

# The Purpose Of The Constitution

## What the Constitution Does

The founding fathers established the Constitution to do just two things:

1. **Establish a federal government** for the United States of America
2. **Delegate** to the federal government certain, **limited** (and enumerated) **powers**.

The Constitution was written by the thirteen original states. The federal government created by the states, via the Constitution, exists to serve the states. Until the states delegated *some* powers to the new federal government, those powers belonged to the states. The states, of course, delegated only some of their powers to the federal government while retaining most of their powers for themselves.

It is important to recognize that **the states are the "boss" of the federal government!** The states "hired" the federal government and set forth the rules as to how it should operate. The Constitution is a list of those rules. Just as a manager is expected to enforce company rules to manage employees, **it is the responsibility of the states to enforce the Constitution to manage the federal government.** The Supreme Court, being itself part of the federal government, has an obvious conflict of interest. Yes, it *pretends* to enforce the Constitution against the Executive and Legislative branches, but who will "manage" the Supreme Court? Who will watch the watchers? The states are the rightful and logical enforcers of the Constitution. It helps to keep this in mind in the discussion which follows.

## What the Constitution Does *Not* Do

The Constitution *does not give* you rights. The founders considered your rights to be "God-given" or "natural rights" — you are born with all your rights. The constitution *does, however, protect your rights* by:

- **Limiting the powers** of government by granting to it only those specific powers that are listed in the Constitution; (This has not proven to be effective of late.)
- **Enumerating certain, specific rights which you retain.** These are listed in the [Bill of Rights](#).

The rights deemed most important by the founders are specifically listed in the Bill of Rights. **The Bill of Rights also says that, even though a particular right is not listed in the Bill of Rights, you still retain that right.** Any powers not specifically delegated by the Constitution to the federal government are retained by the states and the people (you).

So, *without* the Constitution, the states and the people have all the rights and there is no federal government. *With* the Constitution, the states and the people keep any rights not specifically delegated to the federal government by the Constitution. The Constitution states this very clearly.

Unfortunately, the government today seems to recognize only those rights specifically listed in the Bill of Rights and even these often receive little more than lip service, when your rights interfere with some government objective.

## Steiger's Law

Sam Steiger is a former Congressman from Arizona. At a talk given July 31, 1982, at The Nevada Libertarian Party "CANDIDATE'S CONVENTION" in Las Vegas, Nevada, he suggested what he called "Steiger's Law": ***"People involved in a structure spend more time and energy maintaining that structure than in working toward its goals."***

How is Steiger's Law applicable to the Constitutionality Crisis? The federal government, having been created to serve the states and the people, has degraded to the point that it is more concerned with perpetuating itself than with carrying out its constitutionally delegated duties. Rather than serving you by protecting your rights, as charged by the Constitution, **the government has goals and objectives of its own, often in conflict with your rights.** While you may have all the rights (the Constitution specifically says so), the government has all the power. When your rights and the government's goals are in conflict, you lose.

We the People created the government of the United States to serve us, not the other way around. Today it would be difficult for an outsider to determine that We the People don't exist to serve the government.

In order to carry out its grandiose plans and achieve its goals, government has to exercise powers well outside those limited powers granted it by the Constitution. The Supreme Court has been a willing accomplice, permitting gradual but continuous expansion of government power. As soon as We the People become accustomed to living with the latest power grab, powers are expanded yet again. **The government sees no practical limits on its power.** In the rare event that some law or part of a law, is found to be unconstitutional by the Supreme Court, Congress just reworks the text a little and then passes essentially the same (unconstitutional) law again.

In its practice of Judicial Review, too often the Supreme Court is *not* asking: "Are this citizen's rights being violated by this law?" Instead the question is: "Is the violation of this citizen's rights justified because of overriding government goals and objectives?" Too often the answer the court delivers is "yes." When your rights get in the way of a government objective, you lose.

Government created to protect your rights should have no goal higher than the protection of those rights. When government's own goals override your rights, government is acting unconstitutionally. Government often states that these violations of citizens' rights are necessary "for the good of society." Society is ill served by laws which violate the rights of the citizens making up that society.

## **An (imperfect) Analogy**

The Constitution (and the federal government it brought into existence) was created by the states to serve the states. It sets forth the rules for how the government must behave and says, in effect (in the tenth amendment) "Any powers that we did not give to you are ours; we're still the boss."

This is like exercising parental control. You tell your child how to act, with whom he (or she) may associate and what time he must be home. You assign household chores and responsibilities. In short, you establish rules of proper conduct.

Suppose that this works fine for a while, but as your child grows, he begins testing the boundaries you had set and breaking the rules, but you do nothing to prevent it. One day you realize that your child is making his own rules, even telling you what to do and what you cannot do. If you object that he is not acting within the rules you set down, **he says that he knows better than you what *your* rules mean.** If you try to assert your own rights, you are punished — your child is now bigger and stronger than you are. Your child's allowance demands are ever increasing. If you don't do something to correct the situation soon, you'll be declared incompetent and your child will control all aspects of your life.

It's time to remember who's the boss, time for the states to regain control of a government which thinks the states are subordinate to it. **The federal government exists to serve the states, not the other way around.** The states have the right and the duty to restrain the federal government. Unfortunately, most state governments don't seem to understand this!