves and generations yet to come.

In discussing points of such importance, furious invectives and partisan passions have no place; every citizen has an unquestionable right and duty to examine for themselves with a due diligence and forthrightness. At minimum, such a discussion on a wide scale will serve as a reminder to the federal authorities that the people are the true origins of their power. I am, however, convinced that such an examination of both our current situation and federal structure, by the people at large, will produce an intellectual revolution as great as that which brought us independence from Great Britain.

Although the politicians and well-known commentators of the day continually direct our concerns mostly towards items of economy or social structure, when considering the value of government, we should not inquire how our gross domestic product may be increased, or how the nation is to continue its worldwide influence and dominance, but rather, how our liberties, as American citizens, can be secured; for liberty itself should be the direct end, and supreme motivation of our government.

Perhaps I am simply old-fashioned in my undying attachment to liberty; as I have not moved on to the growing direction of dangerous new thought in our country; that liberty should so easily be given up in the name of security. It is to that old-fashioned American love of liberty that I direct my most ardent hopes; to prevent our continuance under a system of government that is destructive to our liberty.

Is it necessary for your liberty, that you should alter or abolish this government? If it is found to be a necessity, we must also be reminded that such action is our inherent right. This right was most eloquently stated in the Declaration of Independence, but was repeated by many of our nation's founders; three of which I find appropriate to quote here:

"The People were, in fact, the fountain of all power, and by resorting to them, all difficulties were got over. They could alter their constitutions as they pleased."

- James Madison

"The basis of our political system is the right of the People to make and to alter their constitutions of government."

- George Washington

"Each generation has a right to choose for itself the form of government most promotive of its happiness."

- Thomas Jefferson

Having introduced these concepts, I intend, to the best of my abilities, to move forward into a more detailed discussion of our current federal system. Although it will take considerable time, and a great number of these papers, a full examination is necessary in order to improve our situation, and prevent evils that we've experienced from recurring in the future.

Upon an initial review of our constitution and overall federal structure, I immediately find two glaring deficiencies; first, that it allows too easy an inlet for corruption and an abuse of power; and second, that it does not allow the people a great or easy enough opportunity to amend it for the preservation of their own liberty.

In regards to the first, we have always been told not to fear, because those in power, as our representatives will not abuse the powers we give them; either because it is natural that the most virtuous among us will rise to this place of prominence, or because these people will always have a fear of losing future elections by not pleasing their constituents. I may not be the most well-versed in history, so I will ask you, whether liberty has been most often destroyed by the depravity of the people, or by the tyranny of their rulers? Have our politicians, instilled with this supposed fear of losing future elections, more often sided with liberty or with personal interests? I do personally fear that the answer to both is the latter, and upon this it is plainly seen that the preservation and advancement of our liberty rests on the hope that our leaders will always be good, honest, and just.

Sadly though, this may be its greatest defect. What fools are we to trust the preservation of our rights upon the contingency of our rulers being good or evil? Show me a nation in history where the rights and liberties of the people rested solely on the hope of their rulers being good, without a subsequent loss of liberty! This is the current situation of the United States. There is no true responsibility in government, and the preservation of our liberty depends on faith; a faith that our leaders will always be moral and virtuous enough to make laws to govern and punish themselves.

In considering the second deficiency, which is the difficulty of the people to alter their own constitution, we are told that *"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress."*

Because of the great numbers required to even propose an amendment, is it not possible, or is it not most likely, that just one-third plus one has often times prevented even the introduction of amendments necessary to the preservation of our liberty? It also remains in probability that thirteen of the smallest States, through their Senators, that do not collectively contain even five percent of the population of the United States, may block approval of the most favorable and necessary amendments. Worse yet, in these thirteen States, sixty percent of the people themselves may reject amendments. A simple majority in these thirteen states may block the approval of amendments; so that it is logical to conclude that less than three percent of the

American people may prevent the removal of our greatest oppressions by refusing to approve new amendments.

A tiny minority has the ability to reject the most necessary amendments to our form of government. Is this the best structure for guaranteeing our liberty? It is a most horrifying situation. Is this the spirit of freedom? How different have we become from the ideals of those who created our structure of government that less than a three percent minority can prevent the good of the whole! If amendments are to continue to be left to just one-twentieth or one-fiftieth of the people of America, our liberty is gone forever! As our republic stands today, the application for amendments by the people themselves is in vain. The founders of your own constitution made your government changeable, but the power of changing it is gone from you!

I believe it will be found that the form of government which holds those entrusted with power to the highest level of responsibility to their constituents, and allows the people a reasonable ability to change its structure, is the best designed for freedom. It is this ongoing discussion as well as a deeper examination of the many defects in our current system that will be the basis for my next paper, on September 22, 2005.

In the spirit of liberty and prosperity,

Franklin