

Inside the Bell

Bill of Responsibilities

The United States of America may be unique among the civilizations that have existed on Earth. By many standards it is a young civilization and by others, very old. Its very existence rests on a Constitutional foundation that, in total, consists of approximately 4600 words that can be printed on a half dozen pages. It may be the shortest Constitution ever written and the most inspired. The Constitution defines the structure of the government of the United States, and the duties of the three branches created. It defines a single crime — Treason. The Constitution is clearly written and available to everyone. Compare this to the Constitution of the European Union, which consists of over 160,000 words of complex legal language not easily understood by the general population.

The nature of the Constitution is very difficult to change, but the structure it creates allows for the creation of laws and judicial review that provides for change as the culture changes. This flexibility insures the Constitution will always be relevant and always disputable.

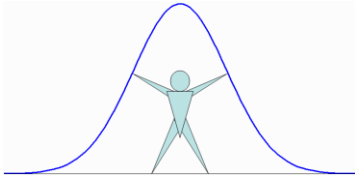
The Constitution defines the organization and duties of the three branches of government, the Congress, the Executive and the Judicial. However, there is a fourth component of the United States government — the people. This is established in the very first sentence of the Constitution: “We the people of the United States ...”

Over time, the Congress of the United States has systematically eroded the rights of the People and the States while increasing its own role and power, often contrary to the original intent and specifics of the Constitution itself. The rights of the citizens and States of the United States were defined in the first ten amendments to the Constitution — the Bill of Rights. Much of the discussion surrounding the meaning of the Constitution revolves around these ten amendments.

While the Constitution defines the functions of the three branches of government and the rights of the citizens and States are defined in the Bill of Rights, nowhere are the responsibilities of the Congress and citizens defined. Apparently, the Founders assumed that voters would elect honorable people to represent them in Congress and those elected people would act ethically and in the best interest of those who elected them. History has proven otherwise. Defining the responsibilities of our elected officials is long overdue. What follows is a suggested collection of Constitutional amendments that, when taken together, might be considered as a Bill of Responsibilities. Each suggested amendment will be expanded in future postings.

Amendment A – Citizens

Who is a citizen of the United States?



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Amendment B – Language

What is the official language of the United States?

Amendment C – Clarity of Legislation

Keeping legislation concise and understandable.

Amendment D – Transparency of Legislation

Providing access to pending legislation.

Amendment E – Scope of Legislation

Ensuring legislation applies to everyone.

Amendment F – Duration of Legislation

Requiring periodic review of existing legislation.

Amendment G – Congressional Term of Election

Term limits.

Amendment H – Use of Taxes Collected

Limitations on spending.

Amendment I – Protection of Property Rights

Use of eminent domain claimed property.

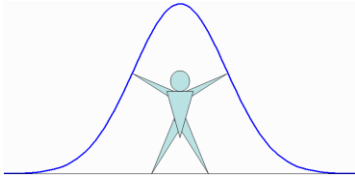
Amendment J – Advice and Consent of the Senate

Required vote on Presidential nominees.

Finally, there is actually a fifth branch of the United States Government – the individual States of the Republic. Originally, the House of Representatives was to be elected by the People and the Senate (Article I, Section 3) by the States ensuring representation in the Federal Government by all of the members of the Republic and the population thereof. However, the seventeenth amendment, ratified in 1913, inexplicably changed the election of senators to direct election by the people, effectively stripping the States of representation in the Federal Government. The rationale was apparently the inability by some States to elect Senators without significant conflict and political infighting. The following is offered as a rectification of this error in judgment.

Amendment K – Election of the Senate

Repeal of the Seventeenth Amendment.



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Finally, one last offering for consideration. The Executive, Legislative and Judicial branches of the Government are generally considered co-equal. However, either by organization or tradition, the Judicial branch does not participate in the legislative process, as do the President and the Congress, except as an afterthought and with considerable delay. Ultimately, unconstitutional actions by either the Congress or the President are not review by the Supreme Court until legislatively injured parties pursue a protracted, and expensive, fight through the lower courts and the federal courts before they can be adjudicated before the Supreme Court. During the delay, the bureaucracy that is the Government, acts as if the enabling legislation is constitutional, injuring many citizens in the process and creating regulations that are not easily reversed. In some instances, unprincipled legislators have exploited this delay by passing legislation they know will eventually be ruled unconstitutional, but will achieve the perfidious goal in the interim.

Amendment L – Expedited Judicial Review

Supreme Court review of pending legislation.

Lest anyone misunderstand the purpose of these suggestions, I have little faith that Congress will consider, much less pass, any proposal that limits its power in any way.

Russ

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