

US History.

Q. USA Constitution
Write a critical note on the formation and structure of the USA Constitution.

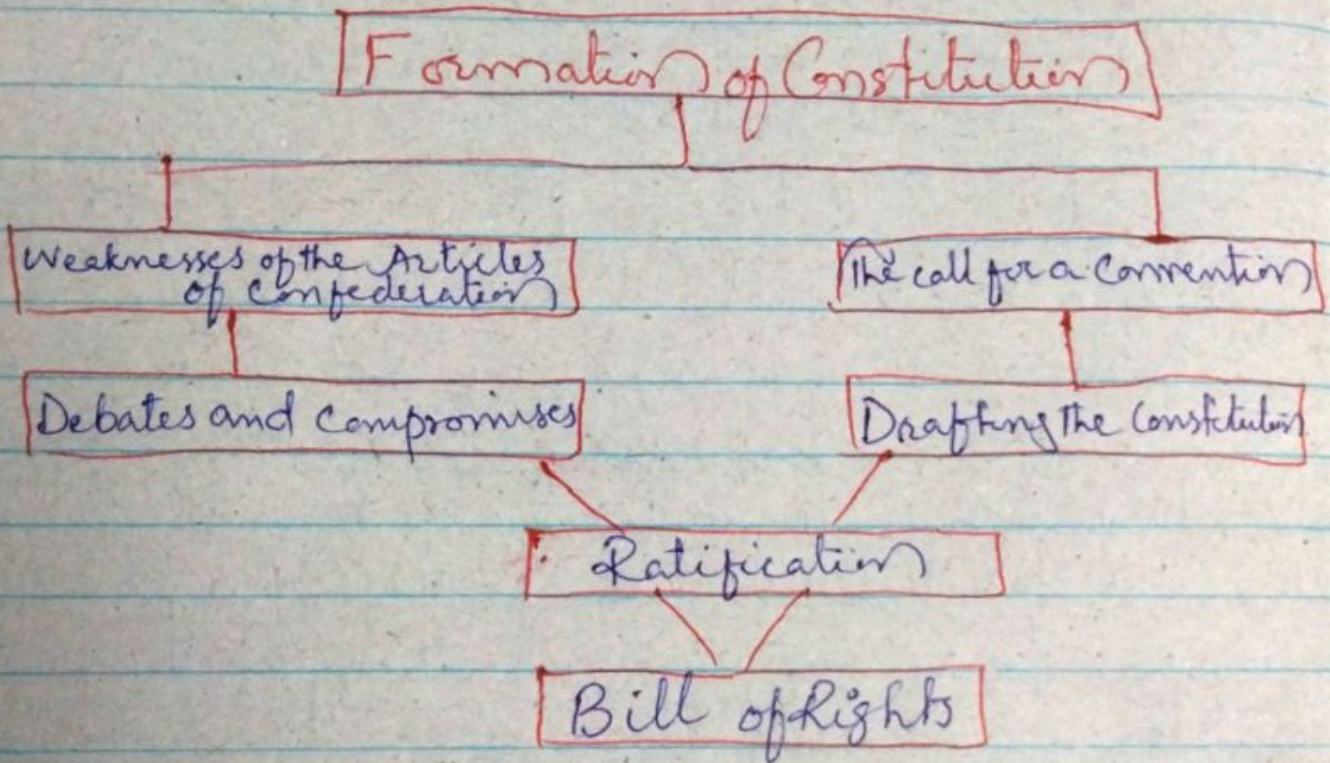
1) Introduction

The formation and structure of the United States Constitution represent a pivotal moment in American history, marked by both innovation and controversy. The Constitution emerged as a product of compromise and debate during the Constitutional Convention of 1787, following the weaknesses of the Articles of Confederation.

2) Formation of the USA Constitution.

