

The Constitution as a Continuing Principle in Government

An address delivered by

ETHELBERT WARFIELD, ESQ.

at

The College of William and Mary
Williamsburg, Virginia

November 21, 1935



EIGHTH LECTURE UNDER THE
JAMES GOOLD CUTLER TRUST



Entered at the post office at Williamsburg, Virginia, July 3, 1926, under act of August 24,
1912, as second-class matter.

Issued January, February, March, April, June, August, November.

242.133.4

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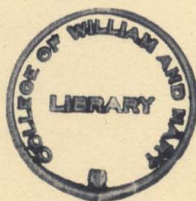
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THE CONSTITUTION AS A CONTINUING PRINCIPLE IN GOVERNMENT

*College of William and Mary in Virginia,
November 21, 1935*

ETHELBERT WARFIELD

Names and events, which are only the literary and historical companions of most Americans and to all too many mere vague spectres of things once learned in school, are to you in this place haunted with memories of three hundred years, living people and stirring drama. American history lives here as it cannot hope to live in more than one or two favored spots. While other people speak vaguely of the American Revolution and our great Civil War, to you these events have almost their original freshness, and the Indian wars and Bacon's Rebellion are better known to you than are anything except the names of Yorktown and Petersburg to the great mass of American people wrapped up in the limited but furious pace of modern life.

It would seem a simple thing for me to convince you to whom Patrick Henry and Thomas Jefferson are fellow townsmen, who see each day your hall designed by Christopher Wren, and the beautiful, reconstructed capital of Colonial Virginia, that all that comes from that era of change and revolution must be accepted by all good Americans as their rule of life and as the one loyalty to which they could not be false. But to talk in such a way would be to insult your intelligence and to fail to appraise the true value of historical approach to any subject. We cannot accept as good that which we would like to think is good for our own ease of mind. We cannot say that because a

thing is old it is good; that even because it has survived it is good. In fact, Shakespeare can make Mark Anthony say without fear of contradiction:

“The evil men do lives after them,
The good is oft interred with their bones.”

Rather with the wealth of historical knowledge which is your heritage, it makes it impossible for me to speak of the value of that which is old without distinguishing the good from the bad, and you must have presented to you reasons free from passion and able to withstand not only the arguments which are uppermost in men's minds today, but all those which have successfully torn away the pet theories of sincere patriots and demagogues who have sought to impose their theories of government upon free people.

If the Constitution of the United States is only good because it was adopted in a difficult period of our country by great men tempered by years of political oppression and war, then its place is in the lecture room and in the library of the historian and the philosopher. The greatness of its authors and the patriotism that made it possible for them to labor through the arduous days of the Convention will not justify us in upholding it as the fundamental law of the land in this year nineteen hundred and thirty-five.

Only to the extent that it meets the needs of the people in these times can we maintain it as the “first law of the land”.

Chief Justice Marshall said:

“We must never forget that it is a
Constitution we are expounding * * * a
Constitution intended to endure for ages
to come, and consequently, to be adapted
to various crises of human affairs.”

As we can defend only its application to the problems of the world in which we live, so also there is but one defense against any proposed amendment advocated by the majority of the people, and that of course is that the amendment does not fit the needs of a free people under conditions existing in the world in which we live. Whatever the greatness of the document may be, however much we are indebted to the drafters for the solution of the problem of two governments operating together with clearly defined powers, however much we may believe that the creation of a federal judiciary operating as a check on the legislative and executive branches is the sublimest achievement of free government, still no clause of the Constitution is more important than the provision for amendment of it. The Constitution was given by the people and the people may take it back. The life of the Constitution is the will of the people that it be maintained. To destroy the people's right to amend it as they please is to destroy the whole reason for a written constitution.

The political partisan and the demagog have no interest in studying the Constitution except to find in it language which can be turned to the arguments of the moment. This is good, or that is bad, but they would not have you read too closely, for to do so might wreck their arguments and drive them from the public stage. For our purposes, however, the more we know of the Constitution the better able will we be to answer the real question before us. Shall it continue to be the law by which we are willing to be governed?

