SALIENT FEATURES OF THE AMERICAN CONSTITUTION

The present constitution of USA was adopted at the Philadelphia Convention held in 1787. It came into force in 1789. It consisted of only 7 articles. Following are some of the salient features:-

1. Written and Brief Constitution: The constitution of USA is the first written constitution in the world duly enacted by a Constituent Assembly. It has 7 articles only.It is the shortest constitution in the world.

2.Popular Sovereignty: American constitution is based on popular sovereignty.The people are the source of supreme power.The constitution was framed by the representatives of the people and dedicated to themselves by the people.

3.Supremacy of the constitution: According to Article 6 of the American constitution “ The constitution shall be the supreme law of the land”.It means that all other laws and treaties of the country must be in accordance with the constitution and if any of them is not in accordance with the constitution, the Supreme Court can declare it null and void.

4.Representative Democracy: Administration of the state is carried on by the representatives elected on the basis of adult franchise.Every adult male and female has been given right to vote without any discrimination.

5.Limited Government: The framers of the American constitution have confined the federal govt and the state govt in their sphere in such away that none of them can become unrestrained.The rights of the individual have been incorporated in the constitution which limit the powers of the govt.

6.Federal polity:USA is the first modern federal state in the world which has the following federal features (1) Written constitution(ii)rigid constitution(iii)Supremacy of the constitution(iv)Dual polity(v)Double citizenship(vi) Double constitution.

7.Rigid constitution: American constitution is the most rigid constitution in the world.The proposal of amendment requires the approval of both houses of the Congress separately by 2/3 majority and ratification by 3/4 state legislatures.

8.Presidential form of government: USA is the oldest and most successful Presidential government in the world. Its presidential features are (i) President is the real executive head (ii) Separation between executive and legislature (iii) fixed tenure of the executive (iv) members of the cabinet are responsible to the President (v) tenure of the congress is fixed.

9. Double citizenship: Every American citizen enjoys two type of citizenship i.e citizenship of their respective states and citizenship of the country as a whole.

10.Separate constitution of the state: Every states has its own separate constitution.Federal constitution is concerned with the composition and powers of the federal government and the constitution of the states are concerned with the organization and powers of the state governments. But the constitution of the state must be in accordance with the federal constitution and it is obligatory to provide Republican government in every state.

11.Republican form of government: The office of the head of the state is not based on hereditary rather he is elected indirectly elected by the people for a fixed term of four years.

12.Separation of powers: The three organs of government are separated from each other.Article 1 of the constitution gives legislative power to the congress Article 2 gives executive power to the President Article 3 gives Judicial power to the Judiciary.

13.Doctrine of checks and balances: To ensure that no organ of the government may become despot, the principle of checks and balances on different organs have been adopted.

14. Bill of Rights: Rights of the American citizen were incorporated in the constitution by first 10 amendments. USA is the first country to include Rights of the citizen in the constitution.US citizens enjoy various kinds of freedom and equality.

15. Judicial Supremacy: Judiciary has been granted supremacy over other organs of government in USA because Judiciary interprets and protects the constitution and also resolves the disputes between centre and states.

16.Judicial Review: The judiciary has the power to reject the bills passed by the congress and treaties concluded by the President if it is against the constitution.

17.Bi Cameral Legislature: The Federal legislature has two Houses. The lower house is House of Representatives which represent the people and the upper house is Senate which represent the federating states.

18. Conventions: Like in any other constitution, Conventions have made their place in American constitution and have contributed a lot in the development of the constitution .e.g existence of political parties, cabinet, committees of the congress, senatorial courtesy etc.