Why The Appointed Judges Interfere With The Entire Democratic Process

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Essay 1

First, democracy requires that the majority have their way while the minorities have their say. The initial aims of democracy are to have a leadership that is imposed by the people and one that acts as required by the people. However, the leadership structure incorporates more than just elective positions, with the elected leaders, such as the president, being given the appointive powers. This is a way of extending the rule of the people in areas that cannot be entrusted to the public. Democracy is, therefore, a rule by the majority. The majority represents the common people, that is, the citizens. The people express their will by voting into power the people that they feel would contribute the best to their wishes. Democracy calls for the power to be returned back to the people. The appointments made by the president on the judges are, however, a sign of blemish in the overall democracy. There are various reasons as to why the appointed judges interfere with the entire democratic process.

First, the judges are appointed by one individual. This means that the real meaning of democracy is lost in the making of the appointments. The constitution gives the president the power to determine the people who would serve best in the said positions. However, there is no clear separation of what the president aims for as a person and the objectives of the nation. The president may, therefore, be guided by personal feelings and appoint people who are not fit for the nation. This way, he does not represent the people in the appointment. This, in turn, loses the meaning of democracy in which the majority would determine the person to act as their leader. The democracy largely claimed in the US is, therefore, not complete. If the democracy claimed was real, all the government positions, including those of the judges, would be elective. The indirect election of the judges does not amount to real democracy.

Also, democracy requires that the elected leaders do as the electorates require of them and, therefore, serve them to the best of their abilities. In this case, the citizens expect that the judges appointed by the president would do as they need them. However, this is not always the case. The judges take an oath of office and become independent from the wishes of the government. In many cases, the government and the judiciary do not read from the script. As a result, the judges do not represent the will of the people, which is held by the elected leaders. Depending on the case at hand, the judges make their own decisions based on their levels of knowledge and the level of evidence presented before them. The issue of the wish of the people is lost in the corridors of justice. It

becomes an issue of professionalism more than an issue of politics. The opinion of the president, who has been elected by the people, does not count. In addition, the opinions of the members of Congress and other elected leaders do not count in the judges' decisions. This is a limitation to the democracy claimed by the entire country.

Also, the passing of sentences and judgments betrays the aspect of democracy in the country. After the hearing of a case, the judges make their own conclusions and give their personal verdicts. This means that they do not need to consult anyone outside the corridors of justice. The court cases involve a process of hearing and listening in which the judges take their time to capture enough information. However, the decision to make at the end of it all comes from one individual, which is the deciding judge. This is against the spirit of democracy that calls for consultation of the various stakeholders. If America was a fully-fledged democracy, then the citizens, elected leaders, and other stakeholders would be consulted before the passing of a judgment in a case. One person's opinion may overturn the will of the entire nation. The judiciary has many powers that can overturn the wishes of the people in various crucial matters. There is, therefore, a great gap between the claim made about a democratic America and the real situation on the ground.

However, the democracy in the United States cannot be ruled out as being insufficient and one that is not useful. It is only practical to appreciate that one form of leadership has both the pros and the cons. In this regard, democracy allows the people to have their say by electing the people that they want to lead the government. Therefore, the people have the power to elect the president. Indirect democracy comes into play when the president is given the power to appoint judges to make decisions on behalf of the people. The president represents the people, and his opinions also count.

Therefore, the selection of the judges is an indirect democracy that makes work easier in the determination of leaders. It could not be practical to have the citizens electing leaders in all the branches of the government. Therefore, democracy needs to have a limitation in its implementation. Having a full democracy process is quite a tiresome process (Brendan n.p). It cannot be possible to include the opinion of the common people in all the decisions made at the top. This would derail the development of the government and the nation as a whole. For this reason, democracy in America has various loopholes that could be improved with time. However, it is not appropriate to advise developing countries not to take up the form of leadership applied by the US. In fact, the system works well with the developing countries. This is because they are able to attain freedom faster as the people have their say. In addition, the independence of the judiciary is respected, and such countries enjoy justice all along. The US democracy is, therefore, both right and wrong, depending on the situation at hand. Therefore, developing countries need to learn from the US form of governance and take up what is best for them. As the US form of governance is not the best in the world, developing countries ought to learn from various democracies in the world so as to take in the best aspects of their own form of democracy.

Essay 2

Indeed, the American Political system is set to work in a manner that minimizes the possibility of having changes in one aspect from time to time. Once a bill or a law is put in place, it is aimed at remaining in the same manner for a long time. Therefore, the leaders aim at reducing the chances of changes that may come into play within a short time. There are various reasons that led to the defeat of the selection of delegates to the national convention.

The first reason was to protect the interests of the Constitution. The constitution is the supreme law of the land that unites all people's laws across the land. Therefore, any law that goes against the provisions of the Constitution receives less backing and is declared null and void at the court level. In this case, the selection of the delegation proposal was aimed at changing the procedures provided for in the constitution. In this regard, many of the elected leaders were opposed to it. In this case, the leaders work under the oath of office taken to protect the Constitution. Therefore, the support for the change was limited as it would indicate a betrayal of the supreme law.

On the other hand, the proposal was subjected to the judicial process. Therefore, it received so many interpretations from time to time based on facts. Therefore, the courts decided that the matter was not in the true interest of the people. The courts decided that such a proposal would have led to the inducement of unfairness in some states. The courts are in place to protect the law and have justice prevail. The proposed change was aimed at promoting personal interest as opposed to the interest of the nation. It was not possible to have it progressing from one level to another. Due to the limited support from the judicial system, the proposal was defeated.