The formation of the United States Constitution was a pivotal moment in American History. It took place during the Constitutional

Convention of 1787 held in Philadelphia, Pennsylvania. Here is a brief overview of how the Constitution was formed.



i) Weaknesses of the Articles of Confederation

Prior to the Constitutional Convention, the United States was governed by Article of Confederation, which created a weak central government. This system proved ineffective in various ways leading to economic instability, disputes among states, and difficulties

in raising revenue and maintaining a military.

ii) The Call for a Convention

Recognizing the need for a stronger and more effective government delegates from several states convened in Philadelphia in May 1787 to address the issues with the Articles of Confederation. George Washington was elected as the president of the convention.

iii) Debates and Compromises

Over the course of several months, the delegates engaged in intense debates and negotiations.

Key figures such as James Madison, Alexander Hamilton, and Benjamin Franklin played significant roles in shaping the new constitution.

Compromises were reached on various contentious issues, including representation in the legislature (resulting in the Great Compromise), the slave trade, and the method of

presidential election -

iv) Drafting the Constitution

A committee was formed to draft the Constitution, with James Madison often referred to as the "Father of the Constitution" for his significant contributions. The document outlined the structure of the federal government, including the three branches (executive, legislative, and judicial) and their respective powers.

v) Ratification

Once the constitution was finalized, it needed to be ratified by at least nine of the thirteen states to become the supreme law of the land. Intense debates and campaigns took place in state conventions, resulting in eventual ratification.

vi) Bill of Rights

To address concerns about individual rights and liberties, a series of amendments known as the Bill of Rights were proposed and

and added to the Constitution in 1791, guaranteeing fundamental freedoms.

3) Structure of the USA

Constitution.

The structure of the United States Constitution is organized into several key components, each serving a specific purpose in defining the framework of the federal government.

Here is an overview of the structure of the U.S. Constitution.

Preamble

Articles

Structure of
Constitution

Amendments

Signatures

i) Preamble

The Constitution begins with the Preamble, which sets forth the purpose and guiding principles of the document. It famously begins with "We the People" and outlines the goals of the government, such as establishing justice, ensuring domestic tranquility, providing for the common defense, promoting the general welfare, and securing the blessings of liberty.

ii) Articles

The main body of the Constitution is divided into seven articles each dealing with a specific aspect of government.

* **Article I**: This article establishes the legislative branch, including the powers and responsibilities of Congress, which consists of the Senate and the House of Representatives.

* **Article II**: This article defines the executive branch, outlining the powers and duties of the President.

of the United States.

- * **Article III**: This article establishes the judicial branch, creating the Supreme Court and allowing for the creating of lower federal courts. It outlines the authority and jurisdiction of the federal judiciary.
- * **Article IV**: This article addresses the relationships between states, ensuring that each state respects the laws and judgements of other states. It also outlines the process for admitting new states to the Union.
- * **Article V**: Article V describes the process for amending the Constitution, allowing for changes to be made over time. Amendments can be proposed by Congress or through a constitutional convention, and must be ratified by the states.
- * **Article VI**: Known as the Supremacy Clause, this article establishes the Constitution as the supreme law of the land, requiring federal and state

and state officials to uphold it. It also includes an oath of office for federal officials.

★ **Article VII** = Article VII addresses the process for ratifying the Constitution. It specifies that the Constitution would go into effect once it was ratified by nine of the original thirteen states.

iii) **Amendments** = Following the main body of the Constitution, there are currently 27 amendments. The first ten amendments are collectively known as the Bill of Rights and guarantee individual liberties and rights, presidential term limits, and more.

iv) **Signatures**

The Constitution concludes with the signatures of the delegates who attended the Constitutional Convention in 1787 affirming their agreement to the document.

4) Conclusion

In conclusion, the United States Constitution stands as a remarkable and enduring document that has shaped the governance of the United States for over two centuries. Today, the U.S. Constitution continues to serve as a foundational document that guides the nation's governance and upholds the principles of democracy, justice, and individual freedoms. It remains a source of inspiration and debate, reflecting the ongoing pursuit of a more perfect union by "We the People".