That the Constitution is a great document no one will deny. Whatever form of government we may believe in, the time has long since passed when any thinking man would care to put himself in the foolish position of suggesting that the Constitution was inherently

devoid of greatness. But the Constitution as drawn in 1793 and the Constitution as it exists today is not free from flaws. When the Constitutional Convention convened there were present in it delegates of widely differing personalities, many of them not only opposed to the delegates of other states, but bitterly hostile to the other delegates from their own states. Many of them came to the Convention with fixed ideas which they had publicly stated they would not recede from. Of course there were those with personal political ambitions, and those who were not fitted to grapple with the great problem that was presented to the Convention. Sectional jealousies and personal hatreds influenced the Convention almost from the first day. Several of the ablest men in the Convention refused to put their names to the completed document and fought the adoption of the Constitution in their home states. Provisions were written into the Constitution which have been the cause of political debate and civil war. Local demands in outstanding cases forced compromises which have not resulted in good to the country. On the other hand, other compromises infused into the instrument the life which makes it today the oldest written constitution still in force. When the document finally was presented to the country by the Convention it was not only its enemies who believed that there was little chance of its solving the many problems that beset the nation still in its swaddling clothes. Some of its best friends wondered whether the work they had done would even bridge the gap between the chaos of the weak confederation and some future plan that would justify the years of war and anguish through which the country had passed.

Among the provisions that were inserted into the Constitution because of the fear by one group that

another group would dominate it, was the provision that upon the election of the president, the individual receiving the next largest number of votes should be vice-president. This provision was dictated by the fear of certain of the small states that the large states would band together to elect the president, and that if the president and vice-president were elected separately the small states would have no word in the government. The fallacy of this reasoning is now history, and those who insisted upon it were blind to the chaos that might have been caused in the country by the jealousy of a vice-president who received his office only because he was defeated by the president. It is safe to say that no other element in the Constitution was more calculated to cause internal dissension than this. It is a tribute to the common sense of the nation that this provision was so quickly amended. The whole history of the provision of the Constitution in regard to slavery indicates how definitely the drafters were subject to the same trials and tribulations which beset any group, however patriotic, in attempting to "form a more perfect union".

Just as the Constitution itself was not all good or all bad, so the amendments which have been written into the Constitution have in some cases helped the country to prosper, and in some cases have definitely been a hindrance. The first ten amendments, constituting what is generally known as the "Bill of Rights", were adopted in conformity with a promise that if the Constitution were ratified by the States, these amendments would be promptly included in it. These ten amendments contain the chart of liberties without which no free people can hope to remain free. On the other hand, the amendments adopted at the close of the Civil War were, more by the effect of their enforce-

ment than by their actual form, a contributing cause in retarding the recovery of the South at a time when a helping hand would have done much to have cured the scars and bitterness of factional strife.

But if there was much in the Constitution that might well subject its draftsmen to the criticism that they were not wholly and completely honest in their determination to draft a document free from all sectional conflicts, yet there is in it a great rule of government that has made it possible for this nation to develop from a small group of colonial districts into the greatest industrial democracy of all times. The Convention when it assembled had little hope other than that it might be able to patch up the absolutely useless provisions of the Articles of Confederation. It is doubtful whether a quorum could have been obtained if it had been announced beforehand that from this Convention would come a revolution little less far-reaching than that which resulted from the breaking off from England. Actually, the result of the Convention was to contribute to political civilization a principle of government new in form, and one which required that the people who should be governed under it would be both intelligent enough to understand the structure of their government and interested enough in its functions to maintain the duties which were imposed upon them.

De Tocqueville calls it "The most perfect federal constitution that ever existed", and says that in examining it "one is startled at the variety of information and the amount of discernment which it presupposes in the people whom it is meant to govern".

At the time the Constitution was written many of the people in the Convention, and most European observers, believed that the people could not possibly take

the responsibilities that were imposed upon them by the Constitution, and that the result would be that the power would be seized by an individual who would drive the country into some form of absolute monarchy. During the course of the debates there were many delegates who were strongly of the opinion that the rank and file of the people were not prepared to pass upon matters affecting the national government. Many argued that wealth should be the criterion for the exercise of the franchise; others that the lower house, as was later the case with the Senate, should be elected by the state legislatures. There were some who believed that the Senate should be appointed for life, and others that the Senate should be appointed by the executive. Out of this debate came one of the great compromises of the Convention which gave the strength and character to the Constitution which finally caused even the most strongly dissenting states to accept it.

