American Reconstitution: How The States Stabilize American Constitutional Development

Robinson Woodward-Burns, University of Pennsylvania

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Abstract
The American Constitution is exceptionally stable. Americans have proposed and ratified only one national constitution with only twenty-seven amendments. In contrast, the American states have proposed 354 constitutions, held 250 conventions, and ratified 146 constitutions with at least 5,900 amendments. Why is the federal Constitution so much more stable than the state constitutions? Many scholars cite the federal Constitution’s higher procedural barriers to revision. But this dissertation asserts that ongoing state constitutional revision resolves national constitutional controversies, preempting federal constitutional amendment and quieting national inter-branch conflict. The dissertation tests this claim in two ways. First, it compares all attempted federal and state constitutional revision since 1776, drawing on an original dataset of all proposed state constitutions to show that federal and state constitutional revision are closely associated over time. Second, the dissertation disaggregates this trend by topic, offering case studies in which state constitutional revision preempted or resolved national constitutional conflicts. Since the states constrain the scope of national constitutional controversies, one cannot fully understand the political development of the national branches or Constitution without the states.

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establishments. Many State Constitutions also reflected the sentiments of the 1776 Declaration of Independence that stated that governments obtained their power from the consent of the people and that: “All men are created equal and have the right to life, liberty, and the pursuit of happiness; these are unalienable rights - rights that government cannot take away.”

State Constitutions - Basic rights should be constitutionally protected Americans believed that basic rights of the people should be constitutionally protected. The written documentation of the State Constitutions would help to achieve this important goal. African American parade in honour of adoption of the Fifteenth Amendment. Library of Congress, Washington, D.C.

Top Questions. What was the Reconstruction era? Some midwestern states adopted laws to regulate or even stop the movement of freed African Americans into those states. The Civil Rights Act was the first significant bill that became a law despite a presidential veto. An economic depression during which much of the South fell into poverty led to the Democratic Party winning the House of Representatives again, the first time since the Civil War.