American Government And Politics: Civil Liberties

Introduction

The chapters I found most intriguing and informative as I continued to engage and acquire knowledge this semester are in chapter two, chapter four, and chapter twelve on, 'The Constitution and its Origins and Declaration of Independence'; 'Civil Liberties'; and 'The Presidency'. These chapters, which were inspected sequentially, administered insight on the founding of the United States, enlightened readers on its progression based on fundamental rights accorded to citizens, and ultimately provided insight on continued governance. The birth of the United States after formally gaining independence and the following assembling of the constitution are significant moments in history. Therefore, the documents that delineate these acts explicate the foundation upon which the U.S. is built. On the other hand, examining civil liberties enhanced my knowledge of American rights embedded in the constitution. Finally, the subject of the presidency is pertinent to understanding the country's administrative structure. All these themes are critical to understanding and constructing American society. Especially at a time when the mass of the country's population is complaining and disappointed with how serious controversies are dealt with. An example of a contemporary problem plaguing the American public is gun violence, as demonstrated by the reoccurring incidence of mass shootings. This issue instigates the continued argument on gun-control and its implications for the civil right to bear arms.

Discussion

Constitution and its Origins and Declaration of Independence. The Declaration of Independence and the Constitution of the United States are two of the most important documents in America's history. According to Stephenson (42), the Declaration of Independence represents a promise to Americans of freedom and self-determination, while the Constitution is a fulfillment of these possibilities. More than two centuries ago, America's Founding Fathers embarked on a journey to form a government founded on the rule of law and individual rights. This process culminated in the Declaration of Independence thus formally breaking ties between Great Britain and the American colonies. In addition to confirming the country's autonomy, the document outlines the concepts and principles behind the projected fair and just government. As denoted by Armitage (23) the most outstanding excerpt of the Declaration of Independence is the one that outlines the self-evident truths, including equality of all men and their endowment with unalienable rights namely 'life, liberty, and the pursuit of happiness'. Conversely, the Constitution laid out the method in which the government would operate. For example, it defines how the government should be instituted by deriving its authorization from the people's approval. It also determines how much control, authority, and jurisdiction is distributed amongst the executive, judicial, and legislative branches.

Civil Liberties

Civil liberties identify the political freedoms that defend citizens against corruption and abuse by the U.S. government. The rights include the freedom of speech, assembly and the press;

freedom of religion; the right to bear arms; and the right to privacy. Just as these rights insinuate, every individual in America is allowed to speak freely on matters that are important to them; to bring together or assemble a protest; to own a gun; and to keep some matters private, among others. Civic or security issues are often at odds with these civil rights. This periodically prompts the Supreme Court to make difficult decisions concerning the trade-offs between liberty and the greater good, particularly in matters of security (Jillson 34). Therefore, contrary to common misconception, there are restrictions on people's civil liberties, especially if such rights impose on others' fundamental ones like life and safety.

The Presidency

In accordance with the United States Constitution, the executive power should be vested in a President. The individual elected to this position is supposed to hold the office for a four-year term and together with the elected Vice President. Regarding the presidential electoral procedure, the Constitution stipulates that each state should appoint, as directed by the Legislature, several electors. These electors must be equivalent to the total number of representatives and senators, to which each state is entitled in Congress. However, no representative, senator or individual holding a position of profit or trust under the U.S. government should be chosen as an elector. After an appointment, the electors convene in their respective states and vote for two persons by ballot, with at least one from a different state. After compiling the number of votes, the person with the highest number of votes becomes president. Another important aspect noted about this subject is that only an American citizen qualifies for the presidency. Additionally, the President serves as the commander in chief of the U.S. Army and Navy and wields the power to make treaties with other governments, as long as two-thirds of the senators in attendance agree (LII Article II).

Contemporary Political Problem

Gun violence is currently one of the dominating problems in the U.S. This is evident from the high rate of gun crimes with about ninety people killed using arms daily (Swanson et al. 1068). The weight of this problem is also indicated by the recurrence of mass shootings that result in large numbers of casualties. The three most recent shootings are the August 3rd El Paso, Texas Walmart attack killing twenty-two and injuring twenty-four people. The August 4th Dayton, Ohio attack killing nine and injuring twenty-seven people. Lastly, the August 31st Odessa and Midland, Texas attack killing seven and injuring twenty-four people. In addition to the already high number of mass shootings; these infamous assaults have once again have elucidated the issue of gun control or lack thereof in the country. The tragic incidents have also continued to raise controversy surrounding the civil right to bear arms. This civil liberty is explicitly laid out in the U.S. Constitution's 2nd Amendment, which stipulates that 'A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.' Despite its embedment in the constitution, proponents of gun control opine that this right violates others' right to life. Others, who support more stringent measures of gun regulation, uphold the notion that gun users with criminal intentions hide behind this civil liberty to propagate gun violence.

Potential Solution

The role of legislation in preventing gun violence is limited to ensuring that dangerous people do

not possess guns. This means that the 2nd Amendment should not be infringed as clearly stated in the constitution. As shown by the U.S. Supreme Court decisions in the 2008 and 2010 cases namely District of Columbia v. Heller and MacDonald v. City of Chicago respectively, the 2nd Amendment guarantees individuals the right to possess guns for conventional legal purposes like self-defense and it applies to all levels of government; local, state and federal. Therefore, rather than focus on repealing the amendment and its specific provisions, as suggested by Swanson et al. (1070) the best solution to gun violence is to reinforce laws that limit the availability of guns to mentally ill people and those with criminal records. Rubens and Shehadeh (21-22) in support of preventing gun possession by dangerous people propose legal mechanisms such as an institution of more accurate risk-assessment criteria; universal background evaluations at purchase point; and adoption of gun removal laws targeting individuals deemed dangerous.

Works Cited

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