Following the English tradition, the Constitution as drawn, both in its finest clauses and in its weakest points, was the result of a series of compromises. Madison's great conception of federal and state governments operating on the same individuals at the same time but each sovereign within its own sphere, was the cardinal point in the "Virginia Plan" as presented to the Convention. The second great feature of this Plan was the provision for a coordinated system of legislative and executive and judicial branches. Due to the compromise under which the lower house was to be elected by popular suffrage, and the Senate to be chosen by the state legislatures, and other concessions made to various groups, the Virginia Plan developed into a much more liberal Plan than its creators had imagined possible. The Constitution as finally adopted did not follow the Virginia Plan as presented, but it is safe to

say that had this bold Plan not been presented to the Convention, the form of government under which we have been operating for nearly one hundred and fifty years could not possibly have been adopted by the Convention.

Under the Constitution the powers of government are distributed between the legislative, the executive and the judiciary. In each case the distinguishing feature of these branches of government is that their powers are limited powers. In all other forms of government existing prior to our Constitution, one or more of the branches of government held the supreme power. To the extent that the Constitution grants powers to the branches of the government, these powers are subject again to certain general checks. These checks are made necessary by reason of the fact that under the Constitution the power that is given, is given for a definite period of time, so that unless these checks exist it is possible for one branch or another of the government to obtain complete control and so change the organic law as to perpetuate itself in power. This is the great difference between our form of government and the governments which hold office at the pleasure of the legislative branch or the people. Under the English form of government the Prime Minister maintains his power only so long as he has the confidence of Parliament. Parliament in turn is subject to election from time to time and if the people lose confidence in the government, they may elect a new Parliament. If they have confidence in Parliament but not in the executive, they may send back the same group to Parliament who have power to overthrow the executive branch by a vote of lack of confidence. Those who are opposed to our Constitution point to the great power that is given to the judiciary, and use as an

illustration the lack of this power in governments such as France and England. Such an argument is special pleading and ignores the differences between the two systems of government. If our president held office only so long as he was able to hold the confidence of Congress and were forced to resign upon receiving a vote of no confidence, then the need of a veto power over the executive and legislative branches would not be so important. But under our form of government the only restraint that is placed upon the combination of the executive and legislative control is the testing of the acts of these branches by the Supreme Court. This arrangement, it is true, has worked out differently than most of the framers of the Constitution understood that it would, but as we have become a larger and more complex nation, this single provision of the Constitution has done more to permit the country to keep up with changing conditions than any other one; in addition the presentation of the acts of the executive and legislative branch to the Supreme Court has given an opportunity for the country to study in a detached way these acts and thus is provided the healthiest plan for the operation of a government of widely differing peoples that is yet known to man.

We have heard a great deal in recent months about the Constitution being a document of the "horse and buggy" era, made at a time when the country was loosely knit, useful only for people knowing nothing of this complex and industrial civilization in which we live today. An examination of the facts would, as a matter of fact, point in exactly the opposite direction. Had the states continued to be loosely knit, had the jealousies of commercial exchange which were fostered by the weak government of the confederation not been in large part eliminated by the railroad and the tele-

graph, it is almost certain that the federal government under the Constitution would have had little more success than its ill-fated predecessor. The opening of the West and the development of modern conveniences tended to tie the states closer together, to make more prominent the problems that were common and to place in the background the controversies that had previously seemed impossible of solution because of differences so fundamental as to be unyielding. It is then one of the phenomena of our development that many parts of our Constitution fitted the government as it developed better than its framers believed it could possibly fit the problems they had set out to solve.

Woodrow Wilson, in his "Constitutional Government", says:

"When the Constitution was framed there were no railways, there was no telegraph, there was no telephone. The Supreme Court has read the power of Congress to establish post-offices and post-roads and to regulate commerce with foreign nations and among the several states to mean that it has jurisdiction over practically every matter connected with intercourse between the states. Railways are highways; telegraph and telephone lines are new forms of the post.

"The Constitution was not meant to hold the Government back to the time of horses and wagons, the time when post-boys carried every communication that passed from merchant to merchant, when trade had few long routes within the

nation and did not venture in bulk beyond neighborhood transactions.

"The United States have clearly from generation to generation been taking on more and more of the characteristics of a community; more and more have their economic interests come to seem common interests; and the courts have rightly endeavored to make the Constitution a suitable instrument of the national life, extending to the things that are now common the rules that it established for similar things that were common at the beginning."

