

# THE CONSTITUTION OF THE UNITED STATES OF AMERICA

## REPRESENTATIVE GOVERNMENT

### LESSON 09 SESSION 03

#### 9.14 Delegated national powers

Under the plan set up under the Constitution certain definite powers are delegated to the three departments of government.

##### 9.14.1 Among the powers delegated to Congress are to

- Levy taxes.
- Coin money.
- Pay national debts.
- Regulate commerce.
- Establish uniform naturalization laws.
- Establish the post office.
- Provide for the common defense.
- Declare war.
- Raise and support armies.
- Provide a navy.

##### 9.14.2 Among the limitations placed on the powers of Congress are —

- Apportionment of representation and direct taxes among the States is determined by population.
- No money can be paid except by law.
- All orders, resolutions, and bills must be sent to the President for his consideration.
- Privilege of habeas corpus shall not be suspended except in case of rebellion or insurrection.

##### 9.14.3 Among the powers delegated to the President are

- Execute the laws.
- Commander in Chief of the Army and Navy.
- Commission all officers of the United States.
- Grant reprieves and pardons.

- Make treaties by and with the advice and consent of the Senate.
- Nominate judges of the Supreme Court.
- Give information to Congress in formal messages.
- Sign or veto orders, resolutions, and bills received from Congress.

### **9.15 Powers reserved to state and people**

The President and Congress can exercise only those powers directly granted them by the Constitution. All powers not so delegated are reserved to the people.

The enumeration of certain rights shall not be construed to deny or disparage others retained by the people. — *Amendments to Constitution, Article IX.*

The powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States, respectively, or to the people. — *Amendments to Constitution, Article X.*

### **9.16 Dangers to representative government**

Whenever the republican form of government has not achieved success the difficulty has not been with the system but with its faulty application.

Several dangerous experiments have been proposed, such as the initiative, referendum, recall, and the election of judges. Departures from constitutional principles threaten to impair the efficiency of our representative form of government, and if continued, will ultimately destroy it.

#### **9.16.1 Centralization.**

Originally "every influence favored the supremacy of the State as the center of gravity in government." Conferring strong powers on the proposed central government was feared and avoided. With the development of industry, invention, business, and transportation, the different sections of the country were brought into such intimate and immediate contact that "the knell of State sovereignty was sounded, and the supremacy of the Union became inevitable."

New and practical problems confront the Government, such as — increase of governmental business; rise of technical questions in government; popular demand for greater speed in Government action, and increased size and unwieldiness of legislative bodies.

Opposition to centralization of power in the National Government rests upon the general dislike of concentrated power, and its destructive influence on our philosophy of government.

#### 9.16.2 Sectional and class legislation.

Nothing is more repugnant to the American citizen than special or class legislation. The founders of our Government sought unity rather than differentiation. The Civil War settled for all time the question of the indissolubility of the Union. The general welfare of the Nation forbids sectional or class legislation. There must be no preference to the North, East, South, or West. Our motto should be "America for all, and all for America."

#### 9.16.3 Multiplicity of laws.

The modern tendency of government is to create innumerable laws as corrective or restrictive measures; appointment of special officers for their enforcement, with the consequent restriction of State, community, and personal rights, without regard to the fact that the majority is unprepared or not willing to accept or respond to the restrictions imposed. Relief from encroachment upon the rights of the people will come when each citizen better learns the art of self-government and exercises his right of franchise.

#### 9.16.4 Socialism, communism, anarchy.

The problems of capital and labor, employer and employee, can not be solved by un-republican methods. The suggestion of special legislation is socialistic and communistic in its theory and wholly repugnant to the American character.

Socialism or communism which negates property rights; anarchy which negates law; the substitution of "direct action" for representative government; a government ownership — all should be avoided as perils that threaten the very foundation of this Republic.

#### 9.16.5 Ignorance of citizens.

Webster said, "On the diffusion of education among the people rests the preservation and perpetuity of our free institutions." In the early Colonies one of the first buildings to be erected was the schoolhouse. Here was laid, developed, and subsequently spread the ideals of liberty. One of the foundation stones of representative government is education.

An intelligent and informed citizen is an asset to the Nation. The great educational system of America makes it possible for every citizen to best fit himself for the tasks of life. In the common schools all are taught a common language, a knowledge of American traditions, ideals, and philosophy of government.

Through education the barrier that separates the citizen from the greater enjoyment of his freedom is removed, a better understanding of American ideals is established, and the influence of subversive propaganda is in large measure destroyed.

## **9.17 Safeguards**

In order to assure perpetuity to our form of government, certain safeguards are necessary against encroachments both from within and without.

### **9.17.1 Direct responsibility to the people.**

Having derived its "just powers from the consent of the governed," the Government of the United States is directly responsible to the people as the highest authority. The United States is governed by public opinion — by the ideas and feelings of the people at large. The frequency of elections and the short terms of office give the people control. By reason of this our representatives are slow to attempt any official action overstepping the bounds of their authority or beyond the approval of their constituency.

### **9.17.2 Restricted immigration.**

Immigrants who enter the United States to exploit her resources without a thought of contributing a share to the general welfare are a menace to our country. Many seeking a haven of relief from the oppressions of poverty, ignorance, and restrictions, a place where gain is made easy and burdens made light, come in the spirit of the belief that America owes them a good living, security, and peace, without a thought of the price that has been paid to obtain these blessings or the cost of their maintenance. Against these America acclaims the fundamental right to close the door, for this is our home and we have the right to select whom we will to enjoy its privileges and bounties.

America is basically made and refuses to any the right to alter the plans, destroy any part of the structure, or rebuild it to their liking.

### 9.17.3 Knowledge concerning the Constitution.

For a proper appreciation of our Government the citizen should know what the Constitution is and what it contains.

The selection and combination of these elements was a master achievement of vision, ability, and governmental genius on the part of the delegates to the convention. — *Atwood.*

He should thoroughly understand the purposes of government as set forth in the Preamble to the Constitution; that the Constitution established a strictly representative form of government; and the general provisions in regard to amending the Constitution, when "necessary." All of this is essential to his proper "regard for the sterling worth of our beneficent heritage."

The only antidote to the erroneous and dangerous ideas of government now rampant through the world and threatening America is a better understanding of the meaning, value, and importance of our American philosophy of government as set up in the Constitution.

This will most effectively meet the propaganda of communism in its attack on our social, economic, political, and national institutions, which aims to destroy the family as the foundation of society, our system of capitalism which has produced the great economic success of America, our republican form of government, and our spirit of patriotism.

The preservation of the sacred fire of liberty and the destiny of the republican model of government are justly considered as deeply, perhaps as finally, staked on the experiment entrusted to the hands of the American people. — *Washington.*

If in our case the representative system ultimately fail, popular governments must be pronounced impossible. No combination of circumstances more favorable to the experiment can ever be expected to occur. The last hopes of mankind, therefore, rest with us; and if it should be proclaimed that our example had become an argument against the experiment, the knell of popular liberty would be sounded throughout the earth. — *Webster.*