

2016

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Recommended Citation

Eidson, Kira, "The American Founding: Still Burning". *The First-Year Papers (2010 - present)* (2016).
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The American Founding: Still Burning

Kira Eidson

The American Founding was ignited by The Declaration of Independence in 1776, and it has spread, grown hotter, and become more vibrant since it was kindled. Within the Declaration of Independence one can find the words “We mutually pledge to each other our Lives, our Fortunes, and our sacred Honor (Declaration of Independence, US 1776).” These words, and the individuals who wrote them struck a match. Billy Joel’s song, “We Didn’t Start the Fire,” suggests that history is continually creating itself and burning with vigor. The same lesson holds true with the American Founding; the fire cannot be extinguished, and even when individuals try to fight it with limitations on government, protests, and checks and balances, the American Founding fire uses these efforts as fuel. The Founders intended to build the foundation for an incomplete nation to accommodate changes; therefore, the fire is everlasting, and the American Founding will never be finished.

The idea for a democratic-republic within a federal government was monumental and unprecedented in 1776. The founders of the United States of America were given the task of molding a new form of government for a nation that would stand the test of time. However, instead of building a government with durable and firm materials, the founders chose to mold a malleable and flexible government that could be shaped to fit an ever-changing nation. The American Founding will end when the government is in its final form, but the constant evolution of our government has prevented this end for over two-hundred and fifty years. The founders implemented many factors that have prevented the finality of the founding within their plans, and these factors are present within their words, various texts and interpretations, and even the Constitution itself. The very material of the founding prevents its finality.

Ends, or goals, of government are identified within the Constitution, The Declaration of Independence, and even John Locke’s The Second Treatise of Government. These goals have been carefully crafted to be ambiguous, too broad to be measurably met. In theory, government would be successful and complete when these ends are met. The founding of the United States of America cannot be complete until all of its goals have been accomplished and the ends are met. The Declaration of Independence (US 1776) identifies life, liberty, and the pursuit of happiness as the ends of the American government. The founders were precise with their language; it should be noted that the word ‘pursuit’ identifies an ongoing process, and not a concrete, attainable goal. Therefore, it could be argued that the founders never intended for the founding period to be over, because within their wording, they called for a continual pursuit instead of an end.

The Constitution of the United States (US 1787) lays out further ends of government that are ambiguous and shapeable in their form. Among these include ‘providing for the common defence,’ ‘promoting the general welfare,’ and ‘securing the Blessings of Liberty.’ None of these ends of government have a visible finish line, and because the finish line of the ends can never be crossed, the founding can never be over. Even John Locke, who asserts that the security of

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life, liberty, and property are the ends of government (Locke 70-73), cannot properly point to a moment in time that ends are finished, and not merely in action. Locke asserts that all measures taken by the government “be directed to no other end but the peace, safety, and public good of the people” (Locke 73). This is not a description of a finish line, but instead an allusion to processes. The founders carefully crafted the ends of the government to be virtually unattainable, therefore prohibiting the ending of the founding so that the United States of America could continue to be flexible and founded upon the principles required by the rapidly changing environment of the nation.

Montesquieu insisted that in order for a republic to succeed, it is imperative that it be small and virtuous (Montesquieu 22, 38), and his voice was echoed by Antifederalists within *Brutus* and other Anti-Federalist Papers (Dry, Murray, and Storing 108-117). James Madison argued within Federalist #10 and Federalist #51 that the government had been set up in a form that allowed its prosperity without virtue (Hamilton, Jay, Madison, and Kesler 71-79, 317-322). This implied that the new form of government was not a traditional republic, but instead was a democratic-republic. The founders were familiar with the forms of government that were adopted and practiced in their mother country of Great Britain, and it was clear that mimicking the Parliament was not the goal. The form of government that the founders created was unprecedented and therefore is not subject to the rules that traditional forms of government were required to abide by. The founders specifically wrote down their laws within the Constitution and created an outline more concrete than Common Law (Wood 296). The new American government was not subject to the rules and regulations of standard republics as mentioned by Montesquieu and the Antifederalists, nor was it subject to the standards of the English monarchy. The American Founding had never been seen before, and consequently, every change and development that the United States Government makes blazes a new trail that further defines what is being created.