Mr. Wilson continues:

"The real difficulty has been to draw the line where this process of expansion and adaptation ceases to be legitimate and becomes a mere act of will on the part of the government, served by the courts. The temptation to overstep the proper boundaries has been particularly great in interpreting the meaning of the words 'commerce among the several states.'

"Manifestly, in a commercial nation almost every item of life directly or indirectly affects commerce, and our commerce is almost all of it on the grand scale. There is a vast deal of buying and selling, of course, within the boundaries of each state, but even the buying and selling which is done within a single state constitutes in our day but a part

of that great movement of merchandise along lines of railway and water course which runs without limit and without regard to political jurisdiction.

"State commerce seems almost impossible to distinguish from interstate commerce. It has all come to seem part of what Congress may unquestionably regulate, though the makers of the Constitution may never have dreamed of anything like it and the tremendous interests which it affects. Which part of the complex thing may Congress regulate?

"Clearly, any part of the actual movement of merchandise and persons from state to state. May it also regulate the conditions under which the merchandise is produced which is presently to become the subject matter of interstate commerce? May it regulate the conditions of labor in field and factory? Clearly not, I should say; and I should think that any thoughtful lawyer who felt himself at liberty to be frank would agree with me."

This problem which Wilson raises is one which every generation has had before it and which every generation must answer, and whatever I have said about the importance of the document fitting the needs of today, as to this one question of how far we want government to go, we have in addition to the responsibility of our own period, the responsibility of what we will pass on to another generation,—for prosperity achieved, liberty attained, dictatorship withheld, are

things that are paid for with a great price. If having gained these things we surrender them, we are placing on later generations not only a government which may not be to their liking, but are leaving to them a condition under which they cannot attain their desires by orderly legislative process, but which will require them to resort to war and years of loss of property if they care to win back what we will have squandered.

The great danger of our form of government is that we will be temporarily influenced by a man of great mental achievement or personal attraction, and that we will give to him power which we would never dream of giving to any other man, and which in the giving we would expect to give in a limited measure by restricting it only to the good which we believe his genius could accomplish. But unfortunately, every power that has ever been granted to a government has been used by it, and once the power has been placed in the hands of government, such power has never been allowed to lapse. No man who has ever become a dictator would in his earlier years have himself believed that he would ever take some of the powers which were eventually claimed by him to be his God-given right.

James Madison says in "The Federalist":

"The accumulation of all powers Legislative, Executive and Judiciary in the same hands, whether of one, a few or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny."

And so, if we approach the question of amending the Constitution at all to strengthen the federal government, our first concern must be whether in doing so we are giving powers we will later want to withdraw, and second, whether our form of government lends itself to successful operation if greater powers are bestowed on the federal government. My own personal view is that the Constitution as written contains in it such elasticity as to permit a fair administration, not solely interested in its own perpetuation, to administer the duties confided to it, and that to increase these powers would be to lead us into at least the temptation of having all of our affairs administered from Washington without regard for the welfare of individual localities.

If, on the other hand, it should appear either as a matter of economics or political opinion, that the federal government needs strengthening, then we should weigh the problem as to whether there is not some way in which in giving additional power to the federal government, we cannot also impose additional checks on the executive and legislative branches. This is a phase of the question that those who seek federal control shy away from because they believe that a fundamental change in our form of government, with some such arrangement as the British, would not be popular. They know that the history of the French government has been particularly unsatisfactory because of the constant changes of ministry. They also know that the people have before them the recent experiences of Germany and Italy under which a dictator was able to use forms of parliamentary procedure to seize power under circumstances which are impossible under our form of government.

But I submit that the strength of our Constitution is in the limited powers and the checks set up for those powers, and we cannot hope to keep the control of our government in the people if we extend the power of their rulers. If we are to have two sets of government—which surely have proven themselves of great efficiency in our period of expansion—we must zealously guard our limited instructions to the government in Washington. There are many who dismiss the writings of John Fiske on the ground that he himself is out of date. But he did not have before him the experiences of Germany and Italy when he wrote:

“If the day should ever arrive (which God forbid!) when the people of the different parts of our country shall allow their local affairs to be administered by prefects sent from Washington, and when the self-government of the states shall have been so far lost as that of the departments of France, or even so far as that of the counties of England,—on that day the progressive political career of the American people will have come to an end, and the hopes that have been built upon it for the future happiness and prosperity of mankind will be wrecked forever.”

