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Critical Thinking Writing Exercise No. 2

As the Constitution approaches its 229th birthday and year of service to the United States, it continues to be the subject of much struggle and debate among people passionate about America. Despite polls that show that Americans desire change, and complaints from Liberals and Conservatives about the federal government taking too much power, most Americans claim to view the constitution favorably. This may be because they hold it sacred, even though they don't know much about it. People who are educated about the Constitution usually butt heads over what should be changed in the Constitution, if anything at all, and how it should be changed. In general, people only like the Constitution when it benefits them, and when the Constitution does not benefit them, they demand that it be changed.

Throughout the debates over the Constitution, there have been many suggestions and proposals brought up to supposedly strengthen the Constitution. Some have been torn down soon after they are brought up, some simply fade from existence, and some maintain a position in discussion, but advance no further. Many of these proposals center around altering the first three articles in some way, changing the structure of the branches of government in some way, be it a minor adjustment or a major alteration. Some Conservatives wish to give more power to the people by expanding the Senate in favor of larger states. However, it is highly unlikely that this will ever happen, as equal suffrage in the Senate cannot be disturbed unless the states involved

consent, and the smaller states would never just give their votes away like that, lest their voices be drowned out by the larger states. The disproportionate suffrage is a weakness of the Constitution, as a bill could be passed with the votes of small state Senators, who represented only a small proportion of the people.

Many people also point to the Electoral College as a flaw of the Constitution, and want to replace it with a popular vote for the presidency. Polls show that more than sixty percent of Americans desire this change, and many experts say the same. Historian Berkin believes that “the Electoral College is the most outmoded piece in the Constitution”. Others have been quoted saying that the Electoral College is “a constitutional accident waiting to happen”. The United States even expects other countries to use popular vote for their elections, but does not use it itself, making it quite hypocritical. Every poll and much public opinion display a feeling against the Electoral College, but nothing is happening about it. This is likely because popular elections would give big states even more power, and that presidential elections could be swayed by tiny flaws in the vote counting systems, be it a glitch or someone putting in a fraudulent vote.

Some experts are also saying that lifetime tenure for Supreme Court Justices is outdated. This is not surprising, as studies done by Northwestern University professors Steven Calabresi and James Lindgren show that while in the years between 1789 and 1970, justices served an average of 14.9 years before retiring, justices nowadays serve an average of 26.1 years before retiring. Even though people agree that there should be a limit on how long the justices can serve, there are disputes on whether this limit should come in the form of a term limit or in the form of a mandatory retirement age. The original design of the Supreme Court was to keep the

justices above the political chaos, and most people agree that that intention should be kept, no matter what other changes are made.

Tinkering with the Constitution is not unusual or new, as evidenced by twentieth century amendments. The Constitution was designed to be tinkered with, to evolve to fit the needs of modern society. George Washington himself spoke of the Constitution, saying that it was “not free of imperfections”. Many people fear that all of these constitutional debates means that something is wrong with the Constitution, when in truth, the Constitution has been the subject of debate throughout its entire existence. There may be greater focus on it now, but that is not surprising, as the Constitution has lasted for nearly 229 years with only a handful of amendments. Experts have noted the durability of the Constitution, but it needs to be updated every now and then to retain its durability as the American society evolves.

The biggest dispute over the Constitution is how it should be amended. Conservatives call for a constitutional convention, as the Constitution needs to be adapted to modern issues and Congress lacks the time and interest to do such a thing itself. Liberals oppose a constitutional convention, as they are afraid of what might happen with this barely tried method. Their fears are sensible, as the last time a true convention was held, it was when the Articles of Confederation was turned into the Constitution. They fear that the Constitution will come out as a completely different document. People are also afraid of trying a constitutional convention because if they mess it up, they'll be forever known as the people who messed up the Constitution. However, many people don't seem to realize that the convention doesn't have to get much of anywhere to be successful, as a convention would get the attention of Congress, who would take it from there.

Works Cited

Jost, Kenneth. "Re-examining the Constitution." *CQ Researcher by CQ Press*. N.p., 07 Sept. 2012. Web. 01 Sept. 2016.