Volume I: Issue 3

The BEACON OF LIBERTY

A Structured Curriculum of Constitutional Study

Clauses Discussed:
- **Preamble**
- **Article I, Section 1**

Concepts Discussed:
- **Purposes of Government**
- **Constitution**
- **Legislative Powers granted vested in a Congress**

The **Preamble** of the Constitution declares that "We the People…do ordain and establish this Constitution" for a number of listed reasons.

The purposes for establishing the Constitution listed in the Preamble help explain its function. A *constitution* provides an organizational form of government and outlines its powers: it does not give rights, nor freedoms. Because Americans had rights; because Americans had freedoms; because Americans had laws; Americans sought to better secure them by ratifying the Constitution.

To establish Justice was one specified reason. That the *establishment* of justice was an item listed in the Preamble would seem to indicate that there was no justice prior to this point. Obviously, the States were in the full exercise of their faculties as evidenced by their ability to create and ratify the Constitution.

Under the Articles of Confederation, however, there were simply no Executive nor Judicial Branches. The Congress of the States operating under the Articles acted mainly in a legislative function, with a few minor executive and judicial functions thrown in. Due to the limited role under the Articles, the confederated government had almost no interaction with individuals, and only acted moderately upon the States.

James Madison, writing in support for the new constitution, wrote in ***The Federalist*, #47**:

> "The accumulation of all powers, legislative, executive, and judiciary, in the same hands...may justly be pronounced the very definition of tyranny."

Madison wasn't inferring that tyranny reigned under the Articles; the convention was actually convened due to a *lack* of power under the Articles.

This wording helps to show that Madison did not want to take the existing confederacy and simply increase its power, because there was only one authority — Congress.

In contrast, the proposed Constitution split governmental authority three ways (with the Legislative branch further divided into the Senate and House of Representatives) for better protection from arbitrary government action.

The *establish Justice* wording of the Preamble signifies a doctrine of *separation of powers* to prevent accumulation of power into the hands of any single entity.

Ensuring *domestic Tranquility* ties in with another of the principles of the Preamble — *to provide for the common defence*. To put forth a united front to defend against foreign aggression to ensure domestic tranquility was the fundamental purpose of the Union.

The States had won their independence from a (if not *the*) pre-eminent world power. One could not successfully argue that the States had been unable to defend themselves (though that defense certainly had strained their resources). Domestic tranquility involved not just a lack of foreign aggression, but a peaceful and orderly demeanor of the Citizens in the several States.

To promote the general Welfare could also be said to be a primary purpose of the Union, for providing the common defense would also directly promote the general welfare. The Constitution promoted the States working well together by creating a uniform market to promote trade (uniform laws on commerce, coin, bankruptcy, naturalization, etc.) as well as allowing a free flow of people across State borders.

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To *promote the general Welfare* is one of the key provisions onto which the tax-and-spend proponents today seem to latch. One should realize that neither this wording, nor the similar wording in Article I, Section 8, Clause 1 (to provide for the…general Welfare of the United States) are specific grants of power. If any law could be passed simply due to the singular qualification that it was *for the general Welfare* (of the States individually, collectively, or the people thereof) there would be no reason to enumerate the specific powers listed in Section 8. There would be little reason for the remainder of the Constitution, for that matter.

America under such a concept would be a country that had a government by the government's own volition and discretion rather than a representative government. Anything, and therefore everything, capable of being done for the general Welfare (a new car for everyone!) would be authorized if these words conveyed what those people desired.

Article III of the **Articles of Confederation** likewise acknowledged that the States entered a:

> "firm league of friendship with each other for their common defence, the security of their liberties, and their mutual and *general welfare*."

The main complaint of the Articles were their lack of command, and the resultant weak Confederacy. Obviously, the same *general welfare* wording in both documents would not allow government weakness in one and create great powers in another.