If we are to consider changes in our form of government, we must make up our minds what general ideal we are reaching for. Certainly we are not so shallow in our reasoning, so irresponsible as to destroy the heritage paid for at such great price—to throw over the system under which we have gone so

far without knowing what we will have when it is gone.

Our Constitution created a new approach to an old subject, but it did not establish a new system of government.

Former Governor Lowden has recently said:

“The Communist and the Fascist type of government have this in common, that they both depend upon unlimited power in the head of the State. It was against this kind of government the Declaration of Independence was aimed. They called it then the monarchical principle. In effect, it did not differ from the present Soviet regime in Russia, the Fascist rule in Italy or the Nazi government in Germany.

“There are only two forms of government, the democratic and the autocratic. No new nomenclature, no new juggling of words, can disguise this fact.”

I for one cannot and do not believe the American people will champion any form of government not based on the democratic principle, for I believe with De Tocqueville that:

“The progress of democracy seems irresistible, because it is the most uniform, most ancient, and the most permanent tendency which is to be found in history.”

John Dewey says:

“Regarded as an idea, democracy is not an alternative to other principles of

associated life. It is the idea of a community itself."

Representative democracy, as we know it in this country, has gone through a series of phases. Our governmental institutions, while molded in part on the British system, were so new as to make it necessary for them to develop as new work was given them to perform. So far in our country we have without hesitation rearranged the powers of these agencies as the needs of the country required. Largely this has been done in the first instance by the executive or the legislature and approved by the Supreme Court. Where the people wished it the changes have come through amendment. There are always those who clamor for quick change and argue that the provisions for amendment do not allow action to be taken speedily. James Russell Lowell was once asked whether these provisions did not sometimes defeat the will of the people. "No," he replied, "never the *will* of the people—only the *whim*."

Abraham Lincoln once reminded the country that if speedy change were thought necessary by the proponents of change perhaps it was because the proponents realized that taking time for counsel would lead to the defeat of the changes they espoused.

I have quoted above Woodrow Wilson's creed of the manner in which progress has been accomplished without doing abuse to our form of government or our national life. Actually, this has been accomplished so far as the judiciary was concerned without any well-founded criticism of interference with the forward movement of the country. If, however, it may ever be shown that the Supreme Court has for partisan purposes overstepped its duties or subjected itself to unconstitutional aims of the executive, then de-

mocracy, as we know it, will require a change in our form of government if democracy is to continue. If a change is not made we will have begun the transition away from democracy. In the various phases of our country there have been conflicting ideas between various forms of democracy. What is generally known as a political democracy—that is, a democracy of form in the election of officers, whether or not these officers operate to maintain a democratic government—has often been in conflict with what is known as a social democracy—that is, the application of democratic principles, however the executive is chosen. There will always be those who believe that social democracy is being destroyed by the observers of the forms of political democracy, and that changes must be made to assure to the people true democratic government. We must always be prepared to meet this criticism, and if the control of the government in one party or group defeats the guarantee of a democratic government to the people, then correction must be made in our fundamental rule of government if such a group or party cannot be eliminated by the machinery set up in our present Constitution. But has there ever been a time in our history when for any appreciable time the machinery set up by the Constitution has not been sufficient to guarantee the rights which we believe are the rights of every free man? If we were to make changes in our government, would we want to destroy any of the rights which accrue to our people under our present form of government? This is the final test that must be made, whether the government be that which we now have, or a government based upon the English, French or any other system. What parts of the rights which we now have would we want to give up? What ones could we add

that are not now guaranteed to us? Some of the rights which have been fought for and which are guaranteed by the Constitution seem to us now to be so much a matter of our fundamental right as not to be worthy of serious consideration. For instance, what politician would dare to suggest giving up the complete freedom of our courts, and yet, the struggle for a free court was one of the most important issues up to the adoption of the Constitution. Certainly we believe that there are times when the rights of property must be temporarily made subservient to the rights of individuals, but would we be prepared to give up the rights which we now hold under the Bill of Rights, which constitute the first ten amendments to the Constitution? Free press, freedom of speech, peaceable assembly, the right of the states to raise militia, the right of people to be secure in their persons, homes and effects, the right to a jury trial in criminal cases, the right of a person charged with a crime to be informed of the nature and cause of the accusation. As we will contend that these rights cannot be taken away from us, so we must ask ourselves whether under any other form of government that we might adopt we could be assured these same rights. Surely we cannot close our eyes to the fact that these things are more definitely assured to us so long as those who rule us are strictly limited in power and so accountable to the very people for whom these clauses were inserted in the Constitution, and that our only guarantee that these rights will not be destroyed is to be found in the control which the people maintain over their own government. Hand in hand with these individual rights goes the distinction between federal and state governments. Without destroying the necessary powers to permit the federal government to exist, we have chosen to limit

the central power and to leave in smaller local units the power over the normal affairs of our daily life.

