

U.S. Constitution – A House of Cards?

by William Buchanan

I have always regarded [the U.S.] Constitution as the most remarkable work known to me in modern times to have been produced by the human intellect, at a single stroke (so to speak), in its application to political affairs.

– William Gladstone (1887)
British Parliamentary Leader

Your Constitution is all sail and no anchor.

– Thomas Babington,
Lord Macaulay (1857)

If the Founding Fathers were to descend to Planet Earth, 217 years after the ink dried on their founding document, they would be both amazed and shocked – amazed at our almost uninterrupted success and shocked that we share so little of their values.

They'd find a very different country. The "forest primeval" has been vanquished. "Rugged individualism" is so much road-kill in the path of a massive and unloving redistribution state. Many of us lead our private lives in public and immodest ways. Yet

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we prosper.

We and our wraiths in black robes invoke the Founder's Constitution as something perfected for all time. The Founders knew differently. They signed a document embedded with hard-won compromises. States, jealous of prerogatives built up over hundreds of years of colonial experience, demanded these compromises.

Compromise does not lead to perfection. Just look at what a failure the Founder's "three fifths of all other Persons" qualification turned out to be! And massive immigration, which the Founders universally abhorred, may make a house of cards of their parchmented compromises, here listed:

Compromise One. Article I, Section 2, Clause 1. *The House of Representatives shall be composed of Members chosen every second Year by the People of the several States....*

Our Founding Fathers feared faction (party). George Washington and John Adams denounced it. The Founders hoped that most representatives would think of themselves as single isolated individuals, more or less in Congress to do what is best for the nation.

Nothing in the Constitution stopped the states from adopting statewide delegations with the districts going to the top vote

getters. But their colonial experience led the states to establish single-member winner-take-all districts leading to a rigid two-party system. The result: 50 percent of Americans don't vote. And, thanks to massive immigration, the 50 percent who do vote are taken for granted as politicians slaver after new and uncommitted immigrant voters. How do you get their vote? By promising amnesties and more redistribution to them of our nation's wealth.

Compromise Two. Article I, Section 2, Clause 1. *...and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.*

The states would have it no other way. Thanks to massive immigration, at least three states, California, New Mexico, and Texas, may soon be mostly Mexican or Hispanic. They may decide, for example, that only "dual" citizens and illegal aliens may vote.

Old habits cling. When our representatives amended the Constitution in 1913 to provide for the popular election of senators, they again qualified the electors as those who can vote for "the most numerous branch of the State legislatures."

Federal legislation, 18 U.S.C. 611, does make it a crime for a non-citizen to vote in any election

where a candidate for federal office is on the ballot. This works fine until the day some state decides to let non-citizens vote for “the most numerous branch of the[ir] State legislature.”

The nation trembles over proposals that San Francisco, New York, and Washington, DC – the Nation’s Capital – may elect to allow legal aliens to vote. Sen. Dianne Feinstein groans that citizenship will be robbed of meaning should this happen. Well, the Constitution empowers the states to enfranchise anybody they want, including legal and illegal aliens.

Compromise Three. Article I, Section 2, Clause 3 as modified by: Amendment XIV, Section 2. *...Representatives shall be apportioned among the several States according to their respective **numbers**, counting the **whole number of persons** in each State, excluding Indians not taxed.* (Emphasis added)

Thanks to this foolishness, built into both the Constitution and the 14th Amendment, Census spends billions of dollars scouring trailer camps and colonias for illegal aliens in order to increase representation (power) of voters in the states victimized by massive immigration, while reducing representation (power) of voters in the states not [yet] attractive to legal and illegal aliens.

It’s too bad that the 39th Congress, so eager to punish the South, unify the nation, and deny the vote to Indians, could not simply have apportioned representation based on the number of adult citizens.

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Compromise Four. Article II, Section 1, Clauses 2 and 3 as modified by Amendment XII. The Electoral College.

In creating the office of President, we know that the delegates to the Constitutional Convention were fearful of creating another George III and hopeful instead for a steady supply of George Washingtons. (Dream on!) Read the referenced clauses and amendment and you can sense their confusion. Most states have decided to give **all** their electoral votes to the presidential candidate with a **plurality** of individual votes (winner take all).

Thanks to massive immigration, we are looking at a future where a few large states, states with huge alienated majorities, will possess a crucially large number of electoral votes. Do not be surprised that they make demands of presidential hopefuls that would amaze the Founders.

Compromise Five. Democracy.

If there was anything the Founders were fearful of, it was democracy. It had been tried before, but always came to naught. Delegates hoped with checks and balances, indirect election of the president, state governments vs. federal government, and appointed senators, judges, and justices, they could defy history. They bargained without considering massive immigration and they knew nothing about modern transportation, instant communications, and PC sensibilities.

Democratic politics is a game of numbers. This is particularly true in a winner-take-all polity such as ours. This is not so noticeable when the society is fairly homogeneous. The loser can be sure that the winner will not need to crush him in order to satisfy his, the winner’s, constituency. Thanks to massive immigration, more and more of our legislators’ time is consumed with redistribution of goods and services to aliens.

Moreover, only a fool thinks that taking the citizenship oath relieves “new Americans” of their tender feelings for the land of their birth and sensitivity to its interests. Indeed many countries promote dual citizenship in an effort to influence their émigrés. Thanks to massive immigration, more and more of our legislators’ time is consumed with satisfying the interests of foreign countries even should these interests conflict with the best interests of America.

This does not mean legislators

have no values. Only that should massive immigration continue, these values will be more and more stretched. Every election guarantees there will be someone willing to compromise enough of his and America's best interests to get elected. Extend the franchise

to legal and then illegal aliens and broader concessions will be demanded and satisfied.

Benjamin Franklin, departing the Constitutional Convention, was asked what had been accomplished. "A republic. If you can keep it," he replied. Were he

to revisit his handiwork today, he would be within his rights to say: "Hey! Pretty good for 217 years!" And return to his rest. Is massive immigration compatible with keeping our republic? We need to decide and soon. •