

The Political System of the USA

Group I: The Constitution



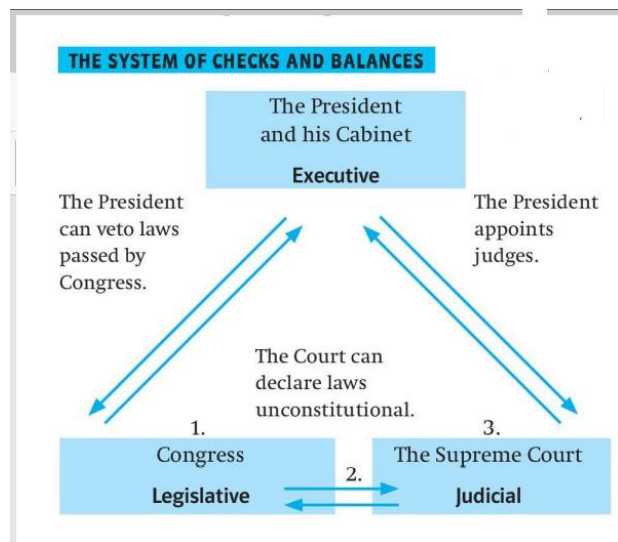
Fig.1

"We the people..." – these are the famous first words of the Constitution of the United States of America. The document was signed on September 17, 1787 in Philadelphia under George Washington, the first president of the USA. The Constitution is the framework for the federal government of the United States. It is the highest form of law in the country. The Constitution creates the branches of government and gives them the power to govern. However, it also protects the citizens of the United States and guarantees their basic rights.

The American Constitution is the oldest written constitution still in force. It has served as a model for the constitutions of many other nations. The Constitution of 1787 replaced the "Articles of Confederation" of 1781, a loose agreement of the 13 states, which gave the central power too little authority over the individual states. Some original states among others were New York, South Carolina, Georgia and Jersey.

A primary aim of the Constitution was to create a government that would be powerful enough to run the country, but would not impose on people's or state's rights. To avoid too much power being held by one person or group, they created the Balance of Power between the three branches of government: Executive, Legislative, and Judicial. We call this "The System of Checks and Balances".

Each of the three branches of the government serves to control (to check) and to equally divide (balance) the power of the others, thus avoiding misuse of power.



Some more basis ideas of the Constitution were:

- Government by agreement of the governed; i.e. the USA is ruled by all of its citizens, not a monarch or a group of politicians.
- Belief in the fundamental rights of the people as expressed in the Bill of Rights
- Representative democracy; representatives are elected by the people to run the governments
- Flexibility of the Constitution; it can change through amendment and judicial reinterpretation.
- Federalism, i.e. authority is split between the national government and the separate states, which means that neither can become too powerful.

Compromises

Common consent of states of different size to the Constitution was only possible with the help of compromise:

- The "Great Compromise" provided for a Congress of two houses: the Senate with two delegates from each state and the House of Representatives with representation proportionate to the population of each state, in 1787 one delegate for every 30,000 people. Nowadays one delegate represents 500,000 people.

- A second compromise concerned slavery. The Constitution does not mention the word “slaves but speaks of “other persons” and “persons held in service”. The question was whether slaves should be counted in the population in deciding on the number of representatives from each state in the House Representative or not. Only the Southern states had large numbers of slaves. Counting them as part of the population would greatly increase the South’s political power, but it would also mean paying higher taxes. This was a price the Southern states were willing to pay. They argued in favour of counting slaves. Northern states disagreed. The delegates compromised. Each slave would count as three-fifths of a person.

The Bill of Rights and Freedoms of Americans:

Many delegates of the states were against signing the Constitution without a Bill of Rights included. It became a major issue in ratifying the Constitution in some states. As a result, James Madison wrote 12 amendments and presented them to the First Congress in 1789. On December 15, 1791 ten of the amendments were passed and made part of the Constitution. They would later become known as the Bill of Rights.

The Bill of Rights was added in 1791 to state the rights of the individual against governmental powers. Later amendments (11-27) concerned for example the rights of citizenship and the voting rights of the Blacks (1865- 1870) and women’s suffrage (1920).

Freedoms guaranteed by the Bill of Rights are: freedom of religion, freedom of the press, freedom of petition, rights to equal justice, freedom of speech, freedom of assembly and freedom and security of citizens.

The importance of the Constitutions for Americans:

The document, as a source of patriotism and self-identification, has greatly contributed to the making of the American nation. It set forth the legal heritage upon which the US is built.

It has become a symbol of stability and continuity, as it has been in force for over 200 years without any basic changes. Even today, Americans identify with the principles laid down in a Constitution written “by the people” and in stating the beliefs shared by many citizens. The Constitution seems to create a bond holding together a nation which is otherwise characterised by its diversity. The great ideals and basic values expressed in the Constitution have served as a model for the free world.

Tasks:

- 1) *Explain the system of checks and balances and state other ideas of the constitution.*
- 2) *Explain the two compromises and why there were important.*
- 3) *Explain the Bill of Rights and why it was added to the Constitution.*

Vocab box

force – power

aim- objective

to avoid- to hinder

consent- agreement

ratifying – to sign a treaty, contract, or agreement and making it officially valid

misuse – someone uses his/her power in a bad way