Franklin D. Roosevelt, in a speech made in March, 1930, has stated this principle of the rights of the states as ably as anyone in the whole history of our country when he said:

“On this sure foundation of the protection of the weak against the strong, stone by stone, our entire edifice of government has been erected. As the individual is protected from possible oppression by his neighbors, so the smallest political unit, the town, is, in theory at least, allowed to manage its own affairs, secure from undue interference by the larger unit of the county, which in turn is protected from mischievous meddling by the state.

“This is what we call the doctrine of ‘home rule,’ and the whole spirit and intent of the Constitution is to carry this great principle into the relations between the national government and the government of the states.

“Let us remember that from the very beginning differences in climate, soil conditions, habits and mode of living in states separated by thousands of miles rendered it necessary to give the fullest individual latitude to the individual states. Remembering that the mining states of the Rockies, the fertile savannahs of the South, the prairies of the West and the rocky soil of the New Eng-

land states created many problems, introduced many factors in each locality which have no existence in others, it is obvious that almost every new or old problem of government must be solved, if it is to be solved to the satisfaction of the people of the whole country, by each state in its own way."

Lecky, the historian, writing in 1896, said:

"To divide and restrict power; to secure property; to check the appetite for organic change; to guard individual liberty against the tyranny of the multitude, as well as against the tyranny of an individual or a class; to infuse into American political life a spirit of continuity and of sober and moderate freedom, were the ends which the great American statesmen set before them, and which they in a large measure attained."

If the Constitution still accomplishes these things; if it provides moderate freedom while restricting the power of our rulers; if in fact the three branches of the government can find sufficient authority to meet the needs of the modern world—and be it remembered that in no case has chaos or even a great crisis resulted from the limitations imposed—are we prepared to throw our system out of balance by increasing the power of those who rule us? Are we now to forget the warnings of every statesman from Washington and Jefferson down to our own times, and chance the loss of all we have won by experimenting with the known danger involved in entrusting our liberties to a single individual or group however disinterested they may appear?

What is there in any other form of government we would willingly try that more nearly gives us the rounded government we seek? Reforms come with no greater speed and are assimilated no more easily in England, France or Canada than in the United States. True indeed a dictatorship, if the dictator is benevolent, can more quickly enforce reform than a democracy, but what possible assurance, what single precedent does history give us that a dictatorship will bring good, let alone only good?

Walter Lippman, in discussing a decision of the United States Supreme Court, said:

“A constitution which is flexible enough to enable governments to deal with a crisis and yet strong enough to withstand temptation to scrap essential parts of it in moments of excitement is likely to weather many storms.”

The Constitution of the United States has done this time and time again. It has done so in the difficult period we have just lived through. It is and so long as the people are “competent to understand the structure of their government and their own functions and duties as ultimately sovereign in it, interested as valuing those functions, and alive to the responsibility of those duties”, will continue to be a complete and continuing principle of government for this country.

If then there are those who would revise our form of government let them first search their hearts and decide whether they are willing to approach the matter with as great (but no greater) devotion to the public interest as was shown by the Convention which adopted the present Constitution. Let them consider whether they are sufficiently single-minded in their

purpose to go into a new convention agreeing as did the framers of our Constitution to withhold the debates from the knowledge of the people not only until the work was presented to the people but until the people had accepted or rejected their work. Let them decide whether they can adopt as their principle in approaching their problem the words of Washington delivered at the opening of the Federal Convention:

“It is too probable that no plan we propose will be adopted. Perhaps another dreadful conflict is to be sustained. If, to please the people, we offer what we ourselves disapprove, how can we afterward defend our work? Let us raise a standard to which the wise and the honest can repair; the event is in the hand of God.”

Any changes approached on this basis, if containing the same percentage of good as the Constitution drafted in 1793, might well receive the approval of the people. Unless we are approaching the end of our history as a free nation no changes originating from any other background will be acceptable to the great majority of American citizens as a substitute for the present Constitution of the United States.

