

Personnel procedures and the constitution



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Section/# Questions and Answers The Pendleton Act The Pendleton Act of 1883 was a form of governmental regulation and restriction based upon the way in which government jobs had previously been awarded. As a function of the way in which previous administrations and power centers of the United States had awarded key government positions to faithful supporters, friends, or family members, Congress passed the Pendleton Civil Service Reform denoting that all such positions should be won by merit alone; without any consideration of political affiliation or ties to key members of the power structure. Furthermore, and perhaps more importantly, it made it illegal for individual government employees to be demoted or fired for mere political reasons. Whereas before an entire crop of new positions had come upon each time that a new executive took the helm, such a provision ensured that it would be against the law for such an action to continue to take place. However, like many political actions, there were equal and opposite reactions. One of the largest negative reactions that the Pendleton Act evoked was the reliance of government on funds from the private sector and/or businesses. Due to the fact that hopeful executives could not longer rely on donations from hopeful applicants to guaranteed positions, this meant that the government put itself at the mercy of the business sector as a means of accruing revenue.

Article Seven of the United States Constitution

Article Seven of the United States constitution specified how many states were required to ratify the US Constitution in order for it become law. As such, Article VII denotes that 9 of the 13 original colonies would need to ratify the Constitution prior to it becoming the founding charter and law of the newly formed United States.

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The Bill of Rights

The first ten amendments to the US Constitution, collectively known as the Bill of Rights provides a rigid set of limitations on governmental power with regards to what the founders saw as the natural rights of the citizen. Though these Bill of Rights had little bearing on the way in which the individual states sought to exert their own power, the Fourteenth Amendment made it possible for these rights to be transferred explicitly to the state level. These first ten amendments were originally proposed and written by James Madison in 1789 and were ultimately ratified by 1791 for inclusion in the US Constitution. Although Madison himself proposed that there be 12 amendments, only 10 were ultimately passed and ratified by the states as law. These rights have become fundamental to an interpretation and understanding of what US citizenship and the rights and privileges thereunto appertaining mean. Without the Bill of Rights, nebulous understandings of the Constitution could be misinterpreted by power hungry politicians to infer whatever might seem expedient within the given moment. As such, the Bill of Rights, or the First 10 Amendments to the Constitution, provides an additional level of safety and protection for the natural rights of the citizen against what the founders believed could be an overly expansive and aggressive federal government (Levinson, 2011).

Reference

Levinson, S. H. (2011). "THERES NO PLACE LIKE HOME": SUPER-SIZING THE STATE CONSTITUTIONS BILL OF RIGHTS. *Lewis & Clark Law Review*, 15(3), 773-782.