

Us constitution essay example

[Politics](#), [President](#)



Discussion 1

The New Deal refers to measures aimed at achieving a steady economic recovery, providing relief for the poor and unemployed, and reforming the financial institutions. These measures were taken by President Roosevelt in his first term in office. The significance of the introduction of the New Deal during President Franklin Roosevelt's first term in office to constitutionalism in the United States cannot be gainsaid. However, during the mid-1930s, there was a major disagreement between the constitutional aspects regarding the New Deal and the Supreme Court (Strout, 1933). As a result of the disagreement the ' Court Packing Plan' emerged and a subsequent constitutional revolution in the 1937. The revolution and the Court Packing Plan culminated in substantial changes in the spirit of constitutionalism among Americans.

Among the contentions of the opponents of the New Deal sponsored several opposing arguments. The undertones of the opposition into the policies adopted to combat unemployment were with regard to the beliefs that Roosevelt supposedly held. First, in order to finance the New Deal, Roosevelt decided to introduce higher taxes for the wealthy. The rich felt that the President had betrayed his ' class' himself having been born and brought up into a privileged family and having experienced a rich lifestyle. As a result, Roosevelt was excluded from his social club for apparently letting ' his people' down. The deal also encountered a lot of resistance from the Supreme Court.

Some politicians also took advantage of the fact that the New Deal was not as popular with all Americans and began campaigns to criticize Roosevelt's

economic approaches. As such, there were arguments that the New Deal did not do enough to redistribute wealth. The opponents of the Deal led by Huey Long proposed more radical plans for economic recovery. Long believed that no person should earn more than one million dollars per annum. He proposed that each family should be given between 4000 and 5000 dollars to buy a home and a car. A Roman Catholic priest by the name of Father Coughlin also criticized the New Deal approach and recommended the abolition of the Federal Reserve System and a comprehensive overhaul of the pre-existing monetary system.

The presence of a particularly conservative Supreme Court at the time of introduction of the New Deal made the implementation of the economic interventions by the Roosevelt regime almost impossible at the beginning. The Court attempted to uphold the classical ideologies where the government had minimal authority to interfere with private economic endeavors. However, political pressure and standard progressive interpretation made gradual influence on the Supreme Court which eventually abandoned its reserved approach allowing the New Deal to revolutionize constitutionalism. Judges had to reconsider their constitutional law in light of Roosevelt's New Deal. For instance, the Court had to shift attention from government power to individual economic rights.

The successors to President Roosevelt and the Congress to date carry on their functions within the basis of the New Deal. The restructuring of the executive branch of government by Roosevelt based on the New Deal empowered him and his successors to articulate policy ideologies within the Whitehouse thereby consolidating power. Even though post Roosevelt some

presidents have advocated for leaner governments, in truth, all of them adore their power. To date, the federal government is able to expand its scope through adopting programs of the New Deal. The New Deal received less resistance because it afforded the federal government an opportunity to influence policies at the state level. The principle of the New Deal also enhances expansion of business leading to increased revenue collection by successive governments. It also received less criticism because it led to a full economic recovery and reduced the unemployment rate significantly, a result its opponents had not anticipated. Roosevelt's public presence and skills are personalities that consecutive presidents have tried to emulate. His achievements were not possible only with the massive support of the voters but he had to expand his executive authority.

The New Deal was beneficial to the citizens because during and after the great depression. There was a high rate of unemployment and the economy was suffering. Through the New Deal programs the economy was revived and more revenue was generated as compared to the warring period. Consequently, the rate of unemployment which had been escalated to double digits during the 1930s was at 3.9 percent in 1946 and remained within that range for the following decade.

Discussion 2

American colonialists in several states such as Massachusetts and Virginia relied heavily on the rights that English citizens enjoyed. However, during the struggle for independence, it was clear that in the absence of codified rights in the constitution, people were insecure. Soon after independence there was clamor for the rights to be entrenched in the constitution to limit

governmental powers and safeguard individual rights.

As originally written, the Constitution did not give rights to individuals. It considered individual rights as natural and God-given. As such, the Constitution guaranteed very few individual rights. It protected individual rights against government excesses. It therefore limited the government powers by granting the government only specific powers listed in the Constitution. The Constitution also protected individual rights by listing certain specific rights which individuals retain. It also provided that any powers that were not specifically given by the Constitution were retained by the people and the states.

The bill of rights added the right to free exercise of religion, freedom of speech or press, right to seek redress of grievances, and the right to assemble.

The Fourteenth Amendment gave rise to the process incorporation of the Bill of Rights. The process is used by the courts to apply the Bill of Rights to states. Before the 1925, the Bill of Rights was only applicable to the federal government. The Fourteenth Amendment and the process of incorporation changed the nature of the Bill of Rights in the sense that under the doctrine of incorporation, the Bill of Rights not only applies to the federal government but also to the local and state governments (Mason, 1934).

Between the 1950s and the 1970s, the movement for equality, civil and social rights, and justice were prevalent across the United States. During the early 1950s the African Americans united in a sequence of peaceful protests to push for the right to be accorded equal treated as United States citizens. Right against segregation was pronounced in 1954 by the Supreme Court in

the Brown V. Board of Education case. Voting rights were also added in 1965 through the Voting Rights Act to end injustice requiring blacks to pay tax in order to vote.

The legislature was responsible for the debating and enacting the laws expanding the Bill of Rights. The executive formulated policies which were to be debated by the legislators and passed into law. The executive was also responsible for the implementation of the laws. The judiciary had the duty to interpret the laws that emanated from the legislature. Individuals could also seek redress from the courts with the hope of getting justice. As such the courts would get the opportunity to consider the constitutionality of the rights and through its broad powers to interpret, courts would end up expanding the rights and even pronouncing rights even where the rights were not provided under any statute. Ordinary citizens staged demonstrations to show their disgust on the laws that were deemed oppressive hence influencing repeal to laws infringing on individual rights and liberties.

References

Mason, T. (1934). Has the Supreme Court abdicated? *The North American review*, 238 (4), 353-360.

Strout, L. (1933). The New Deal and the Supreme Court. *The North American review*, 236 (6), 484-491.