

Eighteen Constitutional Questions To Ask Candidates In 2010

Question 1. What is the concept of unalienable rights as mentioned by Jefferson in the Declaration of Independence? Unalienable rights are those rights given to each human being by the Creator. They cannot be taken away by man without man coming under the judgment of Him who gave that right. This quickly gets to the root of a person's political philosophy. A person's concept of unalienable rights reveals his belief in a Creator, the equal rights to life, liberty and property of man, and the proper role of government. Unalienable rights must not be confused with vested rights which are rights created, given, and sometimes changed by the people or their government.

Question 2. Explain your feeling about this statement: "Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other." This statement was made by John Adams who, with the other Founders, believed that freedom can only be maintained on the basis of virtue and morality. As we are seeing today, proposed solutions to problems can be made by the dozens, but unless the solutions are based on principles of morality and virtue as taught in religion, they will never solve problems.

Question 3. As a public official, you will be required to take an oath to uphold and preserve the Constitution of the United States. When is the last time you undertook a serious study of the Constitution and can you identify one or two areas where you feel the Constitution is being violated today? Every public official in the United States, no matter what level of government, must take an oath to uphold the U. S. Constitution. It logically follows then that citizens expect the candidates to know the document pretty well.

Question 4. What is the proper role of government? The Founders were very clear that that government only has authority to do what the people have authority to do. After all, it is the people who give the government its authority. And since people only have authority to protect their inalienable rights, that is all the authority they can delegate to government. People do not have authority to take from some and give to others or even to regulate the affairs of other people without their consent, so government has no legitimate right to do such things.

Question 5. If you were elected to Congress, what is the first thing you should do, after reading a bill, in deciding on how to vote on the bill? The first thing a Congressman must do after becoming familiar with a bill is to learn whether or not the people have given him authority to even get involved in that particular issue. This authority is all outlined in Article I, Section 8 of the Constitution, where it states: Congress has the power to... and then lists about twenty specific areas concerning which Congress may pass laws. No matter how compassionate or merciful a proposal may sound, if it is not within the Constitutional authority delegated by the people, Congress may not pass it into law—in other words, the vote must be "No."

Question 6. What do you understand by the general welfare clause in the Constitution? Does it give Congress additional authority? The Founders were very clear on this. The general welfare clause was actually a further restriction on Congress. If a bill was first found to be within

the twenty powers delegated to Congress, it then had to pass the “general welfare” test. If it was found to apply or give money to only a certain group of people or a certain geographical area, it failed the general welfare test. It therefore was outside the power of Congress and must be defeated. All the laws must apply to all the people. There were to be no special laws or appropriations for any groups.

Question 7. What do you understand is the correct meaning of the necessary and proper clause, or the elastic clause as it is sometimes called, found at the end of Article I, Section 8 of the Constitution? Does this give additional power to Congress? The Founders addressed this specifically and said “No.” This was not an additional grant of power, but it only adds life to the twenty powers already listed so they could be properly executed. They clearly said it would not even be logical to have listed the twenty specific powers of Congress and then say they can do anything else they decide to do. That would destroy the whole concept of limited government which was the hallmark of the Founders’ formula for the Federal Government.

Question 8. The specific powers of state or local officials are not as clearly itemized in state constitutions or local city charters as they are in the Federal Constitution for Federal officials. If you are elected to a state or local office, what will be your guidelines in making decisions as to what you should or should not do in your office? The best guidelines for any public official are the 28 Principles of Liberty which the Founders believed must be the guiding principles for any elected official. These are clearly explained in *The Five Thousand Year Leap* and listed neatly on our give-away bookmark. Following these principles will help any elected official decide the many issues he is asked to consider.

Question 9. What are the specific areas of responsibility of the President of the United States as listed in the Constitution? The President has six major areas or responsibility, all given in Article II of the Constitution. He is our chief of state, the commander-in-chief of the military, the head of the executive branch, the chief diplomat, the one who suggests laws for Congress to consider, and one who issues pardons and reprieves.