The last of the six stated reasons to cover for establishing the Constitution was *to secure the Blessings of Liberty*. The blessings of liberty were not enumerated, but are numerous. One can look at life in America during its first century to get a better understanding of these blessings. America was the country where a penniless emigrant of another country could come, work hard, raise a family, to make a go of it on his own and save for the future. He was the King of his own Castle; the Captain of his own Ship; beholden to no man. Life was not necessarily easy, but it was on a path capable of bringing peace, justice and prosperity to all (eventually even to those originally held to slavery) [similar in concept as discussed in the Declaration regarding the *Pursuit* of Happiness (rather than instant attainment)].

Constitution

The Preamble pronounces that:

> "We the People…do ordain and establish this *Constitution*."

A *constitution* in itself does not automatically ensure justice, nor liberty. Other countries have constitutions, but that doesn't necessarily make those countries any more freedom-loving and fair than those without.

The former Soviet Union, even for a few similarities, could be arguably referred to as the country in recent history most opposite from America. The Soviets went through their 1917 *Revolution* against their Monarch & became a *Union* of individual *Republics* (The *Union* of Soviet Socialist *Republics*) with a *constitution* until 1991, but they were antithetical to America.

The Soviets threw out God, the concept of private property, and sought to ensure rights to *objects*. The Constitution of the U.S.S.R. stated that: "Citizens of the U.S.S.R. have the *right*":

(in Article 118) "to work;"
(in Article 119) "to rest and leisure;"
(in Article 120) "to maintenance in old age;"
(in Article 121) "to education".

These so-called *rights* could only be provided (in ever-lessening degree) by the taking of property from others using the guns of government for the expropriation. The *right* for one person to *receive* requires the *responsibility* of another to *provide* (which is the polite way to say one is a *master*, the other a *slave*).

> The right for one person to *receive* requires the *responsibility* of another to provide (making one the *master* and the other a *slave*).

Widespread poverty and ruthless oppression were normal and common occurrences in the U.S.S.R. (an estimated number of Soviets into the tens of millions "disappeared" during the reign of Stalin). Petty bureaucrats seeking favor from the poverty-stricken masses were as notorious as they were dishonorable. That government would have failed long before 1991 if it would have been in an economic vacuum; it lasted as long as it did only through siphoning of western technology and being propped up by vast sums of money from western supporters.

The American experiment with communism likewise failed, after only a brief season. Upon landing at Cape Cod in 1620, the Pilgrims likewise endorsed the supposedly noble experiment of establishing a communist “economy” with joint ownership of property.

Without preexisting wealth to siphon, this system of “cooperation” quickly gave way, even though only a small group of godly people were involved.

In 1623, land was divided up among the families for each to have his own property upon which to cultivate the soil. Productivity quickly increased under private property ownership, Governor William Bradford noting "this had very good success, for it made all hands very industrious".[1]

1. *The Annals of America*, Volume I, page 72. Encyclopedia Britannica, Inc., Chicago. 1976.

Religion and government are the two primary institutions (outside the family) shaping much of societal interaction. Religion operates within a sphere of voluntary action; government within one of force. Due to the nature of force, government must be closely scrutinized (*The Beacon of Liberty* will therefore concentrate mainly on government, but this does not imply that religion is unimportant).

A government of law which enforces contracts and protects the property (real, personal, and intellectual) of persons and the persons themselves against force and fraud is that vital ingredient which is needed to ensure the long-term success of a country. A country rich in natural resources with productive people such as the former Soviet Union will collapse if the government operating there is not up to the task.

A barren rock such as Hong Kong can become a economic power within a few generations given sufficient economic, political, and personal freedom. Allowing the people of any country the opportunity to better themselves with education or by engaging in a business or trade (with such laws to support this) is a precondition for these people to pull themselves out of a life of death, desolation, and destruction.

People living in third-world countries today remain in poverty centuries behind the times due to their oppression by the very government over them. These people are not stupid, nor are they incapable — they are oppressed. They do not have the freedom to begin their walk towards self-sufficiency and personal advancement.

The Declaration of Independence gave us our Union and helped establish the principles of our government; the Constitution gives us the form of the federal government.

The Constitution did not give us our rights; it helps secure them and is organized for their protection. Property was held inviolable in America; rights applied to *opportunities* (which impose no obligations on others).

