

Q1 What are the factors that worked in the drafting of the US Const? To what extent, American constitution can be called of British origin?

American constitution was drafted in 1787 by the delegates of congress. It was enacted to full fill the aspirations of people of America.

Major factors that worked in the drafting of constitution are:-

- 1) Historical Background: Americans were liberal, progressive and freedom loving. These values indicated in the constitution.
- 2) Ideas of EM: Various intellectuals like Thomas Jefferson, Patrik Henry spread the ideas of enlightenment (like liberty, equality, secularism, democratic etc) which had also been absorbed by American constitution.
- 3) Colonial rule and experience of war: Fought against despotic & monarchial British Rule. As a result they adopted republic system.
 - Americans stood for doctrine of laissez faire and moved towards capitalism as they fought for against mercantilism.
- 4) Economic factors: Voting rights in America were based on property qualification. Therefore only only few well do class/ rich was represented in constituent assembly. Hence, Constitution reflects majorly reflects aspirations of this section. And right to property became very fundamental to American Constitution.

Britain at that time was one of the most reformed and democratised country. It also colonised America for long. Therefore it do have significant impact on American constitution.

Americans adopted democratic political system; principle of separation of power; ideas of liberty, equality, & fraternity; rule of law; secular system; provision of checks and balances.

Though all these have origin in British. But some of fundamental addition to it had been done.

American constitution was the written document whereas British followed the system which was based on conventions and parliament was all powerful. American political system was republic democratic and provides for federal polity. On the other side Britain had monarchical system and union type of pol. system.

American constitution provides for presidential form of democracy with judicial supremacy. In contrast Britain provides parliamentary form of democracy with parliament supremacy.

Hence American constitution do have some similarities with British system but it do have fundamental changes.

Addition

'At the news of declaration of independence crowds gathered to cheer, fired guns & cannons & rang bells in Philadelphia, Boston & other places.' But there were many people who didn't rejoice?

Ans This statement is made in the context of Proclamation of Independence by Americans after American Revolution of 1776.

The same was not welcomed by the every section of American society. Loyalist of British rule were apprehensive and did not participate in the celebration. Whereas patriots who participated were full of rejoice.

Around 10% of population was of loyalist these include the 1st generation migrants, supporters of monarchy, well settled plantation owners of southern states & soldiers as well as officials who fought for British in the revolutionary war.

- 1st generation migrants had love and affection for motherland.
- Plantation owners were apprehensive that spirit of liberty & equality would affect blacks & institution of slavery. This would affect their socio-economic and cultural life.
- Supporters of monarchy were apprehensive of republican system. As they found it too radical.

• Officials & soldiers were afraid that success of American revolution would result in their imprisonment, as they fought for British and would be considered as enemy.

In this way declaration of independence had widened the gulf between patriot & loyalist. While it was a dream come true for patriots and they celebrated. The loyalist were extremely saddened. According to an estimate, around 3% of population left America for Canada or Britain.