Also, the American political system considers the opinion of the general public. Public participation is fundamental before the passing of major decisions at the top leadership levels. After the proposal was taken to the public domain, it received lots of criticism from the people. The leaders at the top mostly reflect what the will of the common people dictates. Most of the citizens felt that the proposal was there to induce selfish interests. Many of the citizens felt that the proposal had no good intentions in the democratic process of the country. The public denounced the proposal, and so were the elected members.

On the other hand, the proposal was seen as an attempt to induce a conventional cue against the ruling party. Therefore, it was viewed as an attempt to overturn the will of the people in the decision that they expressed and elected their leaders, including the president. Changing the form of delegate selection would create an advantage for one party over the other. When a party receives more delegates, it gets more powers to dictate to the president on the issues that are of priority. Therefore, it was a threat to the democracy of the American people.

The supporters of the proposal were also few in number compared to the supporters. This is an indication of the true spirit of democracy. As the number of supporters was few, the bill was shot down. This is because democracy requires that the majority will have their way. For this reason, the

side with the higher number of votes carried the day.

The president was also against the proposal. According to American Democracy, the president represents the unity of the country and is the unifying factor. He is the chief representation of the sole will of the people on the ground. Therefore, his will counted in the determination of the outcome of the proposal. As a president, one enjoys a huge bunch of followers, made up of the citizens and the elected leaders. Therefore, one easily influences the decision that the rest of the people need to take. The ruling party, with the majority of the voters, had their way. They supported the will of the presidents and the proposal was defeated. The president felt that the bill would work against him and his party. This would be an issue causing a stir in the form of governance in the country.

Another reason for the defeat of the delegates' selection process proposal is that the democratic search process has been on the rise all along. Democracy is not at its best. The US is, therefore, fighting to have democracy realized at its best. Passing the proposal would mean giving more powers to some people to determine the leadership of the country. The proposal was about giving more powers to the top leaders to influence the people to be selected for the delegate's convention. This is a negative process that takes people back to the dark days of some people's states. For democracy to be fully attained, the process has to be consistent. The proposal was working against this spirit. Therefore, many people objected to it on the basis that it aimed at accumulating power over individuals as opposed to the people.

Another reason why the proposal was defeated is that it came at a time when there were more bills to debate about. Therefore, the delegation selection change proposal was a mean proposal to discuss at the time. At the time it was tabled, only a few members turned up for it. The number of members in the house was too low to pass any form of a bill into law. In addition, some of the members present decided to abstain from the vote. Therefore, the proposal lost the support of the House. Most of the house members felt that the bill was not in the interest of the people. They, therefore, skipped the sitting that would have seen the bill passed into law. Democracy requires that a law must be supported by many people to be applicable. The constitution clearly states the number of house members that need to support a bill to be a law. As the threshold was not met, the proposal was defeated and thrown out of the house (Adam n.p). All the reasons for the rejection and defeat of the delegate selection proposal defeat revolve around the effect of democracy. It was all about the opinion of the majority on the effectiveness of the bill. The spirit of the constitution was also tested as it is the supreme law of the land.

Essay 3

The three branches of the government have various differences. The three branches include the legislative, judiciary and the executive, led by the president. They are all different to enhance the separation of powers for an effective form of governance. The various forms of differences include the following:

Accountability for their policies

The Congress entails the house members who pass the laws on behalf of the electorates. In this regard, they make laws that will improve the lives of the citizens. They are, therefore, accountable to the citizens for the laws that they make. On the other hand, the president is accountable for the policies that he makes at the executive level. The president signs the laws that are passed at the Congress level and at the Senate level. Therefore, the president confirms that the house has passed the right laws of the land. Since the president is elected by the people, he is, in turn, accountable to them for the policies he induces in the government. On the other hand, the judiciary determines if the laws made by the legislative arm and other bodies are in line with the Constitution. The judiciary is an independent branch, even though the president has a hand in making the appointments of the Supreme Court judges. They are, therefore, accountable to themselves, and the decisions cannot be challenged by anybody, not even the president of the citizens.

Accommodation in policy-making

The legislative branch considers public opinion before passing any bill into the law. Therefore, a public awareness campaign is enhanced to have the people understand the real essence of a law. On the other hand, the president also accommodates the opinion of the people and the legislature before signing a bill into law. Therefore, he attempts to pass a law that would result in the best interest of the people. The Judiciary accommodates zero levels of opinions in the making of policies and judgments. Judicial matters remain secluded from the rest of the world with the aim of retaining their independence.

Deliberation in policy-making

In the legislative branch of government, the deliberation is done on the floor of the house. This occurs with having debates on the floor of the Congress and the Senate. A debate then leads to a voting in a later stage. On the other hand, the executive branch makes consultations among the various executive members, including the various secretaries. Deliberations are also present in the judicial branch of government in the case of offering case verdicts (Ezra n.p). The judges consult each other on the best decision to make at the end of a case. However, the deliberation is limited to the judges involved in a case and no one else.

Public participation in decision-making

The legislature politicizes its issues in a major way to attract the attention of the public. Therefore, it accommodates the public opinion before making decisions. On the other hand, the president determines the opinion of the public before signing bills into law. He ensures that laws passed by the

legislature serve the best interest of the people. On the other hand, the judiciary does not incorporate public opinion in their cases. Their decisions are made at personal levels, and high levels of professionalism are applied.

Comparison of the US and British government

The US and the British government compare in many of the four areas discussed. However, the two governments differ in that the US has the House of Congress and the Senate. However, the British government applies the parliamentary system of governance. However, the parliament takes all the responsibilities carried out by the US Congress. The judiciary and executive in the two countries function similarly in all aspects.

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