Brilliant Solution

Chapter Seven

p. 150, ¶ 1, line 19 – “In his revision Morris captured perfectly the nationalist vision of a supreme central government capable of knitting together a sprawling country and of overcoming the petty divisions among its competitive states.”

p. 151, ¶ 2, line 10 – “Despite the plague of suspicion about Congress’s excessive power that had swept through the convention in July and August, the Constitution confirms that the delegates’ greatest faith lay in the nation’s legislative branch.”

p. 152, ¶ 1, line 1 – “... the Constitution gives the legislature permission to ‘make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers’ – a leap of faith to accommodate the unforeseen by men rarely given to such trust.”

p. 152, ¶ 2, line 1 – “Article 2 is devoted to the executive branch.

p. 153, ¶ 2, line 1 – “The fourth and final section of Article 2 establishes the procedure for removing the president from office. Treason, bribery, and other ‘high Crimes and Misdemeanors’ were set as impeachable offenses.”

p. 153, ¶ 2, line 5 – “Despite all the efforts to bolster the independence of the executive branch and to protect it from the malicious control of the Senate, the delegates remained haunted by member of a tyrannical king and abusive governors who held office at the pleasure of the king. Section 4 insures that the Republic would not have to resort to revolution to remedy the abuse of power. Indictment, trial, and conviction put the president within rather than above the law.”

Note: The impeachment clauses were created to deal with crimes unique to an executive, such as abuse of power; not petty crimes like adultery and perjury.

p. 153, ¶ 3, line 1 – “The president’s powers were not insignificant, but neither were they
sweeping ones.”

p. 154, ¶ 1, line 15 – “In the end, his greatest strength may have come from the nature of his selection: the popular election of the president, indirect though it was, made it possible to see him as a symbol of the nation itself.”

p. 155, ¶ 2, line 1 – “Article 4 is an umbrella for rules governing the relationship between the national government and the states, including the guarantee that citizens in each state are entitled to all the privileges and immunities of citizens of other states and the insurance that a fugitive from justice in one state would not find refuge in another. Slavery, unnamed but identified by the phrase ‘held to Service or Labour, under the Laws thereof,’ was indirectly upheld in section 2, which guaranteed that any person so held escaped to another state would, like a fugitive, be delivered up to ‘the Party to whom such Service or Labour may be due.’”

p. 155, ¶ 2, line 7 – “They knew how perilously close to dissolution the convention had been during the struggle over proportional representation in Congress, and they knew how convoluted their reasoning had often been on the election of the president.”

p. 156, ¶ 4, line 1 – “The rest of the world... knew nothing of the process by which the Constitution had come to be. The veil of secrecy had not been pierced during the months of deliberation, and although newspaper editors might have spread unfounded rumors or made unsubstantiated charges and private citizens might have conjectured and offered unsolicited advice, everyone outside Independence Hall had remained in the dark about the convention’s deliberations and their outcome.”

Note: Many politicians and some jurists allude to the “original intent” as evidenced in the wording of the Constitution. Yet some of the vague wording is reflective of the compromises that were essential to the passage of the document at the convention. The tone of the Constitution obscures the many disagreements and resulting compromises.

p. 160, ¶ 2, line 1 – “The desire to make corrections, additions, and deletions seemed spent. Yet the delegates sensed that a perfect accord had not been reached. Few delegates were surprised
when Edmund Randolph rose to declare that he could not endorse the Constitution.”

p. 161, ¶ 1, line 9 – “Edmund Randolph could not sign the Constitution— but he did not close out the possibility of supporting its ratification by his home state of Virginia.”

p. 162, ¶ 4, line 1 – “On Monday, September 17, sixteen weeks after the convention began, the delegates gathered to hear the secretary, Major William Jackson, read the engrossed Constitution.”

p. 164, ¶ 2, line 1 – “Perfection could not be achieved, in Franklin’s view, no matter how many conventions were called. And this is why the work of the delegates gathered in Philadelphia was so admirable. They had produced a near-perfect system of government that Franklin was confident would ‘astonish our enemies, who are waiting with confidence to hear that our councils are confounded like those of the Builders of Babel,’ and that ‘our States are on the point of separation, only to meet hereafter for the purpose of cutting one another’s throats.’”

p. 165, ¶ 2, line 6 – “Gorham asked that the ratio of congressional representatives be changed from one for every forty thousand to one for every thirty thousand people in each state.”

p. 167, ¶ 2, the whole ¶ – “When the vote was taken on Franklin’s suggestion...”

p. 168, ¶ 1, line 4 – “As Georgia, the last delegation, rose to sign, Benjamin Franklin could be heard to say that during the long months of debate, he had often wondered whether the sun painted on the back of Washington’s chair was rising or setting.”

p. 168, ¶ 2, line 11 – “Like George Washington, many must have ‘retired to meditate on the momentous work, which had been executed, after less than five, for a large part of time six, and sometimes sever hours’ sitting every day... for than four months.”