

**"The Constitution fails to meet the needs of a rapidly changing society"**  
**To what extent do you agree with this statement** Martin McGeown

When the Constitution was written by the 'Founding Fathers' back in 1787, they intentionally made it so that it could survive over time. They made it flexible so because they envisaged that there were problems that they could not foresee in the future, these are things such as the Depression of the late twenties and early thirties. 'The Framers' intended for the amendment process to be the main way of updating the constitution and through time this has been evident.

An important part of a democratic government is the accountability of those in power, in recent times we have seen the system in America fail, in part this may be due to the fact that the constitution may be outdated. During Bill Clinton's second term of office there were a number of scandals that rocked the White House, the first being the Paula Jones affair. During a hearing about the Paula Jones affair Clinton stated that he had not had "sexual relations" with Monica Lewinsky, this turned out to be a lie and Congress attempted to impeach him. The impeachment failed due to the wording of the constitution as it was based on the fact that they believed he had committed 'a high crime or misdemeanour' but Clinton's lawyers asked for a definition of this and Congress could not give one. This shows that the wording of the constitution was outdated or the constitution was badly worded. There was also a lack of accountability during the Watergate scandal as President Nixon was able to escape with no punishment even though he was part of a conspiracy to commit a felony, all charges against Nixon were dropped by his successor Gerald Ford due to the fact that Presidents have the power to withdraw charges against anybody in America. This shows that there is an essential part of the democratic process missing due to flaws in the constitution.

When the constitution was first written in 1787 there was a strong possibility of war, so when the founding fathers drew up the constitution they added in an article which said that all people have the right to bear arms. This article has been problematic ever since. Within the last decade there have been many high profile shootings in schools such as Columbine, this has led to a stronger fight against the gun laws. There are those such as the National Rifle Association who say that that right can not be taken away from them as it is one of their constitution rights but there is a problem with that as within the preamble there is the mention of insuring domestic tranquillity, can this be done when there are children who can gain easy access to guns, there are also the problems with the number of deaths due to gun crimes, the right to life is also mentioned in the constitution. The flexibility of the constitution is crucial to its longevity as if it was too rigid it would not have lasted, there may be the problem though that it is too flexible.

Over the years there have been many changes in the federal system, most notably the introduction of Roosevelt's 'New Deal' which saw the power shift more towards the central government, then there was the move back through presidents such as Nixon and Reagan. During this time the efficacy of the government could be questioned as we saw with the 'Appropriations Crisis' in 1995, during this time government was shut down for two weeks this was ineffect shutting down the country as federal run services such as the postal service were also closed. A solution was found to stop that happening again, that arrived in the form of the 'Line Item Veto', this gave the President the power to remove unsuitable sentences or paragraphs from a bill. Eighteen months after its introduction it was scrapped as the Supreme Court ruled it unconstitutional as it gave too much power to one person. Many considered this as a mistake as it made the legislative process faster as it saved the bill being sent back to Congress. This shows that there is room for improvement within the constitution.

Through time the main way to update the constitution has been through the Amendment process. As society and its ideals have changed so has the Constitution, when society started to object to slavery and racism the constitution began to follow, the same with women's rights. There are other problems as I have already mentioned the constitution still protects the pro-gun lobby as it is stated in the constitution that all citizens shall bear arms, after a number of atrocities and the

significant rise in gun crime, society is beginning to object but still there is no movement on any new amendments in regards to gun laws. The lack of movement may be due to the constitution being outdated but it may also be due to the power that the NRA and other pro gun groups have but we have seen great strides taken through time such as the moves against racism.

The constitution was based on what was happening in the eighteenth century and what the 'Framers' envisaged would happen in the future, but there would seem to be the ability within it, due to its flexibility, to change with modern society. Through time we have seen how society has changed and not far behind is the constitution due to the amendment process.