Q: "Though the Philadelphia convention was convened to amend the Articles of Confederation, it resulted in the framing of an altogether new constitution". Discuss.

1) Introduction

The Philadelphia Convention of 1787 was indeed convened with the initial purpose of amending the Articles of Confederation, but it ultimately led to the creation of an entirely new constitution for the United States. This transition marked a pivotal moment in American history as it laid the foundation for the modern federal government and the Constitution that continues to shape the nation today.

2) The Convention of Philadelphia

The Convention of Philadelphia which framed the Constitution for United States was actually convened with a

view to examine amendments to the articles of Confederation. Soon after their assembly, the delegates realised that the Articles of Confederation suffered from so many defects, that it would not be possible to ratify those defects by amendments. Consequently, they proceeded to frame a new constitution.

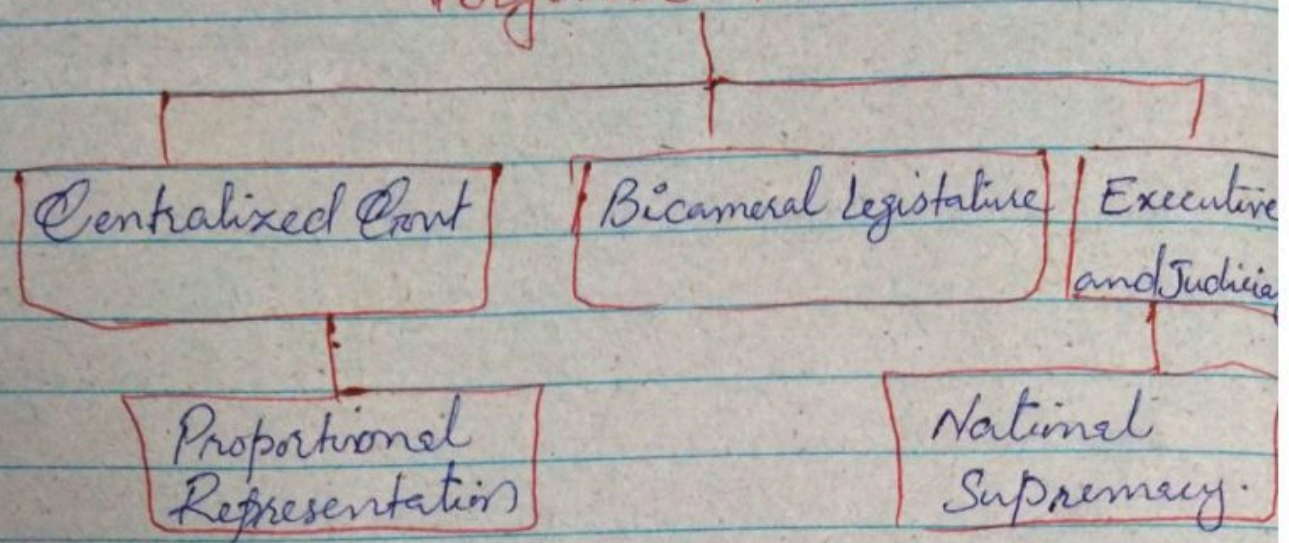
3) Process of framing the Constitution

Here are some key points and various plans to understanding the process of framing the Constitution.

i) Virginia Plan

The Virginia Plan was a crucial proposal put forward during the Philadelphia Convention of 1787. It was primarily authored by James Madison, although it had input from other delegates as well. The Virginia Plan is significant for several reasons.

