

CITIZENSHIP TRAINING MANUAL

Lesson 01 — The Purpose of Government

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1.1 Progress of Government

In the beginning of human history, with needs and wants limited to food and shelter, man's dominating impulse was the preservation of life.

His social instinct led to the establishment of families, groups, and tribes. Transmitting habits, traditions, customs, and superstitions to succeeding generations, there came to be formed definite and distinctive racial types with fixed governing principles.

Governments of a kind were set up, order was created, but with the accumulation of property, and increasing wants, conflicts occurred, the strong despoiling the weak. Alliances for defense and offense were formed. Agreements between rulers and subjects and forms of treaties with nations brought about a more or less defined code of conduct and law, invariably enforced to the benefit of those who held the power.

1.1.1 Government by autocracy — Selfish and often cruel leaders preyed upon the weak and ignorant in the accomplishment of their ambitious designs. Autocracy held power through appeal to the emotions engendered by pomp and glitter of the court, or by fear created through control of military forces and the means of livelihood.

By various methods the rights of citizenship were confined to the prescribed limits dictated by "will" (force) until increasing intelligence within the ranks of the people began to exert a counteracting influence.

The historical development of the "ancient liberties" of the English people, establishing individual rights, began with the meeting of King John and the Barons on the field of Runnymede in 1215 A. D., where the Magna Charta was signed, which guaranteed rights beyond the power of the king to take away. By successive steps, in protection of these rights, came the act of Parliament (1295), Petition of Rights (1628), habeas corpus act (1679), Bill of Rights (1689), and the act of settlement (1701).

These liberties did not originate with charters, but were simply confirmed by them and made the "fixed principles of freedom."

Restrictions of government on the life of the people created caste, favoritism and taxation became oppressive, and men left Europe and came to America.

1.1.2 Government of laws — until the adoption of the Constitution, government was imposed by the will of the minority and enforced by absolute control of economic institutions and military forces.

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Under the Constitution a "Government of laws and not of men" was formulated out of the experiences of the centuries in which feudalism, despotism, autocracy had given form to the ruling forces of government.

1.2 Sources of the Constitution

The underlying principles of the Constitution were not formulated in a day. The three great American charters of liberty contained the fundamental principles of American government: "Bill for establishing religious freedom in Virginia," "Virginia Bill of Rights," and "Declaration of Independence." Before the Constitutional Convention met in Philadelphia, many plans and suggestions were drafted and presented to the convention.

In addition to this careful preparation after more than a century of self-government, there were in the convention men of extraordinary natural ability and wide experience, like Washington, Franklin, and Hamilton. There were men who had studied law at the Inner Temple in London, who had been educated in the University of Edinburgh, who had been graduated from American colleges, who had been governors of States, chief justices of supreme courts, and men who had achieved distinction at the bar and in business life. Edmund Burke stated in the House of Commons in March, 1776, that more books of law were going to America than any other kind. Of the 55 members of the Constitutional Convention, 31 were lawyers. Blackstone's Commentaries were taught by Chancellor Wythe in William and Mary College before the Declaration of Independence. John Marshall, Thomas Jefferson, and James Monroe were among his pupils.

"When our Constitution was written Harvard College (1636) had been sending out, educated young men for just a century and a half, William and Mary College (1603) had been graduating learned youths for almost a century, Tale College (1701) had been contributing to the education of the people for more than three-quarters of a century, and Princeton (1746) had been teaching for half a century. The people were well prepared for their great endeavor". — Thomas James Norton.

1.3 The Purpose of Government

A correct understanding of the purposes of government furnishes a remedy for erroneous and dangerous ideas threatening this country.

Government is instituted for the common benefit, maintaining order, and protecting life, liberty, and property.

"To secure liberty is the main business of governments and the reason for their institution". — Blackstone.

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1.3.1 Paternalism. — The paternalism of communism which provides both property and subsistence for the individual is not a proper function of government. It results only in individual irresponsibility.

1.4 The Preamble to the Constitution

The Preamble to the Constitution is a most accurate and comprehensive statement of the purpose of government. It explicitly sets forth the fundamental purposes for which government is primarily organized. The brevity, simplicity, and directness of its original draft, after 150 years of experience, require no change.

“We, the people of the United States, in order to form a more perfect Union, establish Justice, insure Domestic Tranquility, provide for the Common Defense, promote the General Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution of the United States of America”. — Preamble to the Constitution.

1.4.1 "We, the people." — The convention, which met in Philadelphia in 1787, adopted a Constitution based upon the proposition that a people are able to govern themselves.

Under the Articles of Confederation, the State assumed control. A single State might exercise veto power over the will of all the others.

In the government set up under the new Constitution the power and rights of the people are the source and final authority. It derives its "just powers from the consent of the governed." For the first time in human history "the people" assumed control and government became subject to their will.