Question 10. Does the Constitution give the President power to regulate or bailout industries, to commit troops to war, to give foreign aid, to make laws by executive orders, to decide who gets Federal aid and who does not, to chisel away at American sovereignty by making executive agreements with foreign entities, or to lock up the natural resources of the nation from being enjoyed by the people? There is no constitutional authority for the President to do any of the above.

Questions 11. The Federal courts seem to be involved in almost every aspect of American life. Are there any restrictions in the Constitution concerning the kinds of cases the Federal courts can accept? Yes. In fact the Founders established a Federal judiciary to handle only very specific cases which are outside the boundaries of the states. All others were left to be handled by state and local courts. These specific Federal cases are listed in Article III of the Constitution and turn out to be eleven in number. No Federal court should accept cases beyond these specific ones itemized in the Constitution.

Question 12. Why has the Supreme Court dealt with so many matters outside its Constitutional jurisdiction? Because the judges have gradually built up a kingdom unto themselves, ignored the restraints of the Constitution, and have considered themselves a branch of government equal in authority to the other branches. The Founders never intended the Judiciary to be an “equal” branch, but merely a protection against the potential abuse of power by the other two branches of the rights of the citizens.

Question 13. In what way has the Commerce Clause been distorted to give the Federal Government unconstitutional powers? This clause was simply designed to give the Federal Government sufficient power to insure the “free flow” of commerce so that the States would not interfere with inter-state shipments as they had done in the past. Since 1936 the original intent of the Founders has been expanded to include Federal control over practically everything which affects inter-state commerce either directly or indirectly. This usurpation of authority by Congress (which has been upheld by the Supreme Court), has shattered some of the most important restrictions on Federal intervention in the business and commercial life of the nation.

Question 14. Has Congress fulfilled its constitutional responsibility to structure and operate a constitutional monetary system and what would you do to make improvements in the system? The system we have today is completely outside the intent of the Founders. The Founders were clear that a proper monetary system is at the root of a stable economic system. They envisioned a monetary system based on gold and silver which we do not have. They envisioned a system built and controlled by the representatives of the people which we do not have. They warned us against allowing private interests to control our money and the value thereof which we have done. A complete repair of our monetary system is essential to the restoration of good government and a sound economy in our land.

Question 15. Nearly every public official is faced with questions of public debt. What is your opinion of using debt and how should it be paid off? The Founders of our country warned us about debt. They said if used it should be paid off by the generation that incurred it and that it is immoral to pass debt onto the next generation. Many state and local governments have restrictions about getting into debt but these are being circumvented by clever schemes to disguise the debt. Some use the excuse that the next generation who benefits should help pay for it, but the Founders wanted us to pass debt-free assets on to our children.

Question 16. What kind of taxes are the best for government to use to support its proper functions? The Founders discussed this at length and counseled that indirect taxes, such as tariffs, excises, or sales taxes are always preferred. They are easier to collect, they are somewhat discretionary, and they do not violate the citizens’ right to privacy in order to collect them. Direct taxes are taxes on people, such as income taxes, inheritance taxes, property taxes, etc. are much more forceful and difficult to collect and violate the privacy of individuals. It is interesting that during the first 100 years of the United States, tariffs on imports provided enough money for the maintenance of the Federal Government in carrying out its limited, constitutional responsibilities. Some authorities believe tariffs on imports today would be sufficient if the Federal Government were kept within its proper role. The Constitution does allow a Federal excise or sales tax if needed.

Question 17. What authority does the Federal Government have to occupy land within a state? Constitutionally, the Federal government may only acquire land within a state for one of four purposes--forts, arsenals, dock-yards, and Federal buildings—and then only after getting the consent of the State Legislature. There is no authority for the Federal Government to occupy huge areas of land within a state for national forests, national parks, wilderness areas, wildlife refuge areas, etc.

Question 18. If elected, how will you use your office to help restore true constitutional government to our land once again? Thomas Jefferson said: “The only true corrective of constitutional abuses is education.” Every public official can help in this process by not only encouraging the real study of our amazing Constitution but also by pledging to make sure every official act he or she performs is within the bounds of the Constitution.
