

The Constitution in
Our Time
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Mr. President, we are here to celebrate and honor our nation's Constitution. It is a very noble and patriotic occasion. We all have a general good feeling of contentment about the bicentennial of the Constitution -- A belief that the Founding Fathers would be satisfied that the Republic they bequeathed us has endured and prospered.

But contentment and satisfaction should not be the only feelings we share today. The Framers of the Constitution were political leaders who were not satisfied or content with things as they saw them. They came to Philadelphia for the expressed purpose of bringing about a fundamental re-ordering of how we govern ourselves. They were men of their times. And, well should we be of ours.

Today, we celebrate the wisdom of Madison and the other writers who gave us the system of government that we Americans accept as a given. Paradoxically, what is most unique about our system of government--our system of checks and balances--is simply accepted as common place by the citizens of this country. It is taken for granted, this bedrock of how we govern ourselves. It is this easy assurance and faith in the process of governing that may be the ultimate compliment to the Framers of the Constitution.

Yet, as it must be clear to all Americans who have followed recent events, our system of checks and balances can never be taken for granted. If our system of government--of checks and balances--is left unattended we leave it open to encroachment; to habits of power that are inherently undemocratic and unconstitutional.

This should not surprise us. This was the great concern of the Framers of the Constitution. The writers of the Constitution had a profound concern that the republican government they had established could in time "naturally decay" into tyranny. Yet, we are continually amazed by the failings of those in power who, in defense of democracy, ignore its most basic and fundamental tenets.

In recent weeks there has been much discussion about the separation of powers; of the proper role of the Congress in the formation of American foreign policy. Yet, seen in the light of public debate it is clear that a policy without checks-and-balances is a policy that too often loses its way.

Of all things that most disturbed Madison and the other Framers it was this threat of power unchecked. In the Federalist papers, Madison warned that the accumulation of power in the same hands, "whether of one, a few or many, and whether hereditary, self-appointed, or elective" was "the very definition of tyranny."

My point, obviously, is that the Constitutional system of checks-and-balances given to us by the Framers must be tended to constantly. The Constitution gives great power to the federal government, power to make war, to raise taxes, to regulate commerce. But the Constitution also divides that power in careful and subtle ways.

Power divided and shared gives us our democracy. Power unchecked, whether it be in the Legislative branch or in the Executive, ultimately is destructive to the spirit of the Constitution.

The tension between the Congress and the Executive need not be destructive; It is, in the best sense, a healthy and creative tension inherent to our democratic process.

I have full faith in the restorative powers of our democracy. What is unchecked will be balanced. What is wrong will be righted in time by our open and democratic system of government.

Jefferson, as always, gave us the measure of good government, "I know no safe depository of the ultimate powers of the society but the people themselves; and if think them not enlightened enough to exercise their control with wholesome discretion, the remedy is not to take it from them, but to inform their discretion."

It is this process, protected by the greatness of the Constitution, that allows those of us here today to rejoice and reaffirm our commitment to democracy.