

**A brilliant solution:
inventing the
american constitution
by carol berkin**



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In the book "A Brilliant Solution: Inventing the American Constitution" by Carol Berkin she explains the constitution from start to finish from how it all began, to the debates inside the convention and finally the end product. Berkin takes the reader and puts him directly in the middle of the convention of 1786; throughout the book you can feel the excitement, the frustration, the tensions between delegates and the overall commitment to making a new government work for all.

The time for a new government came about in times of fear, many men such as William Livingston wondered "if the republic could even survive another decade" for Henry Knox made an excellent point in declaring "Our present federal government is a name, a shadow, without power, or effect".

Meantime the relationship between the states was poor and there was an uncertainty if they would even remain united what with the debts, the economic turmoil, and the slow realization that without England they had no protection from the outside world.

The question on everyone's mind was, is there anything that can be done to save their country? 55 delegates gathered in hopes of answering this question with a brilliant solution of their own. The Delegates that gathered in Philadelphia were among the most respected men of their time. They ranged from lawyers to politicians, from the aged Benjamin Franklin to the young Jonathon Dayton, and you'd find that all of these men were of blue blood wealth or the few who as Berkin put were the minority that "Had risen from obscurity to wealth by virtue of some combination of talent, luck, and well-made marriages. Nobody present would ever be considered just a common man, and for some such as Thomas Jefferson, they would see these men as "

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Demi-gods” instead of the regular, flawed, yet brilliant men that they were. It was during this convention that the Virginia Plan was proposed by Edmund Randolph, which was the proposal to write a new constitution instead of revising the Articles of Confederation like intended.

After many debates between the larger and smaller states on being fairly represented and even more adjustments and altering towards the plan itself, the convention created the Senate which was a body of wise men that was made up of two men from each state. This worked out to satisfaction of the smaller states and for the larger states they were given a House of Representatives that would consist of a larger body of representatives for each state in proportion to the amount of the people in that state. During the Convention there were many controversies between these men, some were focused on not wanting to upset their constituents back in their home states, and the smaller states were constantly trying to protect themselves from the influence of the larger states, while the southern states feared that a national government would upset the slave trade.

However, many of the delegates shared a bigger fear throughout the convention, which was putting too much power into a central government and the fear that the senate and House of Representatives would have too much power. George Mason, an initial advocate of a strong central government withdrew his support and refused to sign the finished Constitution, claiming that the new government would “ produce a monarchy, or a corrupt, tyrannical aristocracy” so for the sake of trying to find a balance, the idea of giving the chief executive the power of veto over legislation was proposed.

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Along with this power a check was needed, so the idea that a three quarters vote from congress could over rule a President's veto was adopted. How to elect a President was the cause for some of the longest and grueling debates in the convention, the question of who to trust too choose the president was heavy on all their minds. The delegates knew that it couldn't be left to the legislative power to choose and Gouverneur Morris even declared " it would be like the election of a pope by a conclave of cardinals".

To leave the choice to the people alone left the certainty that the people would be led and lied to by " a few active and designing men" as Charles Pinckney put it. Lost and befuddled on what to do, the convention turned the matter over to the Committee of Postponed Matters where after weeks of debate of their own, they came up with something that we know today as the Electoral College. The States were able to elect an amount of electors equal to the number of representatives in the house and senate.

These electors were to meet in their respective states and vote by ballot for two people to represent their state. From here their votes would be delivered signed, certified and in a sealed envelope, to Congress, where the results were to be counted in front of congressmen and senators. In the event of a tie, members of the House of Representatives would select which would be the president. It was through this process that our first President, who set the precedent for all presidents to come, was elected.

Even when the Constitution had been drawn up and was ready for ratification by the states, which wouldn't happen for another year after many political battles between Federalists and Anti-Federalists, the Delegates realized that

though this document would suffice for now, they couldn't escape the indefinite future, so they included in the constitution a capacity for change which was designed so that later down the road when times had changed and change was needed, it could be incorporated into the constitution as amendments.

In closing, Carol Berkin did an excellent job of portraying the struggles and concerns that went on in that Philadelphia Independence Hall, the framers fought through frustration, pressure, and with each other. They knew what had to be done, and though some did not remain throughout the convention, we owe our law of the land to the determination of these 55 men.