

Declaration of independence

Law



Perhaps there is no other man in our history who has stressed the importance of the Declaration of Independence to our society except the former US President Abraham Lincoln. In his Gettysburg Address of 1863 he explained, “ Four score and seven years ago our fathers brought forth on this continent, a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal. ” Thomas Jefferson between June 11 and June 28, 1776 drafted the Declaration of Independence declaring that the union with Great Britain should be dissolved. It was finally adopted on July 4, 1776.

After years of colonial rule, the Thirteen Colonies declared that they were independent of the Kingdom of Great Britain. It is considered as a manifestation of our country’s yearning for freedom and our country’s most cherished symbol of liberty. The Declaration of Independence is divided into five parts: a) Introduction; b) Preamble; c) Indictment of George III, d) the Denunciation of the British People and e) the Conclusion. (“ The United States Declaration of Independence”) The Introductory part basically declares that the Laws of Nature have given each and everyone of us the power to assume political independence.

What is important however is that the basis for such independence must be reasonable. The Preambles declares that all men are created equal. In view of this equality, the government has no authority to violate the rights and dignity of every man. In case this happens, then revolution for violation of human rights becomes justified. The Indictment enumerates the countless violations and transgressions of human rights committed by the British Government against the Americans. The Denunciation declares that the

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American people have constantly pleaded for justice and magnanimity of the British government. No action however, was extended.

As a result, revolution and declaration of independence is justified. II. The United States Constitution The Articles of Confederation was once the supreme law of the land for the United States Government. It was submitted for ratification on November 17, 1777 and was finally ratified on March 1, 1781. The Articles of Confederation was created during the American Revolutionary War. During those times, the different states were more concerned with the over-concentration of power in the national government and the possible abuse that may result. It is because of this reason that less authority was given to the national government.

Further, the Articles of Confederation was considered very weak. Among its weaknesses are: a) the Congress could only request the states to pay taxes instead of levying taxes; b) there was no system of federal courts; c) the powers of the president are weak being limited to presiding over the sessions of Congress; d) there was no system of controlling trade between and among states. (Greg D. Feldmeth, 1998) In view however of the dissatisfaction by the people on some of the provisions of the Articles of Confederation, the Constitutional Convention was created for the purpose of proposing amendments to the Articles of Confederation.

The members of the Constitutional Convention prepared the draft of the United States Constitution in Pennsylvania. It was then adopted in 1787 and took effect in 1789. Among the members of the Constitutional Convention who helped in preparing the draft are James Madison, George

Washington and Benjamin Franklin. If the Declaration of Independence was written for the purpose of declaring our liberty, the United States Constitution was ratified for the purpose of establishing the government of the United States.

It sought to inform the people of the extent of the powers of the government while at the same time limiting these governmental powers. It also sought to establish a formal structure of government by dividing the powers of government into three: the power to make the law; the power to execute the law and the power to interpret the law. These three main powers of government were divided into three branches: a) the executive branch; b) the legislative branch and the judicial branch.