Virginia Plan



a) Centralized Government

The Virginia Plan advocated for the creation of a strong, centralized national government. It called for a departure from the weak central authority under the Articles of Confederation and aimed to address the shortcomings of the existing system.

b) Bicameral Legislature

One of the central features of the Virginia Plan was the establishment of a bicameral (two-house) legislature. The lower house, known as the House of Representatives, would be elected by the people, while the upper house, the

Senate, would be chosen by the Lower House from nominations made by the states. This approach aimed to balance representation by both population (in the House) and equal state sovereignty (in the Senate).

c) Executive and Judiciary

The plan also proposed the creation of a strong executive branch and a judiciary. The executive would be responsible for enforcing laws, and the judiciary would interpret them. This separation of powers became a foundational principle in the U.S. Constitution.

d) Proportional Representation

The Virginia Plan favored proportional representation, meaning that states with large populations would have more influence in the government. This aspect was a source of debate during the convention, as smaller states were concerned about being marginalized.

c) National Security

The plan asserted the supremacy of the national government over state governments in certain areas, a significant departure from the limited powers of the federal government under the Articles of Confederation.

ii) New Jersey plan.

The New Jersey plan, also known as the Small State Plan, was a proposal presented during the Philadelphia Convention of 1787 as an alternative to the Virginia Plan. It was primarily championed by William Paterson, a delegate from New Jersey. The New Jersey plan differed from the Virginia Plan in several significant ways:

- | | |
|------------------------|------------------------------|
| New Jersey Plan | Unicameral legislature |
| | Equal Representation |
| | Limited Executive Authority |
| | Continuation of the Articles |

a) Unicameral Legislature

The New Jersey Plan advocated for a unicameral (single house) legislature similar to the existing congress under the Articles of Confederation. Each state, regardless of its population, would have an equal vote in this legislature. This approach favored smaller states and aimed to protect their interests.

b) Equal Representation

Unlike the Virginia Plan, which proposed proportional representation in the legislature based on population, the New Jersey Plan emphasized equal representation for all states. This was a key point of contention, a conflict between larger and smaller states.

c) Limited Executive Authority

The New Jersey plan proposed a plural executive, meaning that the executive branch would consist of multiple individuals chosen by the legislature, rather than

single strong executive as suggested in the Virginia Plan.

d) Continuation of the Articles

Unlike the Virginia Plan, which called for a new constitution, the New Jersey Plan sought to amend the Articles of Confederation to address their weaknesses and shortcomings aimed to preserve more of the existing structure of government.

4) Controversy between Virginia Plan and New Jersey Plan

The controversy between the Virginia Plan and the New Jersey Plan during the Philadelphia Convention of 1787 was a fundamental and divisive issue that needed to be resolved in order to create a new U.S. Constitution.

Here are the key points of controversy.

i) Representation in the Legislature

The primary point of contention was how to represent the states in the new federal legislature.

The Virginia Plan called for proportional representation, meaning that larger states would have more representation in the legislature due to their larger populations. This was seen as favorable by larger states like Virginia. In contrast, the New Jersey Plan proposed equal representation, where each state regardless of its population, would have an equal vote in the legislature. Smaller states, such as New Jersey, favored this approach as it would prevent them from being overwhelmed by the larger states.

ii.) State Sovereignty

The debate over representation was also tied to the concept of state sovereignty. Smaller states argued that equal representation was necessary to protect their sovereignty and prevent the dominance of larger states. Larger states, on the other hand, saw proportional representation as a means of ensuring a stronger federal government.

iii) Legislative Compromise

The Great Compromise, proposed by Roger Sherman of Connecticut was a pivotal resolution to this controversy. It resulted in a bicameral legislature, which combined elements of both plans. The house of Representatives would have proportional representation based on population, satisfying the Virginia Plan's proponents. Meanwhile, the Senate would provide equal representation, with each state having two senators, addressing the concerns of the New Jersey Plan's supporters.

iv) State Equality vs population influence

The controversy encapsulated a broader philosophical debate about the balance of power in a new federal government. Smaller states were concerned about being marginalized in favor of larger states if representation was purely based on population. Larger states argued that proportional representation was essential states had adequate influence.

5) Conclusion

In conclusion, the Philadelphia Convention of 1787 stands as a pivotal moment of American History. While originally convened to amend the Articles of Confederation, it ultimately resulted in the drafting of an entirely new constitution. This transformation was driven by the recognition of the limitations of the existing government and the need for a more unified and effective system.