

The Flourishing of American Liberty

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1787 was a pivotal year, shaking not only the foundations of American history but also the history of human democracy. As the Founding Fathers gathered in Philadelphia to write and ratify our nation's constitution, they aimed to lay the groundwork for our burgeoning democracy after witnessing the Articles of Confederation's apparent failures. Thus, America became the cradle of a new age of elected officials and democratic governance within developed nations across the globe. Over the course of the past 234 years, Americans of every generation have furthered the bounds of democracy and freedom, correcting institutional evils such as slavery, misogyny, and discrimination in manners I believe would have made our forefathers proud. The growth of liberty in our nation is most keenly portrayed in the evolution of civil rights, descriptive representation, and political regulation that we have seen over the past centuries. Although our nation, and humanity as a whole, continues to face important battles to protect our freedoms regarding privacy, data, technology, and more, we are well-equipped to defend our cherished freedoms due to the foundations of liberty that were established by the patriots that came before us.

The Constitution was (in)famously silent regarding the civil liberties of women, African-Americans, Native Americans, and the LGBTQ+ community, leading to centuries of strife in America as these communities fought for their rights. Despite the Founding Fathers' verbal denigration of slavery, Washington, Jefferson, and many others were slaveholders too deeply entrenched in the form of labor that churned the harvest-rich economies of the Southern colonies (Ambrose). It was not until over 600,000 American lives were lost in a brutal Civil War that the 13th amendment criminalizing slavery was ratified in 1865 ("Slavery in America"). Even thereafter, black men and women were segregated in the eyes of the law and the eyes of society—leading to the Civil Rights Movement filled with landmark moments of American history such as *Brown v. Board of Education*, the Montgomery bus boycott, Martin Luther King Jr.'s March on Washington, and finally the Civil Rights Acts of 1964 and 1968 as well as the

Voting Rights Act of 1965 (“Civil Rights Movement Timeline”). Thousands of Black Americans were killed, tortured, defiled, and persecuted since the ratification of the Constitution to create a more equitable country for Black America. Yet, the fight is still not over. As we have seen over the course of 2020, police brutality and closeted racism are ever-present in America, and it is the solemn duty of our generation to continue our nation’s evolution into a more equitable society.

Nonetheless, our generation’s privilege is to fight for these rights while standing on the backs of our forefathers who withstood pain, hatred, and anger over centuries to create a more ‘free’ America. The female right to vote was ratified in 1920 through the 19th Amendment, breaking a barrier that was more than a century in the making, borne of the activism of trailblazers such as Susan B. Anthony and Alice Paul. Native Americans were not even considered U.S citizens until 1924 with the passage of the Indian Citizenship Act and not given full civil rights until 1968 when Lyndon B. Johnson passed the Indian Civil Rights Act (“Native American History Timeline”). Homosexuality was medically considered a mental illness until 1973, and same-sex marriages were illegal until just six years ago, when the Supreme Court ruled same-sex marriages legal nationwide in 2015 vis-a-vis *Obergefell v. Hodges* (“Milestones in the American Gay Rights Movement”). None of these communities had any level of civil rights in 1787—those that were truly free upon the nation’s birth were the white males represented by our Founding Fathers. We are not perfectly free in 2021; but, to unfavorably compare it to our liberties in 1787 is to spit upon the very soul of our predecessors who made it their generations’ work to truly change America into a country ‘with liberty and justice for all.’

African-Americans, women, Native Americans, and the LGBTQ+ community were not equally represented in our Constitution upon its ratification in 1787, largely because none of the members of the Constitutional Convention belonged to the aforementioned communities. Descriptive representation plays a significant role in politics because we can only begin to ensure civil liberties for every community if they are accurately represented in the branches of government that create and uphold their liberties. The first female Congresswoman, Jeannette Rankin, was elected in 1916 (“Suffrage Timeline”). The first Black Congressmen, Hiram Revels and Joseph Rainey, were elected in 1870 (“Black Americans in Congress: An Introduction”). The first Hispanic American, Asian American, and Native American were only inducted into Congress in 1928, 1959, and 1907, respectively (“U.S. Senate: Ethnic Diversity in the Senate”). The first openly gay Congressman, Gerry Studds, was elected in 1973 (Cave). America has long had a contentious relationship with the representation of all of its communities and not just the white majority. Variety in congressional representation has never been higher than it is in 2021, with 19.5% of Congress now being female and 17.6% being a minority (Schaeffer). Those

figures, albeit being a ways off from the 50.5% of the population that women represent and roughly 40% of the population that minorities represent, symbolize the evolution of liberty and equality in America since 1787, when every single member of that Constitutional Convention was a white male.

As befitting of a capitalist society, present-day America is buttressed by antitrust laws and extensive commercial legislation that protect citizen consumers from inequitable commercial practices such as price-fixing and monopolistic practices. This was not always the case, as we know from historical examples such as the Robber Barons of the 19th century and some of the largest companies of America's Industrial Revolution in U.S Steel and Standard Oil. Present-day America holds business entities to much greater accountability through legislation such as the Sherman Act of 1890, also known as the 'Anti-Trust Act,' the Clayton Act of 1914 that created M&A accountability, and the FTC Act of 1914, which fostered a federal agency to supervise business practices ("Antitrust Laws: A Brief History"). The protection of our economy from inequitable practices has been a necessity that the Founding Fathers understandably failed to foresee in 1787, helping to protect the commercial and economic liberties of our people.

American society in 2021 is far from perfect. We face a plethora of challenges as we grow into a new era where information is more democratized than ever, and the liberties of a citizen are held to much higher standards of accountability. Yet, our nation has always been built to grow. Our Constitution is amendable for a reason, and the branches of government are made to continue churning out new laws and review new cases (albeit oftentimes inefficiently so). To claim that America is less 'free' 234 years since its conception than it was in its infancy is a blasphemous insult to those that gave their lives in war and in peace to continue to foster the liberties that we take for granted today. It may be a popular answer in the communities of intelligentsia to argue such. Still, it is a misguided and frankly impudent argument that spits upon the memory of patriots in days past. In the end, I opine that we are significantly more 'free' in the 21st century due to the firm convictions and actions of the aforementioned patriots.

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