

Pursuing the Path of Most Resistance: The Benefits of Safeguarding Change

The Founding Fathers were both radical scientists and prophets who foresaw the great dangers that would accompany their large scale "undecided experiment"¹: the Constitution. Much like the scientific method, they began with the observation that men are no angels² and thus the government's primary role is to check the passions of the people. By infusing different ideologies and past government models, they tested combinations of ancient and contemporary wisdom until they discovered a viable solution. The conclusion was a system where distinct branches of government coexist and support each other, upholding nascent American ideals and promoting lasting stability. The only question remaining lay in the manner of alterations and their implication on future generations.

Jefferson, Madison, and Burke all stood on different sides of the spectrum in relation to this particular question. Though Jefferson confirmed the sacredness of the Constitution, he did not equate it to divine revelation. While not advocating for frequent changes, the Constitution was designed to evolve with the changing ideals of each successive generation. Madison also saw the necessity of a venerated yet slightly malleable Constitution, but only in "certain great and extraordinary occasions"³. To prevent a disturbance of public tranquillity, he cautioned against overinvolvement of the people with respect to constitutional questions. Burke likened the state to a father. If he was wounded, his son should strive to heal him with utmost tenderness.

¹Lincoln, "The Perpetuation of Our Political Institutions", 1838 (Lyceum Address)

² *Federalist* 51

³ *Federalist* 49

Similarly, he believed a Constitution's faults should be approached with "pious and trembling solicitude"⁴ when men deliberated potential change.

Additionally, Burke and Jefferson disagreed about the liberty of the current generation. Jefferson claimed current generations were as independent to their predecessors as they were to a foreign nation, since "the dead [had] neither powers nor rights over" them⁵. Jefferson recognized that, "new discoveries are made, new truths disclosed, and manners and opinions change with the change of circumstances"⁶, and therefore the current generation's role was to maintain a modern government. Contrary to Jefferson, Burke claimed society itself was a partnership between the past, present, and future mankind, and thus men were bound to the previous generation.

If forced to choose a side, I would err on Burke and Madison's immense reverence for the wisdom of the past. Jefferson had admirable humility in confirming the Constitution as a work in progress, but his proposition for periodical revision opens the doorway to danger. If merely America's mission statement, frequent revision would be beneficial, but the Constitution is the basis of American society. Even minor change creates a ripple effect throughout the country. Each branch of government supports the common good as do the legs of a three-legged stool. If one tinkers with this construction, the whole stool may collapse. Because innovation without foundation leads to ruin, change should stem from a reasonably difficult process. Unfortunately, our modern culture of instant gratification causes nationwide tunnel vision that overlooks the potential for lasting collateral damage. The framers' nightmare has become our reality.

⁴ Burke, *Reflections on the Revolution in France*

⁵ Thomas Jefferson, Letter to James Madison, September 6, 1789

⁶ Jefferson, Letter to Samuel Kercheval, July 12, 1816