The Constitution includes an elastic clause that allows Congress to make any law that is necessary and proper (Constitution Article 1 Section 8, US 1787). This clause hints at an unlimited government in disguise, and could suggest that the founders intended not for the founding to be complete, but rather only for the foundation to be complete. These words give the legislature extensive freedom to tweak what the founders intended to define. The founding cannot be complete until the definition for the American democratic-republic has been set in stone, and the elasticity of the form of government prohibits that completion.

“We hold these truths to be self-evident, that all men are created equal;” the words of Thomas Jefferson burn passionately within The Declaration of Independence (US 1776), but the words disregarded the ugly truth that 1776 was still a time when slavery was a raging industry within the new nation. The Declaration identified that all men were equally entitled to life, liberty, and the pursuit of happiness (US 1776), but this goal was not acknowledged as complete until after slaves were freed nearly one-hundred years later. Abraham Lincoln concludes that the founding of America was completed when he gave his Lyceum speech in 1838, but slavery was yet to be abolished, and endless changes to the Constitution and the identity of America were yet to be made. Mr. Lincoln attests that because the founding was complete, the nation was now to develop an unshakeable awe for the Constitution and the founders (Lincoln). Although this observation may be correct in asserting the importance of veneration, that veneration does not begin at the onset of the founding; rather it is necessary during and after the founding to ensure that the nation is safe during its formation. The founding could not be completed until the rights

of man were no longer only applicable to white men, and until the nation truly found it self-evident that all men, regardless of race, were created equal and entitled to their inherent rights (Storing 132). When slavery was abolished, it was apparent to many that the founding had concluded because equality was finally granted to all men. However, just because men of all colors were no longer subject to servitude, it wasn't until 1870 that the liberty to vote was extended to all races, and not until 1920 that women were granted that very same liberty (The Constitution, US 1789 Article 15 and Article 19). Interracial marriage has only been legal since 1967, and same-sex marriage was legalized nationally in 2015. Before these dates, numerous individuals were deprived of their unalienable right to practice liberty or pursue happiness. The founders did not create a nation of equal opportunity and equal rights. Instead, they began the process. Two-hundred and forty years later, citizens of the United States are still founding America and working to meet the ends that the founders identified. The founding cannot be complete until everyone is equally entitled to the rights of man. Thus far, each development of humanity goes to show that this has not yet been completed.

The present day is a stark indicator that the American Founding has not yet been completed. The Federalists were confident that factions were a positive influence on the success of the nation because they created separate interests that would protect from majority tyranny (Hamilton, Jay, Madison, and Kesler; Federalist 10, 71-79); however, major political parties were warned against and virtually unaccounted for by the framers of the United States Constitution. Today, partisanship presents a struggle for the American people that was unaddressed in 1789 and now further shapes the founding of the country. The current events are throwing logs onto the founding fire. Unprecedented events have created a stir of talk about reforming the Electoral College, the danger of a lack of checks and balances in a system dominated by one party, and a heated discussion about the true limit of executive orders. Gordon Wood suggests that the founders did not fully comprehend the power of politics within the system and therefore could not create a government airtight to the influence of the politics (Wood 430). Modern day challenges are arising that the founders did not anticipate when the nation was in its infancy, and as the leaders of today work to handle these new roadblocks, the country is continuing to evolve and be founded. In 1776 the United States of America was not a nation of Democrats, Republicans, Libertarians, and members of the Green Party, it was not a nation of fifty states that questioned the efficacy of the Electoral College, and it was not a nation as complex as it is today. The founders could not imagine what their country would become in the course of two-hundred years, and therefore they could not complete the founding in a form applicable to present day -they could only lay the foundation and kindle the fire.

Fire will subside when everything is burned and it has nothing more to accomplish; the founding fire will extinguish when the ends of government have been met, when change within the government ceases to exist, and when the promise that all men are created equal is fulfilled. The active nature of the American environment continues to provide fuel to the founding fire. American precedents go to show that the nation is unlikely to become static anytime soon, and will therefore continue to throw logs on the founding fire for years to come. The American Founding was not completed in 1787, it was not finalized alongside the abolition of slavery, not concluded in 2016, and will never be over. The founders took a risk by leaving the founding incomplete; they left the door open for future generations to change the government into one that crumbles. It is imperative that American citizens carefully attend to the American Founding to

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ensure that as it burns, it burns with control. The founding fire still rages strong, and “when we are gone, it will still burn on and on and on and on and on and on and on and on and on (Joel).”

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