The right to *opportunity* not only extends to the opportunity to *succeed*, but also to *fail*. The U.S.S.R was a country where no one was allowed to succeed. America in the late 20th century operated as a country where many were not allowed to fail. There can be no freedom where some are prevented through subsidy from failing. The subsidy of those who are unable to make profits comes from extracting such profits from those who do. When success is punished to reward the failures of others, expect more failures.

The Preamble to the **Bill of Rights** indirectly acknowledges that our rights enumerated there come from outside government. It declares in the pertinent portion that:

> "THE Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further *declaratory and restrictive clauses* should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution."

The Preamble to the Bill of Rights acknowledged that these articles were not an attempt to give us our rights, they were merely declaratory and restrictive clauses added to prevent misconstruction or abuse of the powers granted by the Constitution. The Bill of Rights listed guarantees that government would not interfere with our inherent rights.

The **Ninth Article in Amendment** further acknowledges that the mere enumeration of some of our rights is not meant to itemize all of them:

> "The enumeration in the Constitution, or certain rights, shall not be construed to deny or disparage others retained by the people."

Many people within and without government declare that the First Amendment *gives* Americans free speech, or the Second *gives* Americans the right to own guns (or even worse, only the militia). Again, if the government *gives* anything, it is then actually only a privilege capable of eventual revocation. The alternative to inalienable, irrevocable rights from God are revocable privileges given by the whim of the Legislator to be recalled by the petty bureaucrat.

Others declare that Americans do not have right of privacy, for example, because "it is nowhere to be found in the Bill of Rights". Just because a right is not enumerated within the Bill of Rights does not mean that Americans do not have this right as expounded above. Alexander Hamilton and other framers argued against the very concept of a Bill of Rights because people would likely eventually declare that one's only rights are specifically enumerated. The enumeration would also lead to rights being specifically defined by the words chosen within the Bill of Rights (thereby potentially limiting one's inherent rights).

A constitution is the constructive method to put into place the objectives of government. Starting with contradictory and self-defeating objectives, as did the U.S.S.R., will mean the constitution will be contradictory and ultimately self-defeating. A constitution is therefore only as good as the objectives.

Our Constitution is as good as the objectives outlined in our Declaration — to secure man's unalienable rights endowed by our Creator. This objective has allowed America to serve as the Beacon of Liberty for the world (despite a great deal of legislation which is actually contrary to that objective).

The Constitution grants governmental powers unto three separate branches of government: *Legislative*, *Executive*, and *Judicial*. The Constitution is divided into seven major divisions called *Articles*.

Organization

Article I of the Constitution covers the *Legislative* Power; **Article II** covers the *Executive* Power; and **Article III** covers the *Judicial* Power. The Legislative branch *legislates* (enacts law), the Executive branch *executes* (enforces and administers) the law passed by the legislative branch, and the Judicial branch *adjudicates* (tries controversies) according to that law.

Article IV of the Constitution discusses a few items dealing with interaction among and between the States and items such as admitting new States into the Union and guaranteeing them a Republican form of government. **Article V** outlines the mechanism of changing the Constitution by Amendment or Convention. **Article VI** discusses Confederate debts, the Constitution being the supreme Law of the Land, and Oaths. **Article VII** addresses the ratification of the Constitution by the States and the witnessing of the Constitution by the convention delegates.

Articles are often further divided into *Sections*; Article I being further divided into 10 Sections. **Section 1** of the First Article grants all legislative power unto the Congress and divides that body into the House of Representatives (discussed in **Section 2**) and the Senate (discussed in **Section 3**).

Section 4 outlines that the State Legislature prescribes various details of the elections for Congressmen, and mandates that Congress assemble at least in once every year. **Section 5** details various rules of the two Houses of Congress. **Section 6** authorizes Congressional pay out of the Treasury of the United States and forbids Congressmen from holding civil offices. **Section 7** gives rules on how a bill becomes a law; the principle of executive veto, and Congress' ability to override that veto.

Section 8 is the meat and potatoes portion of Article I, as well as the entire Constitution: it is the enumeration of Congress' power. More time will be spent in *The Beacon of Liberty* discussing the clauses of Section 8 than in discussing the relatively mundane clauses of nearly all of Sections 2-7.

