

The Passy Press®

Letter to the Editor

From: Ronald St John <ronaldstjohn@undisclosed.com>

To: Nick Gardiner <enpg@thepassypress.com>

Date: October 12, 2013

Subject: The Passy Press – Cogswell Essay

Dear Sir,

John's short paper has prompted me to add a few comments of my own. When I retired as an officer in the U.S. Public Health Service 21 years ago, I moved from Washington, DC, to Ottawa, Canada, to continue my work in public health here at the federal level. From afar (as it were), I have watched the deterioration of the American political system described so well by John. The U.S. no longer has a democracy; it is basically a "corporatocracy" where money buys power and influence. One can only recoil at the vast amounts of money spent in a nearly constant campaign for elected office at all levels of government in the U.S. Thus, I am a bit surprised that John did not propose a constitutional amendment to control campaign contribution.

Nevertheless, I find it interesting how the U.S. Constitution is really enshrined in U.S. thinking as a document that somehow should not be messed with. If you have visited the "shrine" housing the actual document in Washington, DC, you might feel that you were in a religious temple of some kind.

Not so in Canada. Until 1982, the British North America Act of 1867 served as the basis of Canada's constitution. As an act of the British Parliament, however, this left Canada in the unusual situation of having to petition another country's government to amend its own constitution. While the British were willing to relinquish this role, Canadian federal and provincial governments were unable to agree on a new amending formula. Various unsuccessful attempts were made to patriate Canada's constitution, but in 1982, a round of negotiations led to the Constitution Act of 1982. But not all the provinces were satisfied, and since then, there have been at least 2 major but unsuccessful efforts to revise the Act. One of these initiatives (The Charlottetown Accord) was defeated through a national referendum. Constitutional issues continue to be debated. I bring this up to illustrate that constitutions can and should be reviewed and updated from time to time with approval by the people.

John's point that times have changed is bang on and thus, the basic documents underlying any society must be modified to fit our times. While core principles are maintained, "effectual precautions" must, also be addressed. But, here is a dilemma. While Article V of the U.S. Constitution permits the convening of a Constitutional Convention if called for by two thirds or more of the States, the process is not a simple one.

The Passy Press®

Letter to the Editor

For example, the opening text of Article V gives two options for amending the Constitution:

1. “The Congress, whenever two thirds of **both houses** (my emphasis) shall deem it necessary, shall propose amendments to this Constitution, or
2. On the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments . . .”

Regardless of the route, my bet is that the entire process would be mired down in the intense political polarization that currently paralyzes the country. There would be powerful forces that would oppose John’s reasonable suggestions, and I cannot see a way around them in the present political environment. I hope someone can.

Best regards,

Ron

Dr. St. John is a public health physician who retired after a 35-year career in public health and infectious disease control in two countries, the USA and Canada, and in the World Health Organization, Regional Office for the Americas