

THE CONSTITUTION OF THE UNITED STATES OF AMERICA

THE PURPOSE OF GOVERNMENT

LESSON 08 SESSION 02

8.5.4 "Common defense."

A country worth fighting for to establish was worth fighting for to preserve.

The Congress shall have power to lay and collect Taxes, Duties, Imposts' and Excises, to pay the debts and provide for the Common Defense and Welfare of the United States. * * * To declare War, grant letters of Marque and Reprisal, and make rules concerning captures on Land and Water; to raise and support Armies, but no appropriation of money to that use shall be for a longer term than two years. * * * To provide and maintain a Navy; To make rules for the Government and Regulation of the land and naval forces; To provide for calling forth the Militia; to execute the laws of the Union, to suppress Insurrections and repel Invasions; To provide for organizing, arming and disciplining the Militia. * * * — *Constitution, Article I, section 8.*

Attention is especially called to the limited period of two years as the length of time to be covered by any appropriation of money for the military forces. Without the consent of the people through their Representatives in Congress, any army created would fall to pieces for lack of funds. A great deal is said about the effort to "militarize" America through carrying out the provisions of the national defense act of 1920. This act was created by the people, for the people, to be paid for by the people. It can be killed by repeal or by refusal to make necessary appropriations.

In the last analysis the people are the military force of the United States; their employees, the Regular Army, National Guard, and Organized Reserves, are working for them, and in absolute obedience to rules and regulations laid down by their agent, the Congress.

The United States is not solicitous, it never has been, about the methods or ways in which that protection shall be accomplished; whether by formal treaty stipulation or by formal convention, whether by the action of judicial tribunals or by that of military force. Protection, in fact, to American lives and property is the sole point upon which the United States is tenacious. — *William M. Evarts (1878).*

8.5.5 **"General welfare."**

The United States is a family of Commonwealths. Each State is possessed of its own natural resources, in the development of which it is necessary for its own best interests to have the full cooperation of every, other State in exchange of raw materials, finished products, and farm produce. Its great land areas and mighty rivers are frequently the concern of several of the States or of the entire Nation.

It is within the power of Congress to appropriate funds for constructing canals, river and harbor development, and control irrigation projects where more than one State is interested, hard roads, and Postal Service; to regulate communications and transportation; and, through its various departments, perform such other services as will result in benefit to all citizens. This is not paternalism, but that protection of person and property which enables the citizen to obtain the greatest possible returns in the exercise of his own initiative.

8.5.6 **"Blessings of liberty."**

To secure the "blessings" of liberty was the fundamental purpose of the makers of the Constitution and its subsequent adoption.

They include all the rights and privileges that a citizen of this country enjoys — a voice in the Government; freedom to worship according to the dictates of the individual conscience; freedom of speech and of the press; the lack of restriction upon all inherent individual rights.

"The liberty of America is not that which permits the individual citizen to do as he pleases.

He may so long as he does not interfere with the liberty of others. The liberty of the individual ends where the rights of others begin.

We all declare for liberty, but in using the word we do not all mean the same thing. With some the word liberty may mean for each man to do as he pleases with himself and the product of his labor; while with others the same word may mean for some men to do as they please with other men and the product of other men's labor. Here are two not only different but incompatible things called by the same name — liberty. And it follows that each of the things is, by the respective parties, called by two different and incompatible names — liberty and tyranny. The shepherd drives the wolf from the sheep's throat, for which the sheep thanks the shepherd as his liberator, while the wolf denounces him for the same act as the destroyer of liberty.”
— Abraham Lincoln.

The "blessings" which the citizen enjoys under our form of government are secured through "liberty under law," the enforcement of which is their only safeguard.

The purpose of our Government is to protect (not to provide) the property of its citizens; to guard his person (not to provide his subsistence) while he acquires the means of livelihood; to give every citizen equal opportunity in his chosen work and assure him of equal standing before the law.

Our Government is the most nearly perfect of all in securing individual rights and insuring the blessings of liberty. In no other nation is equal opportunity and equal protection assured, with such equal division of reward for labor and services rendered.

8.6 The American philosophy of government

The American philosophy of government emphasizes that —

- (1) Individual rights are sacred, and it is necessary to establish a government in the protection of these rights.
- (2) All the powers of government are derived from the people, who retain the supreme authority over all delegated powers of government.

(3) Individual rights are not permitted to be exercised in the contravention of the rights of society. Individual liberty is always bounded by social obligations.

(4) Government is exercised for the purpose of protecting the individual in his rights.

(5) Governmental powers are delegated to the National, State, or local authority, and are limited in their exercise by provisions of the Constitution as interpreted and defined by the Supreme Court.

(6) All rights not thus delegated are recognized as the inviolable right of the individual citizen and cannot be usurped by any governmental power.

(7) The Government of the United States is not a democracy but a Republic.

