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The Philadelphia Convention 1787

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(29, 09, 2013)

The United States came into existence when thirteen countries on the Atlantic coast jointly rebelled against the colonialism policy of an empire where sun used not to set. The British had to face strong aggression from North American colonies against the promulgation of various acts and political and economic expansion on the American hemisphere. The independence was declared on July 4, 1776 and prominent personalities among the founding fathers George Washington, Alexander Hamilton, Thomas Jefferson and James Madison took charge of the new born confederation of United States of America. George Washington, the hero of movement of independence and an advocate of federalism was unanimously elected as the first President of United States. The federalist when assumed his office was confronted with large number of local and foreign problems. The country was being governed on the provisions of Articles of Confederation which was inherited from the British regime (Schama, 2009). Ultimately, the need to establish a constitution that could ensure equal rights, sovereignty of the people and categorically defines powers of the institutions was genuinely needed. Apparently, it seems that a constitution was the only achievement of founding fathers and other prominent leaders of the independence movement. However, collier's done the great job and recognized the importance of other people in drafting the American constitution which is well known as a system of " Checks and Balances". The book comprehensively defines the story of Philadelphia Convention which is

known as Constitutional Convention held in 1787 from May 25 to September 17 in the capital city of the state of Pennsylvania. Initially thirteen colonies rebelled from the Colonial empire and later on some of them had strong concerns on the provisions of the Articles of Confederation. The prominent among all are the two significant discussions, one about the dispute over equal and proportional representation of the member states in the newly formed Congress and other debate was regarding the issue of slavery. In the concluding chapters the book clearly defines the role and responsibilities of the office of the President and other pillars of the state. The proper allocation of power and responsibilities laid down in the constitution has made United States a best democratic country in the world having a most competitive political system of Presidential form of democracy. Since its inception, the confederation had to face severe internal and external problems and the group of Federalists wanted to ratify the constitution of 1787 because they wanted to strengthen the central government. On the contrary, the anti-federalists like Jefferson, Lee and Patrick were not in favor of the ratification of the constitution until it ensures stronger states (Schama, 2009).

The advocacy of stronger states or provincial autonomy does not mean that they wanted to weak the confederation. The federalist and anti-federalist were two different schools of thoughts but both had the intention of making United States a stronger confederation and a better place on the earth to live. By all fact, founding father laid the foundation of such a pioneer confederation which has become a multicultural society and now it is considered as a world in a world. There has been a history of immigration waves to the United States from different parts of the world. The people from

different continents tend to move to America because they feel that it is a land of opportunities and freedom of speech

The need of the constitution was felt because confederation was proved to be a very loose administrative system because it had no power to compel to provinces or states to run administrative functions in a particular way. The Congress comprise of the members from different states could only make recommendation but states were not obliged to abide by the same. The states were enjoying complete sovereignty and there lacked a common executive and a judiciary system. Without the existence of proper institutions and constitutional courts the independent style of states could lead to disintegration. The decision made in the Philadelphia Convention categorically said that the federal government would deal with the matters of foreign relations, war and peace, naturalization or immigration and trade. The central government can also establish courts that are not superior to the Supreme Court and can also protect the rights of the US citizens from unjustified and discriminatory actions of the states within the confederation. The book discusses the arguments from federalists and anti-federalists while framing the document of the Philadelphia Convention. The constitution officially came into enforcement in 1789 in the form of a brief document having seven articles only. Today, the constitution is composed of the original version of 1787 convention and judicial decisions, constitutional laws and conventions and twenty seven amendments to date. The writer favoring the framers of the constitution says that they have left a good deal to be decided by the Upper House-the Senate of the United States of America. The Supreme Court of United States came into existence by the original

convention of Philadelphia in 1789 but the court functions in accordance with the various laws passed by the US congress. Similarly, the functioning of the executive departments has been laid down in the laws promulgated by the Congress (Collier and Collier, 2007).

The main feature of the Philadelphia convention is that it is rigidly designed and cannot be amended by the Upper House so easily. The author defines that founding father were well aware of the fact that the constitution would need to be amended from time to time but they intentionally did not allow room for change. The intellectual thinking behind this attempt was to make sure that at the time of amendment all the stakeholders are given full opportunity to participate directly or through their elected representative because consensus over all amendments would strengthen the confederation. There are two approaches to propose and ratify amendments. An amendment can be initiated through two third majorities in the Congress or through convention called by the Congress.

The US constitution represents federalism and its outstanding feature is that it is a mechanism by which independent states are part of the union without having lost their identity. Washington can only intervene in the affairs stated above in the report and the individual states are sovereign in making their decisions but which are not against the policy of the federal government. The founding fathers and especially the framers of the constitution were highly conscious about the separation of powers because they wanted the organs of the state to function smoothly. The institutional empowerment and smooth functioning of the organs of government would safeguard people's rights and liberty. The framers gave America a system of Presidential form of

democracy (Collier and Collier, 2007).