Section 9 expresses limitations of federal powers, with **Section 10** (ending Article I) expressing prohibitions of State powers.

Article I is the most substantial portion of the Constitution, not only due to it taking up more than half of the total verbiage, but in authorizing legislative action under which every American lives.

Article I, Section 1

Article I, Section 1 of the Constitution for the United States of America reads:

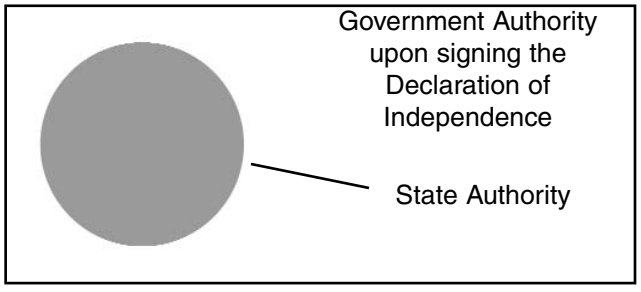
> "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

The legislative power is the power to enact laws. This power is specifically *granted* to the Congress of the United States. It necessarily follows that if one is *granted* power, *another must be doing the granting*. The States, being the entities who not only called the convention, but who ratified the Constitution and all of its amendments, are the entities granting power to the Congress.

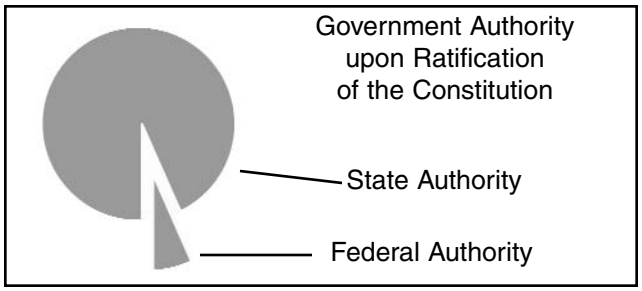
> It necessarily follows that if one is *granted* power, another must be doing the *granting*.

The States, of course, would be unable to give powers which they did not have. The fundamental principle of our Constitution and confirmed by our history, is that the sovereign States each extracted a portion of their own governing authority; enumerated these powers in a constitution; and gave these enumerated powers to the collective agent they created.

Each State had 100% of the governing authority at the time of their independence in 1776 within their borders. In essence, there were 13 separate "pies" of government authority (the States cooperated together for common benefit, but each State decided for themselves what they would or would not do respecting their common actions).



With the ratification of the Constitution (and to a lesser degree under the Articles), each State of the Union withdrew the powers (as enumerated within the Constitution) from their individual "pie" and gave this over to the States acting collectively under the federal government.



After the ratification of the Constitution, there were still 13 "pies" (today 50), but each is now missing the small slice of federal authority as outlined in the Constitution. The pie analogy, although accurate concerning the States, doesn't fit well concerning federal authority. The federal government doesn't have 13 pieces (or 50) forming a complete pie or multiple pies. The federal pie pieces meld together because it is the same authority, just from different (more) States.

The federal authority thought of in musical terms may be more of an apt description. The sliver of federal authority from each State is but a song being sung by one person. The effect of another State slicing off the same sliver of authority, in effect adds another voice singing the same song. In short order, with the addition of additional members, a choir is forming and their collective voices are harmonizing far and wide. More voices do not provide more authority as in more songs (or more pieces of pie), *but only in a more commanding sound heard at a greater distance*.

It also necessarily follows that when an entity is ***granted*** power, there is an **extent** and **limitation** of that power; that there is no power other than that listed.

It necessarily follows that when an entity is *granted* power, there is an *extent* and *limitation* of that power given; that there is no power other than that listed.

The powers granted are limited to those enumerated. The enumeration of that granted (Legislative) power is listed primarily in Article I of the Constitution.

For those people not understanding this principle of the limitation of granted power in the Constitution, the States ratified the **Tenth Article in Amendment**, which declares:

> "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."

The Tenth Amendment declares that the States hold all powers held by government not delegated expressly to the United States (with the people holding all powers not delegated to any government). This necessarily follows from the principle of delegated powers: **the party giving power retains all power not given**.

