

## A Brilliant Solution: From the Founding to the Present

For the United States, the years after the Revolution were celebratory for the citizens enjoying their new freedoms and painful for those involved in the government. The lack of a strong central government created a divided country, with men loyal to the state rather than the nation. From 1776 to 1787, the new nation debated as separate states over interstate conflicts, how to dissolve the economic crisis, and maintain a military without allowing any separate person, group or state access to its power. Under the Articles of Confederation, the central government had no power to enforce anything as a nation; each state controlled itself and was in a political battle to control every other, with the nation as their casualty. Under the Articles, every hope for a future of the United States seemed impossible. Many realized that only a unified country could fix the country's problems. In *A Brilliant Solution*, Carol Berkin reveals the conflicts and compromises that characterized the drafting of the Constitution. Berkin portrays the founding fathers as people not demigods, describes the solution the Constitution became and analyzes the current US, debating whether the founders of this government would approve of how it has evolved over the two hundred-twenty years following the Constitution to the present.

In elementary school, Americans are taught that intellectuals with the ideal views of morals, equal human rights and justice came together to form the United States. The 'Founding Fathers' are viewed as men that can not be surpassed as long as the government they began stands; they are the human-gods of the American past. In *A Brilliant Solution*, Berkin paints the fifty-five framers as men, "imperfect, exasperating, but often admirable. . ." (Berkin 49). Many had studied law, were wealthy, educated,

and had political experience. Few men came from obscure backgrounds but all contributed something incredibly brilliant. From the lively Franklin who arrived in “his luxurious sedan chair, carried upon the soldiers of four prisoners taken from a nearby jail” (Berkin 46) to Alexander Hamilton and James Madison, dedicated nationalists, the party was mindful of their reputations, as political leaders and conspicuous framers of a new government. Each member of the congress was painfully aware that by sharing their honest opinions their reputations could be destroyed. Thus the records were not copied or spoken of outside of the delegates. The secrecy of the convention was complete. The reasons varied from foreign diplomats that would be eager to report home on the country’s economic, political and social problems to the danger their true opinions could reflect on the delegate’s own prestige and political futures. The greatest reason was that none could, “vote ‘yea’ on overthrowing the government if the newspapers carried word of it the next day. . .” (Berkin 65). Only with secrecy could there be an honest discussion between the greatest men of the nation and only honest discussion could find a solution for the crisis facing the nation. As Berkin suggests, the problem was not if the secrecy was necessary but if it was possible. The delegates would have to censor their speech at the taverns each evening, and carefully ignore the subject of their days in letters home to wives, brothers and friends. Rumors spread, speculation was rampant but the proceedings of the congress remained confidential. If not discretion, than only self-preservation kept the meetings private. Overall, Berkin explores each delegate’s beliefs, life, and difficulties during the convention. She shows that they were simple humans with some incredible strengths and fatal flaws. Their arguments and solutions were not

perfect. The delegates debated for a year, but the solutions they agreed upon lasted the United States for a longer time than any could have originally hoped or thought.

As Berkin says, "It is this story of anxious and determined men who set for themselves the task of saving their nation . . ." (Berkin 9). Each solution and argument brought forth, and turned away dozens of time brought the delegates closer to the day they would create a solution for the country. Under the Articles of Confederation, the central government was powerless, currency and interstate commerce problems were impossible to regulate, and foreign affairs and trade were disastrous.

When creating the Articles of Confederation, the contributors' main priority was to create a government that could never be left in the power of one person or group. Thus, state governments were to control the majority of the power, with the central government's actions to be enforcing the legislation passed. Unfortunately, the central government had no power to enforce anything. The national government could not raise an army to enforce decisions or collect taxes to pay Revolutionary War debts. The federal government did not even have a political figure head. Legislation had to be passed by the states with a two-thirds majority vote and no state wanted pay taxes to a central government or have their citizens pay any tax, except to the state government. In the Constitution, the founding fathers gave the central government the power to raise an army with the President as its Commander in Chief. They balanced that power by giving only Congress the right to declare war. The central government also gained the right to collect taxes. These changes in the government were enormous but the efficiency of the government produced was incredible in comparison.

Each state printed its own currency, making the national currency worthless. Each state also placed tariffs on other states. The tariffs that the states imposed on states in their nation combined with converting the many different currencies led to a decline in interstate commerce. Therefore, it became obvious that the new government would need one central power to control currency and international trade.

The problems with Foreign Trade stemmed from that other countries could place tariffs and trade restrictions on United States goods, and the United States were not able to respond. The United States was unable to place a tariff on other countries because each state regulated their trade independently from others. If one state imposed a tariff on a country or good, the shipment could be sold a state not imposing a tariff, so it benefited the states trade to not create tariffs or restrictions. The inability of the United States to raise an army also caused problems with foreign affairs. Without armed forces, the United States was vulnerable to attack from many foreign nations and also was unable to force the British occupying forts in the Northwest Territory of the United States to leave, as agreed upon in the Treaty of Paris. In the Constitution, the central government was given the right to make treaties and foreign trade regulation with the approval of Congress.

The Constitution addressed many problems the authors of the Articles of Confederation could not foresee. Therefore, the Constitution, unlike the articles, created more solutions than problems.

Just over one hundred years after the founding fathers wrote and signed the document that gave the democratic United State hope of survival, the United States became a global power. The government the authors of the Constitution created lasted

longer than any of them probably hoped; the Articles of Confederation only officially lasted six years. The only thing left to wonder is if they would approve of the changes made to their document. They understood some changes were necessary as the needs of the country changed but would they agree that the current government upholds the ideal government they described in the Constitution.

The Patriot Act is a controversial act that was signed into a law just over a month after the terrorist attacks on September eleventh, 2001. The Patriot Act allows the government intelligence and law enforcement agencies to tap telephone conversations, read and take any letters, e-mails, medical, financial and all other records. The act also expands on the government's authority to regulate financial transactions and records. Some citizens believe this act helps protect American from the terrorism that could strike the nation like the tragedy in September 2001. Many others believe and the authors of the Constitution would agree that this act infringes on a civilians right to privacy and the right to not "be deprived of life, liberty, or property, without due process of the law . . ."(Constitution, Amendment V).

The founding fathers fought to break free from a government that did not give its citizens the right to participate in its government. Today, in order to be elected, the candidates need a certain amount of money. Currently, a person running for a seat in the House of Representatives needs at least one million dollars to fund their campaign and many of the elected representatives had campaign budgets with amounts much notably larger. Only a small percentage of the entire population has access to the amount of money it would take to finance a campaign. America was founded on the principals that all men were created equally and that any could be a leader if they were elected. The

men who based our government on democratic ideals could not support those elected because they were the ones who were able to raise enough money to campaign. Many parts of the United States government has changed since the Constitution was signed; some changes are necessary others like the Patriot Act and the amount of money needed to campaign are ridiculous and undemocratic.

“The men who framed the Constitution could not see into the future” (Berkin 205) but from the view from the future, it is difficult to comprehend that the founding fathers were not demigods and had no idea that the Constitution they created would bestow beatific effects lasting for generations. They were not sure their work would last, but they had a clear purpose and goals, and that created a brilliant solution for a new nation full of problems.

Sources:

Berkin, Carol. A Brilliant Solution : Inventing the American Constitution. New York: Harvest Books, 2003.

"The Constitution of the United States," Amendment 5.