

The constitution and
its establishment as a
flexible, strong,
governing document



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In the summer of 1777, what was believed to have been the final draft of the United States Constitution was written. Unfortunately, these Articles of Confederation, proved an ineffective means of governing the people due to a weak central government. In May 1786, Charles Pinckney of South Carolina proposed that Congress revise the Articles of Confederation. This initiative yielded the Constitution. It was during the first century of its existence, during the presidency of George Washington, that the Constitution proved its strength and allowance for flexibility. During this time, the Judicial Branch started the policy of Judicial Review, the Legislative Branch passed the Residence and Assumption Bills which contained economic policies, and the Executive Branch exercised its right to use force in stopping the Whiskey Rebellion, all exhibiting the potential success of the Constitution.

In 1803, the Supreme Court ruled an act of Legislation unconstitutional, establishing the power of Judicial Review. This power was not listed in the constitution however; it was necessary for the three-branch government to survive and to maintain its system of checks and balances. This flexibility was one of the strongest aspects of the Constitution. Upon the creation of the new government, the Judicial Branch was the one of the aspects that the framers were most unsure about. However, the establishment of judicial review proved them wrong by granting the courts the necessary power to control the other branches. For example, the courts originally declared the concept of "separate but equal" constitutional but later, required integration with the court case Brown vs. Board of Education. This power to change the current interpretation through the judicial review is the way the

Judicial Branch proved the potential for success and flexibility of the constitution.

The Legislative Branch proved its potential for success in passing the Residence Act and Assumption Bill in July 1790, establishing the economic policies of the United States. Originally, the framers were worried that political parties and ties would cause too much controversy and prevent anything from passing through both the House and Senate. These passing, despite the massive amount of controversy surrounding it, showed the power of the federal government and the success that the organization of it could yield. The idea the Legislative Branch can be successful in passing legislation, even with political biases within the house and senate, proved the success of this three-branch government. The Executive Branch was the one that the framers were most worried would take over.

However, in the first century of its existence it expressed both its power and its potential for remaining equal to the other branches. In 1794, George Washington sent it troops to, once and for all, control the tax protesters who made up the Whiskey Rebellion. This act showed that the federal government, which under the Articles of Confederation was easy to take advantage of, was now strong and confident in their abilities as a central governing union. Though the Whiskey Rebellion proved the Executive branch's power, skeptics were still worried about its potential take over. This skepticism was ended when, in March 1796, he issued his farewell address, officially deciding not to run for a third term in office. This day was, perhaps, the most important day in George Washington's presidency and the United State's foundation. There was much worry that Washington

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would run each election and most likely win each election until he died and the public would turn to a relative to take over as this was what they were accustomed to. This monarchical, lineage-based rule is what the framers of the constitution tried to avoid in creating the Executive Branch.

The precedent George Washington set of only running two terms proved to the world that the United States' Constitution would work long into the future to provide for a successful democratic republic government. It was in the first century of its existence that the Constitution established itself as a potentially successful governing document that outlined the roles of its three branches while still allowing for flexibility within the government. The power of the judicial branch and the document's flexibility were exemplified in the process of Judicial Review while the legislative branch demonstrated its power and success through the passing of the Assumption Bill and Regulation Act. Similarly, the executive branch displayed its power by stopping the Whiskey Rebellion through force but, showed that it would not take over the government, as feared by the framers of the Constitution, when George Washington decided not to run for a third term as president: a precedent that established the government's future success.