**Unit VI, District Question #3**

*What do you think are the best ways to achieve constitutional change?*

* *Thomas Jefferson argued that the Constitution should be revised every generation. The founders provided instead for an amendment process to take place only if and when revisions may be deemed necessary Which method do you think is better? Why?*
* *In what ways, if any, have constitutional amendments helped the United States become “a more perfect union”? Explain.*

**P1.** There are those who resist any substantial change to the Constitution. But in *Federalist 43*, Madison wrote that the Founders designed an amendment process that “guards equally against that extreme facility, which would render the Constitution too mutable; and that extreme difficulty, which might perpetuate its discovered faults.”

 **P2.** Professor Larry Sabato continues with an explanation with which we agree: “A society that stops trying to invent the better mousetrap will cede the spark of innovation - a key to political and economic prosperity - to other nations… A governing class that grows too comfortable with the status quo that often benefits it will be the ruination of the common good.”

**P3**. Thomas Jefferson’s letter to James Madison in 1789 included these words: “Every constitution… naturally expires at the end of 19 years. If it be enforced longer, it is an act of force and not of right”. We must disagree with the literal interpretation of this statement; however, we interpret it as meaning that our laws and constitutions, as Jefferson wrote in 1816 in a letter to Samuel Kercheval, “must go hand in hand with the progress of the human mind”.

**P4.** Both formal methods of amending the Constitution are founded from federalism. Under Article V, by a two-thirds vote in each house, Congress may propose an amendment and specify whether the mandated three-quarters of the states are to ratify it in their legislatures or by special state conventions. The other amendment procedure is for the legislatures in two-thirds of the states to call a national convention to freely amend the Constitution. No such convention has ever been called.

**P5.** In addition to these formal methods, the American government also uses many informal methods for changing the Constitution. For example, the Supreme Court has been called "a constitutional convention in continuous session." The nation's courts interpret and apply the Constitution as they see fit, as per *Marbury v. Madison*.

**P6.** Of the two methods prescribed in the Constitution, we prefer the convention method, despite critics’ fears of a runaway convention. More than three thousand amendments have been proposed in Congress over the last forty years and only six have been sent to the states. Congress has proved to be a graveyard for constitutional reform.

**P7.** We believe that the state legislatures are more responsive to grassroots movements for change. After all, they have been acting as laboratories for democracy for years.

**P8.**  Many states have mandatory referenda on holding new conventions at regular intervals. The Michigan Constitution requires that a question on whether to hold a constitutional convention is automatically placed on the ballot every 16 years. Michigan’s constitution has been amended more than thirty times since 1963.

**P9.** We do not deny that constitutional amendments have helped this country become “a more perfect union.” The ten amendments in the Bill of Rights certainly have acted to protect individual rights. The post-Civil War Amendments began the process of ridding this nation of the curse of slavery. More people than ever can now vote thanks to the 15th, 19th, 23rd, 24th and 26th Amendments, and flaws in the structure of government have been corrected by the 12th, 16th, 17th and 25th Amendments.

**P10.**  In conclusion, we believe that President Abraham Lincoln put it best in his first inaugural address in 1861: “To me, the convention mode seems preferable, in that it allows amendments to originate with the people themselves, instead of only permitting them to take or reject propositions, originated by others”.

**P11.**  Thank you for your time. We are now eager to answer your questions.