The States hold all powers held in government not delegated expressly to the United States. This necessarily follows from the principle of delegated powers: *the party giving power retains all power not given.*

The Tenth Amendment directly acknowledges that the United States have no *inherent* governmental power — only delegated authority. Every federal action must therefore have authority found ultimately in the Constitution. The United States government cannot even gain any power through any means other than by the means authorized in Article V of the Constitution. The government cannot even *usurp* power (grab power unto itself without proper authority).

The Tenth Amendment directly acknowledges that the United States government has no *inherent* governmental power — only *delegated* authority.

It also follows that once the States withdrew power from their individual authority and gave that authority over to the collective agent, the States individually no longer have that power they gave away. Under the powers of amendment and convention, of course, they could reclaim them (as was done with the 11th Amendment in 1795). The powers (individually) given reside in the agent until properly withdrawn (collectively).

Power versus Rights

One must notice that **Article I** discusses legislative *Power*. One will also find that **Article II** discusses Executive *Power* and **Article III** — Judicial *Power*. It is imperative for later discussion that one realizes that government has **Power** (which is granted to them).

The Tenth Amendment, besides conceding that *government* has *Power*, also acknowledges that Citizens (literally, *people*) have *Power* (at least *reserved* powers).

The Declaration of Independence acknowledges that *Citizens* (literally, *men*) have *rights*. It states:

> "men…are endowed by their Creator with certain unalienable *Rights*."

The Ninth Amendment (as also the others) further recognizes that Citizens (literally, *people*) have *rights*:

> "The enumeration in the Constitution, or certain rights, shall not be construed to deny or disparage others retained by the people."

Nowhere in the Constitution (nor the Declaration, nor Articles of Confederation) is it ever discussed that *governments* have *rights*. Nor does it follow that a man-

made entity, a legal fiction, could have rights which are inherent to it. The re-occurring principle throughout our government is that *human beings created by God have inherent rights*; entities created at law by man have but enumerated power and delegated authority.

The re-occurring principle throughout our government is that *human beings created by God have inherent rights*; entities created by man have but *enumerated power* and *delegated authority*.

Therefore, everywhere *rights* are being discussed are places where *the rights belong to* ***people***. People have inherent rights and they have (inherent and reserved) powers; government has but delegated power. Understanding this simple difference will not allow one to be confused with misinformation attempting to disembowel the Rights of the American people.

For example, the **Second Amendment** reads:

> "A well regulated Militia, being necessary to the security of a free State, the *right* of the *people* to keep and bear Arms, shall not be infringed."

Many people declare that the wording of this amendment only gives the State-organized militia (proposed to be the National Guard) the right to keep and bear Arms. The amendment actually acknowledges the inherent ***right*** *of the* ***people*** to arms.

The government does not have the *right* to (self) defense; but it does have the extensive ***power*** for (the common) defense.

Article I, Section 8, Clause 10 grants to Congress the Power to punish Piracies and Felonies committed on the high Seas; **Clause 11,** the Power to declare War and grant Letters of Marque and Reprisal; **Clause 12** the Power to raise and support Armies; **Clause 13** the Power to provide and maintain a Navy; **Clause 15** the Power to call forth the Militia to execute the Laws of the Union, suppress Insurrections, and repel Invasions; and **Clause 16** the Power to organize, arm, and discipline (train) the Militia.

In another instance of government decaying from the principles of its institution is in the arming of its Citizens. Citizens, besides having inalienable *rights*, occasionally have *duties*. **Clause 16** above discusses the power of Congress to *arm* the militia (in 1792, the whole number of competent white males). Being here *armed*, the militia does not need aid from the Second Amendment for arming.

Congress (under authority of Art. I:8:16) enacted the first **Militia Act** in 1792, which mandated:

> "each and every free able-bodied white male…of the age of eighteen years, and under the age of forty-five years...shall severally and respectively be enrolled in the militia...That every citizen so enrolled and notified, shall, within six months thereafter, provide himself with a good musket or firelock, a sufficient bayonet and belt, two spare flints, and a knapsack, a pouch with a box therein to contain not less than twenty-four cartridges, suited to the bore of his musket or firelock, each cartridge to contain a proper quantity of powder and ball: or with a good rifle, knapsack, shot-pouch and powder-horn, twenty balls suited to the bore of his rifle, and a quarter of a pound of powder."[2]

Early government instilled a legal **duty** of every man to protect himself, his family and his community by owning a weapon of sufficient bore for defence. Law then imposed ***minimum*** gun ownership **requirements**; government today attempts to outlaw gun ownership.

