

Congress Rediscovered the Constitution

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Democracy and Power 101: Government is power [1]

The essence of Government is power; and power, lodged as it must be in human hands, will ever be liable to abuse.

-James Madison, Speech in the Virginia State Convention of 1829-1830

Congress Rediscovered the Constitution

Recently, the new congress respected the Constitution. Many Members of Congress ridiculed the intent and purpose of constitutional government and the rule of law. Roger Pilon of the Cato Institute reports in the Wall Street Journal:

Henry Waxman, outgoing chairman of the House Energy and Commerce Committee, all but dismissed any role for Congress in assessing the constitutionality of its actions: "Whether it is constitutional or not is going to be whether the Supreme Court says it is."

Rep. Barney Frank of Massachusetts termed it an "air kiss" to the tea party.

In the *Washington Post*, Columnist E.J. Dionne labeled the Constitution an "abstraction" preoccupying the GOP.

The *New York Times* discarded the Constitution and the rule of law, [as follows](#) [3]:

There is a similar air of vacuous fundamentalism in requiring that to enact it (citing the enumerated power give to Congress). The new House leadership says this is necessary because the health care law and other measures that Republicans do not like have veered from the Constitution. But it is the judiciary that ultimately decides when a law is unconstitutional, not the transitory occupant of the speaker's chair.

The Constitution of the United States was promulgated and enacted by the most knowledgeable political philosophers and citizen-politicians in the history of the world. Led by James Madison, these well educated and sincere men recognized the human pendants to exploit the coercive dominance of government for personal gain and power. Hence, the main purpose of the Constitution was to limit the power of government and to assure equal protection

under the law to all citizens. Starting with the Constitution, the law prevails, not the proclamation or arbitrary decision of a ruler, government bureaucrat, the enforcer or judge.

In general, Pilon outlines the Constitutional restrictions on the federal government:

The Constitution gave the federal government the authority to pursue certain limited ends, like national security and ensuring free interstate commerce, but otherwise left us free to pursue our ends either through the states or as private individuals.

For nearly a century, the Congresses, Presidents and the Supreme Court generally upheld the principles of limited government. Unfortunately, in the 20th Century adherence to restricting the coercive power of government gave way to the “progressive” welfare state and unlimited government. Pilon explains:

This brings us to the main reason Congress leapt its constitutional bounds: a fundamental shift in the climate of ideas.

Early 20th-century Progressives, inspired by European social democracies, rejected the Constitution's plan for limited government, advocating social engineering schemes instead. Rule by government experts was the order of the day.

Pilon implores Congress to continue to focus on the limits and divisions of powers in the Constitution.

Yes, Presidents and Members of Congress must respect the restrictions of the Constitution. However, only We the People will force compliance with the Constitution. Without a doubt, this renewed interest in the Constitution has occurred because Americans know the federal government is out of control. Outraged by corruption and special interest politics, Americans want smaller and limited government. Today, Americans' want to stop the abuse of power for the reasons stated by James Madison: ***The essence of Government is power; and power, lodged as it must be in human hands, will ever be liable to abuse.***

Americans are demanding to limit the powers of the federal government as intended in the Constitution.