

I just want to share this, for what it's worth. Obviously, people will form their own conclusions, but this is mine.

PREMISE:

- 1: A Constructionist wants the Constitution to remain exactly as it was written, and without change. A Constructionist hates amendments.
- 2: An Originalist wants the interpretation of the Constitution to remain as it was written, but fully accepts amendments when warranted.
- 3: The group espousing the Living and Breathing Document concept supports interpreting the provisions in light of the society that we have today, over what it was in 1789.

ANALYSIS:

The problem I have with the Constructionist is that we don't have the same society that we had in 1789.

The problem I have regarding the Living Document group is with who it is who does the interpreting.

CONCLUSION:

The tenable position is logically with the Originalist. As society changes, the interpretation can change and that any re-interpretation is conducted by the People through the process of amendment. Each amendment is a breath in the Living and Breathing Constitution.

~Tom Cuba, 2022 0524