Vested

As covered above, **Section 1** of the **First Article** of the Constitution declares that:

> "All legislative Powers herein granted shall be ***vested*** in a Congress."

Vested means *held completely* or *fixed by law*. "All legislative powers…shall be *vested* in a Congress" means that **only** Congress has *legislative* power. Congress is the only federal entity entrusted with the ability to pass law under which every American lives.

"All legislative powers…shall be *vested* in a Congress" means that only Congress has the ability to enact law.

The concept that the President can pass far-reaching Executive Orders or Presidential Proclamations which are treated as law allows for a tyrannical monarchy, rather than constitutional Republic. The President only has power to issue such orders and proclamations under the specific Constitutional authority to do so, such as the power to grant Reprieves and Pardons for offenses against the United States (see Art. II:2:1) or in aid in executing the laws passed by the Congress.

The thought that executive agencies, government corporations and independent establishments (see U.S. Government chart, enclosed) would attempt to dictate life in America through *administrative law codes* is a notion which completely circumvents the republican principles of representative government enacted by the Framers.

Citizens electing Representatives who pass law according to their powers was the fundamental concept of our revolution and the government set up by the framers of the Constitution. No *executive* entity has any *legislative* power — no authority whatsoever to enact law or that treated as law. The audacity of those attempting to govern in excess of that authorized by the

2. Act of May 8, 1792, Volume I, United States Statutes at Large, Page 271. Abbreviated "I Stat. 271 (1792)".

Constitution is quite evident even from the term used to describe some of these entities — independent establishments. As if *independent establishments* — those entities established independently of the rest of the government and independently of the Constitution-— could have any governmental power for these United States of America!

Article I, Section 8, Clause 18 provides that **Congress** shall have **Power**:

> "To make ***all*** Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and ***all*** other Powers vested by this Constitution in the **Government** of the United States, or in **any Department** or **Officer** thereof."

This clause acknowledges that Congress is to make **all** laws; including those laws both necessary and proper for carrying into execution the powers vested in the government; in *any* (and therefore *every*) department or officer thereof.

Article I, Section 8, Clause 18 provides that *Congress* make *all laws*; including those laws vested in *any* department or officer.

Both clause 18 and Article I, Section 1, **preclude** any law (or any code treated as law) from being enacted by any administrative Department or Officer themselves.

Congress passes laws according to the powers vested with them; the Executive executes or puts into action that law; the Judicial branch issues decisions to settle disagreements brought before it (issues rulings according to law). The core responsibilities of these three branches are separate and not intermingled.

Neither the Executive office nor the officers under it are empowered to enact general law or that treated as law. This is solely Congress' ability.

It is upon these principles that the entire concept of our federal republic rests. To attempt to not only bypass the Citizen but also their Congressmen to have executive agencies pass regulations which are treated as law to define the extent of privileges allowed Citizens (treated as Subjects) completely destroys the notion of a representative government. To treat as law that "passed" by an appointed bureaucrat representing the executive branch of the federal government who is independent of the electorate rather than an elected representative of the States assembling in a legislative Congress makes a mockery out of the founding principles of our government.

Article IV, Section 4 of the Constitution mandates:

> "The United States shall guarantee to **every** State in the Union a **Republican** Form of Government."

A *Republican* form of government means, in basic form, a *representative* government. Representation means having laws passed by the ones elected to represent us. It is not representation to have the majority of that treated as law — regulations — decreed by un-elected, appointed bureaucrats within the executive branch.

The colonies, in their **Declaration of Independence**, gave excessive bureaucratic meddling as a reason for revolt against the King, declaring their opposition by stating;

> "He has erected a multitude of New Offices, and sent hither Swarms of Officers to harrass our People, and eat out their Substance."