Nowhere is American independence and self-reliance better exemplified than in the words, "We, the people."

The people, the highest authority known to our system, from whom all our institutions spring and upon whom they depend, formed it. — *President Monroe.*

Its language, "We, the people," is the institution of one great consolidated national government of the people of all the States, instead of a government by compact with the States for its agents. — *Patrick Henry.*

1.4.2 "A more perfect Union." — In the original federation the States were but loosely joined.

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“The Constitution was a demand for more effective control of the Union by the Government. In the efficacy and permanency of your Union, a government for the whole is indispensable. You have improved upon your first essay (Articles of Confederation) by the adoption of a constitution of government for the efficacious management of your common concerns. Indignantly frown upon the first dawning of every attempt to alienate any portion of our country from the rest or to enfeeble the sacred ties which now link together the various parts.” — Washington — Farewell Address.

In the course of the Civil War the Southern States sought to dissolve our Union; President Lincoln sought to preserve our Union.

“The States have their status in the Union, and they have no other legal status. The Union, and not themselves separately, procured their independence and liberty. The Union is older than any of the States and, in fact, created them as States.” — Abraham Lincoln — Message to Congress, July 4, 1861.

The right of secession was forever settled by the fourteenth amendment to the Constitution, which declares, *“All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside.”* The National Government is not an assemblage of States, but of individuals.

To refuse allegiance to the United States is to be a traitor to the Nation. However, in the dual capacity of citizenship, we render service as citizens of both the State in which we hold legal residence and the United States. Each of our 50 States retains its own sovereignty in all matters relating exclusively to State affairs, in which it is protected by its own constitution. In all interstate, national, or international affairs both the citizen and the State owe allegiance to the Union.

1.4.3 "Justice." — Our Government assures justice in that it is a government of laws, not of men. In the heat of passion or sectional interest, in clashes between groups or questions of policy, no minority or bloc may enforce its will. Should a majority seek to injure the rights of an individual citizen, the power of veto resting in the President, or the power of the Supreme Court as an unbiased tribunal, will insist that justice be done.

“A series of checks and balances, which prevent the selfish interests of either individuals or groups from exercising their will to the injustice of another, is provided by the Constitution. Wherever there is an interest and power to do wrong, wrong will generally be done, and not less readily by a powerful and interested party than by a powerful and interested prince.” — James Madison.

“In questions of power, then, let no more be heard of confidence in man, but bind him down from mischief to the chains of the Constitution.” — Thomas Jefferson.

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1.4.4 "Domestic tranquility." — At the conclusion of the Revolutionary War the Colonial States were bankrupt. Foreign credit was exhausted and could not be reestablished until a responsible central government was created. Soldiers remained unpaid long after the war was ended. Colonies quarreled with each other over duties imposed upon the goods sold or bartered. Chaos and anarchy and disillusionment and despair prevailed, all because of lack of proper organization and power in government.

The Government established under the Articles of Confederation "defrayed all expenses out of the common treasury" to which each State was supposed to contribute, but this was done in full only by New York and Pennsylvania. All non-enforceable obligations were left to conscience, individual or collective.

Domestic tranquility requires a measure of enforced responsibility, mutual faith, and harmonious and prosperous conditions. These are provided under the Constitution through the powers conferred upon the National Government regulating interstate affairs, making interchange of commodities, communication, transportation, and freedom of residence, occupation, and industry equal to all.

Domestic tranquility is further assured by religious freedom, free speech, and free press, thereby establishing interchange of thought which results in the creation of a national public opinion and brings within its influence every citizen, regardless of race, religion, financial condition, or social qualification.

1.4.5 "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.

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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).

1.4.6 "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 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.

1.4.7 "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.

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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.

1.5 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.

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1.6 QUESTIONNAIRE

1. At the time of the adoption of the Constitution what was the usual form of world government?
2. What was the principal distinction between "government of laws" and "government of men"?
3. What were the sources of the American Constitution?
4. What led the colonists to leave Europe and come to America?
5. Describe the doctrine of paternalism.
6. Is the paternalistic form of government efficient?
7. Define the true purpose of government.
8. Why is a correct understanding of the purposes of government necessary?
9. What is the Preamble to the Constitution? Quote it.
10. What is the source and final authority of government?
11. What is the meaning of "consent of the governed"?
12. How did the "Union" under the Constitution differ from that under the Articles of Confederation?
13. Does "dual capacity" of citizenship affect loyalty to the Nation?
14. How does the Constitution assure "justice" to the individual citizen?
15. How can "domestic tranquility" become possible in a nation composed of all races?
16. Who provides for the "common defense" of the Nation? How?
17. What is meant by "general welfare"?
18. What "blessings of liberty" are secured by our Constitution? In general what is the American philosophy of government?