The American model of democracy is in contradiction to the Great Britain and World's largest democracy India where the office of the Prime Minister and elected Parliament exists. United States is a true example of separation of powers because all the three pillars of the state functions according to their constitutional powers. The executive authority enjoys by the President and Legislative powers have been vested with Congress and the judicial powers have been given to the Supreme Court and other federal court. The originators of the constitution also added the doctrine of Checks and Balances in the Constitution of 1787 keeping in view the fact that if any organ or department if left unchecked would become oppressive. The American constitution is the guarantor of individual liberty. The US citizens enjoy certain basic rights which cannot be questioned unrightfully by any authority. The basic rights include the freedom of speech, freedom of religious beliefs and practices, property rights etc. This is quite different from the Articles of Confederation which was basically an American version of British common laws and parliamentary statutes.

The framers of the Philadelphia Convention wanted to shrink government powers to much extent and wanted to empower people as much as they could. They wanted to produce a constitutional system that is entirely different from the traditional European system. Their policy of liberty was only limited to the geographical territories of the United States but for the rest of the world the Monroe Doctrine was the continuation of George Washington's farewell address. The authors tried to advocate the powers vested with the court because it is totally against the British Articles of the

Confederation. The US Supreme Court is quite powerful that it can declare any law passed by the congress unconstitutional if the law violates the basic theme of the constitution.

The American political system is divided into three distinct pillars and each organ has its own power and none of them is superior to other. The authors of both the books give clear message that US constitution is a product as a result of conscious and sustained efforts while the Articles of confederation was never framed by a constituent assembly to safeguard public interest. It was only meant to protect the rights of the Empire in the occupied territories across the globe. One of the most significant achievements of framers of the constitution was the introduction of Bills of Rights in the constitution that guarantees individual rights and protects their interests. The Philadelphia Convention was actually a sincere move towards ensuring people's right while on the contrary the Articles of confederation was not practical for the confederation of United States because small states were having subordinate feeling over others. The Articles of Confederation was based on provincial autonomy or Free states and a very weak congress in the center with extremely limited power. Under the Articles of Confederation, the Congress had no power to tax and it was dependent on the will of the states for monetary and budget matters. There newly emerged state lacked a proper executive and judiciary to balance the structure. There was no system to regulate trade and enforcement of law and order and it was felt that if this political system continues the federation would lose control over individual states (Middlekauff, 2007).

During the evolution process of the constitution, several plans were

proposed and compromises were made. However, the New Jersey plan which was presented by William Paterson outweighs the importance of Virginia Plan. The Virginia plan was offered by Edmund Randolph and was drafted by Madison and it contained features of bicameral legislature, representation of the states according to their proportion of population and direct and indirect elections for Congress and the Senate respectively. It also contained a provision of Supreme Court. The New Jersey plan was almost similar to the Virginia Plan except the concept of plural executive without veto right and to consider Congress laws as supreme laws. It also vested powers of interstate trade to the Congress. The differences between the two plans were about the equal or proportionate representation of the small and large states, issue of slavery and agriculture and industrial economies of the states. Finally, the Connecticut Plan or Compromise bridged the gaps between the two plans. The smaller states accepted it immediately but New York and Virginia opposed it because they wanted more control on the basis of their large population. The federalist tried their best to motivate these states to ratify the plan and in this regard they wrote more than eighty essays in the newspaper which are popularly known as federalist papers in the history. The anti-federalists were afraid that strong federation would be similar to the British rule and the center may impose severe taxes on states to strengthen the confederation. The federalists were actually supporting urban wealthy class while anti-federalists were presenting the case of the common man which was mostly farmers. The ratification of the constitution from Virginia was achieved on the promise of Bills of Rights. Clinton's of New York showed strong concerns but still ratified the constitution on July 26, 1788 (Collier and

Collier, 2007).

The constitution was to be formally adopted when the nine out of thirteen states ratified it. The Hampshire was the ninth state to ratify the constitution and it technically came into effect on June 21, 1788. The North Carolina and Rhodes Island ratified the convention in 1790. George Washington became the President, John Adams as Vice President, James Madison as Congress leader formally started the political and administrative affairs of the United States of America in April 1789 in New York which was the first capital of the country. The author comprehensively defines the journey to the build consensus to form unanimously ratified constitution of America that could guarantee people's rights and liberty and ensure a balanced form of government. The American constitution took years to complete and now it has proven to be the best political model in the world where people have rights, liberty, freedom of speech and press. The individuals are not deprived of any rights on the basis of their religion, ethnicity and political affiliations (Middlekauff, 2007).

References

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