

The Enumerated Powers of the Federal Government

How would it be if you were playing in a game and in the middle of it, the rules were changed in favor of your opponent so that they were then ahead and ended up winning?

So it is with our country and our rulebook, the Constitution. Its true meaning has been misconstrued to such an extent that the way our country operates today is totally foreign to the original way.

The Constitution is a contract. Its ratification by the several states is an agreement as to the rules that the federal government will use. It defines what the government can do - and also what it cannot do.

The need for a new constitution to replace the Articles of Confederation arose as a result of the need to pay for the War for Independence. The lack of funds to fight the war against England made victory extremely difficult - at times almost impossible. As a result, there was a desire for assembling the Constitution Convention in order to establish a federal government with the ability to collect taxes. The result of the convention was the Constitution that we have had ever since, albeit there have been amendments.

It has often been said that our federal government has limited powers. It is more accurate to say that it has enumerated powers. Those things that the government is authorized to do are specifically listed. And it was the intention that those specifically listed items were all that the government could do.

If you were to take your computer to a repair shop to have a virus removed, you would expect that repair to be done and nothing more. If, when you picked it up, you learned that files had been moved, your e-mail addresses deleted and new programs had been added, you would not be placated by the argument "You didn't say not to." The work to be done was enumerated with the assumption that that and nothing more would be done.

Thus it is with our constitution. What it is contracted or authorized to do has been clearly defined. Only very limited and clearly defined activities are enumerated. But just to nail it down, so that there would be no mistaking the intent that the federal government can only do those things and nothing more, the first nine amendments were passed stating specifically what the federal government could NOT do. And, leaving nothing to chance, the all important tenth amendment covers all bases by stating that if something isn't specifically mentioned as being prohibited, government can't do that either.

Most of the power of the government is given - not to the executive or to the judicial branch - but to the Congress.

It is Congress that has the sole authority to make laws - not the president by way of executive orders - or judges by way of judgments.

Mainly the enumerated list of what Congress is authorized to do consists of:

- Pay debts
- Sign treaties
- Borrow money
- Regulate commerce
 - With foreign nations by collecting tariffs
 - and between the states by allowing it without heavy tariffs
- Establish rules of naturalization and bankruptcies
- Punish counterfeiters
- Establish post office and post roads
- Establish patents
- Establish courts below the Supreme Court
- Declare war
- Establish a military and provide for our defense

Nowhere does the Constitution authorize involvement in education, housing, health care, agriculture or foreign aid, sending troops into battle without a declaration of war by Congress and on and on.

The Constitution of the United States begins with the words "We the people." But neither the Constitution nor "we the people" mean anything when our president, legislators and judges continue to do end runs around the rules and misconstrue the constitution to mean what they want it to in order to satisfy their whims - or even worse, in order to destroy the sovereignty of The United States.

Our elected and appointed public servants take a solemn oath to uphold the Constitution. If we were to hold them accountable and require them to honor the Constitution, the federal government would be about 20 percent the size that it is now: We would have a balanced budget and money to pay off our debt. We would have the freedom to pursue our lives as we choose and America would again be the land of the free.

We don't need to change the Constitution - we just need to abide by the one we have.

To see a copy of the Constitution go to <http://constitutionus.com/>

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