The executive branch executes the law passed by Congress. Just as an executor of the estate (of a deceased person) is powerless to transgress the enumerated will of the deceased, to replace his judgment for the deceased's, so to is the executive branch powerless to transgress the will of the States in Congress and enact law in the place of Congress.

Congress

Section 1 vests all the legislative Power in a *Congress* of the United States.

The United States (as shown in B.O.L. I:1) have the equivalent meaning of "the States of New Hampshire, Massachusetts, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia" (and the rest of the 50 States today).

Replacing the abbreviated wording *the United States* with the names of all the States helps one understand the concept of *a Congress* more correctly. The literal meaning of **Article I, Section 1** is that;

> "All legislative Powers herein granted shall be vested in *a Congress of the States* of New Hampshire, Massachusetts, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia."

A Congress of the States means literally *a meeting of the States*. The States (colonies) have been assembling in Congress since 1774 and passing resolutions and legislation for common benefit.

Congress is not a distinct federal body apart from the States, they are the federal bodies *of* the States. The States assemble in Congress through persons chosen by the electors of the States to represent the State's interests when passing legislation of concern to all the States.

Congress is not a distinct federal body *apart* from the States, they are the federal bodies *of* the States.

Article I, Section 4, Clause 2 requires that:

"The Congress shall *assemble* at least once in every Year."

The Congress of States assemble or congregate together. The fact that they congregate or assemble together to pass laws according to their powers is critical to understand.

Every **Law** enacted for over two centuries begins with the following words (in the following style):

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled…*"

Every **Resolution** passed in America for over two centuries has been enacted in the following style:

"*Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled…*"

The enactment phrase fully means "*Be it enacted by the Senate and House of Representatives* ***of the States*** *of New Hampshire, Massachusetts, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, assembled in Congress..*"

The States assembled; the assembled States; the States united; the united States; the United States; all these descriptions interrelate and share common meaning — the States uniting and assembling together for common benefit and mutual concern.

The States assembled pass necessary federal laws according to the powers which each State ceded (voluntarily withdrew) from themselves individually and gave to the States in their united capacity under the Constitution.

The federal government is not an evil entity passing draconian laws of its own accord which obliterate the States and trample on the rights of its citizens. Every federal law is passed by the several States assembled together in Congress according to the outline which is the Constitution. There is no federal legislative power passing laws other than the party of States assembling together. It is impossible to therefore separate the States from the federal government process.

The United States can be viewed in much the same context as any public or private corporation whose shareholders (here, *we the people,* acting through the States) are the true owners of the corporation. The owners elect from among themselves a Board of Directors (Senators and Representatives) who provide direction for the company.

To effectively run the large company, the Board *members* hire executive *officers* (and also judicial officers in this case). The officers are given power sufficient to manage the responsibilities given them, but no more. They are ***not*** the company, even though they are often the most visible and vocal part of the company. They act with a certain amount of discretion within the powers authorized them, but they have no authority to do as they please.

Should the officers stray from their delegated power, the Board of Directors can straighten them out by enacting new laws (or impeachment, when necessary).

Should the Board of Directors fail to act responsibly, the stockholders themselves can force the issue by choosing new Board members.

Should even new Board members fail, the stockholders have the sovereign right (in the words of the Declaration) "to throw off such Government, and to provide new Guards for their future Security."

The branch of government which writes the law is the most powerful branch of government, as acknowledged by James Madison in **The Federalist #51**;

"In republican government, the legislative authority necessarily predominates."

To better provide checks and balances with each other, Congress is, in turn, subdivided into a **Senate** and **House of Representatives**. **Section 2** of the First Article discusses **the House of Representatives**: **Section 3** covers **the Senate**.

Sections in the Constitution are often further divided into *Clauses*. Clauses are not actually numbered in the Constitution. Some people thus refer to them as numbered *Paragraphs*, such as Article I, Section 2, Paragraph 1. While this is certainly allowable, the Constitution refers to them as numbered clauses in **Article V**; ("no Amendment… shall in any Manner affect the first and fourth *Clauses* in the Ninth Section of the first Article"); as such, so will *The Beacon of Liberty*.

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