

James Madison has said, "In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself"(Federalist no. 51).

At times the Constitution's checks and balances formed by Madison and the Framers cause "gridlock" - where it is almost impossible for decisions to be made about certain issues. As Cutler advocates in "To Form a Government", we could change the Constitution to form a unitary government with a unicameral legislature and a more powerful executive. I feel, however, that this "gridlock" is part of what Madison wanted with our form of government. He not only wanted the majority, but also the minority, to have a say in the Government. We have, many times, been able to overcome this propensity for "gridlock" and make a compromise that satisfies everyone.

Today, the constitution has lasted over 200 years of war, economic hardships, and growth. What is it that has made our constitution the oldest written constitution still in use today? This essay will show that we must retain the basic framework of our constitution. It represents religious values and freedom. It provides "auxiliary precautions" such as checks and balances, separation of powers, and staggered terms of office that protect personal freedom, "...insure domestic tranquility, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity..."(Preamble to the Constitution).

First, through checks and balances, the government is kept under control. James Madison said in The Federalist, no. 51,

"Ambition must be made to counteract ambition.... A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions." In addition, Madison said, "There are two methods of curing the mischiefs of faction: the one, by removing its causes, the other, by controlling its effects."(Federalist no. 10). Through these checks and balances, we are able to prevent majority factions from carrying out their plans, whether desirable or undesirable, and we are often able to come to a consensus of opinion on issues. These checks and balances tend to prevent fast action in the government, but they also protect us from unjust laws caused by majority factions.

The next strong point of the Constitution is separation of powers. In The Federalist, no. 47, James Madison said, "No political truth is certainly of greater intrinsic value, or is stamped with the authority of more enlightened patrons of liberty, than that...the accumulation of all powers, legislative, executive, and judiciary, in the same hands...may justly be pronounced the very definition of tyranny." If we have a unitary government with a unicameral legislature, we would put most powers of the legislative and executive branches in the same hands. This may result in unfair government practices and laws.

Finally, the framers staggered the terms of office between the House, Senate, President, and Supreme Court Judges to prevent the unfair ideas of a majority from overtaking a minority. With a 2-year term for members of the House, 4 years for the President, and 6 years for the Senate, the majority party can gain control over

only part of the government at one time. Some of Cutler's proposals in To Form a Government do away with staggered terms. If we do away with staggered terms by voting for the President, House, and Senate, or two of the three all at once, our situation may not be very good if a majority faction comes along. These majority factions were what Madison was guarding against when the Constitution was framed. Staggered terms of office guard against these majority factions.

In conclusion, the Constitution attempts to form a more perfect union, establish justice, insure domestic tranquility, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity through its system of checks and balances, through separation of powers, and through staggered terms of office. It is true that "gridlock" often slows the government down. However, we should not destroy our constitutional heritage.

We have seen that this "gridlock" has a purpose. There have been a few ways proposed of overcoming this "gridlock" without effecting the basic framework of the constitution such as a presidential "line item" veto and a twelve year limit on members of congress. However, what we must eventually do to overcome this "gridlock" is to come to a consensus of opinion. I am not saying that we all need to be converted to one way of doing things. I am calling for honesty, cooperation, values, and fairness in the government and the United States as a whole. As we apply these principles, we will be able to overcome "gridlock", get along better, and the people and our Constitution will be ready to enter the 21st century.