

**THE FOUNDATIONS OF
AMERICAN
CONSTITUTIONAL
GOVERNMENT**

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The Foundations of American Constitutional Government by Robert D. Gorgoglione

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ROBERT D. GORGOGNONE

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The Foundation for Economic Education, Inc.
Irvington-on-Hudson, New York

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Introduction

The Constitution of 1787—otherwise known as the United States Constitution—was, and is, a remarkable document. It became even more so when the first ten amendments—the Bill of Rights—was added to it in 1791. Viewed in the context of the 1770s and 1780s, however, the Constitution of 1787 may retain its rank as a notable achievement but it was hardly a singular event. Americans had just been going through a season of constitution making. After the Declaration of Independence, most of the former colonies were without constitutions of their own. Most of them were royal colonies and traced their authority from the king of England. All the states, except Rhode Island and Connecticut, which had been charter colonies, drew up new constitutions soon after independence had been declared. And there was considerable tinkering with these in the ensuing years. Moreover, the first United States constitution, the Articles of Confederation, went into effect in 1781. So, Americans had considerable experience at constitution making before they produced the Constitution of 1787.

These earlier ventures, however, were but preludes to the document which was known ever afterward as *the* Constitution of the United States. The Articles of Confederation receded into the background of the document which replaced it. Over the years, state constitutions came more and more to resemble that of the United States. In the course of the nineteenth century, more and more peoples around the world came to admire and to imitate features of our Constitution. Above all, for Americans it had become *the* Constitution, its provisions hallowed, and its language revered.

What was so distinctive about this document? What made it stand out above the numerous constitutions of the nineteenth and twentieth centuries? As a document, there are some rather obvious things to be said about the Constitution. It is brief, concise, felicitously worded, yet surprisingly comprehensive in its description of and provisions for a government. Amendments were rare in the nineteenth century; there were only three between 1804 and 1913. Thus, it provided an example of stability as counterpoint to the argument that republics were unstable.

But, above all, the United States Constitution is informed by a few guiding principles. It established a republican form of government, which means that those who govern represent the electorate and are