



MR. BOEHNER, ET AL., HONOR YOUR OATH!

"If congress can do whatever in their discretion can be done by money, and will promote the General Welfare, the Government is no longer a limited one, possessing enumerated powers, but an indefinite one, subject to particular exceptions." --James Madison

The new Speaker of the House, John Boehner, took charge of a Republican majority (242-193) Wednesday, (242-193) Wednesday, proclaiming, "I stand today in awe of our great nation, humbled by the opportunity to defend the Constitution and serve the American people as Speaker of the House. We must restore the House as an open institution that listens to the people and does their will. We must end D.C. rituals that have made it easy to dodge tough decisions, then make the choices necessary to return our economy to prosperity."



The U.S. Constitution

For the record, Mr. Boehner, the first obligation of every member of Congress is to defend the Constitution, which authorizes the House to do the will of the people only to the extent that it comports with the plain language of our Constitution. The current state of the central government, bloated to the point of implosion, is the direct result of political machinations doing the bidding of special interest

groups, to the great detriment of our Constitution and the Rule of Law it enshrines.

Our Constitution specifies, "The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution..."

Speaker Boehner and the other 434 Members of the House took this oath in accordance with Article VI, clause 3 of our Constitution: "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

While every member of the House and Senate should be bound by their sacred honor to "[support and defend](#)" our Constitution, most returning members have dishonored their oath willfully and repeatedly.

There *is* good news, however. The once dwindling ranks of steadfast conservatives in Congress -- those who have honored their oaths in years prior -- have been greatly bolstered in the most recent election cycle by dozens of newly elected representatives and senators, who, I assure you, *will* abide by their oaths, and do so vociferously.

While it will certainly take many more election cycles to restore constitutional Rule of Law, the grassroots "[Tea Party](#)" movement has changed, and will continue to change, the political composition of the Executive, Legislative and Judicial branches of our government. It will do so by encroachment, the steady replacement

of those who have forsaken their oath with those who will honor their oath to support our Constitution.

Mr. Boehner's first order was to require the 112th Congress to open its proceedings with a full reading of our Constitution. Ironically, it was not a full reading as the version read had been abridged to omit parts that were later negated by amendment, such as the clause in Article 1, Section 2, which noted that black slaves would be counted as three-fifths of a person.

While all leftists and most centrists take this reading as symbolic only, no member of the House of Representatives can now say that they have not, at the least, heard every word of the Constitution of the United States of America. Gloriously, it also sets a firm foundation for the upcoming session and a yardstick by which we can measure Republican leadership.

Of course, Democrats have strenuously objected to the notion that constitutional authority limits the role of the central government, and have done so with great resolve.

When asked by a reporter in 2009 about constitutional authority for the central government's takeover of the U.S. health care system, former House Speaker [Nancy Pelosi responded](#), "Are you serious? Are you serious?" When the reporter persisted, Pelosi moved on to another question while her press spokesman said, "You can put this on the record: That is not a serious question. That is not a serious question."

Democrat Patrick Leahy, then-Chairman of the Senate Judiciary Committee (where Rule of Law should prevail), added, "We have plenty of authority. ... I mean, there's no question there's authority. Nobody questions that."

Pelosi and Leahy believe they have unbridled authority because they subscribe to the so-called "[living constitution](#)" which, as Thomas Jefferson warned, has become "a mere thing of wax in the

hands of the judiciary which they may twist and shape into any form they please."

Some ranking Democrats were a bit more brazen. Former Majority Whip James Clyburn (D-SC) proclaimed, "There's nothing in the Constitution that says that the federal government has anything to do with most of the stuff we do." California Rep. Pete Stark added, "The federal government can, yes, do most anything in this country."

Well, folks, there's a new sheriff in town, and his posse is prepared to ask a lot of questions about constitutional authority for congressional legislation, and hold the line.

By opening the 112th Congress with the [Constitution](#) reading, perhaps those members who shun constitutional constraints will now pay more special attention to Article I, Section 2, which specifies, "All legislative powers *herein granted* [emphasis added] shall be vested in a congress of the United States, which shall consist of a Senate and House of Representatives."

They should then pay close attention to Article I, Section 8, which specifically enumerates those powers, and recall the words of its principal scribe, James Madison: "The powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite."

Jefferson added, "I consider the foundation of the Constitution as laid on this ground that 'all powers not delegated to the United States, by the Constitution, nor prohibited by it to the states, are reserved to the states or to the people.' To take a single step beyond the boundaries thus specially drawn around the powers of congress is to take possession of a boundless field of power, not longer susceptible of any definition. ... [The Constitution] was intended to lace them up straightly within the enumerated powers. ... In questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution."

Though this has received scant attention, Mr. Boehner also pledged to pass legislation requiring the enumeration of constitutional authority for every bill considered by the House.

If the Republican House will pass an enumerated powers act requiring all legislation to stipulate its specific constitutional authority (as first and subsequently proposed by just-retired Rep. John Shadegg in every Congress since the 104th), that will elevate the national discourse about what the Constitution does and does not authorize. Enhancing that discourse, which is a primary driver of the Tea Party's momentum, will put the restoration of constitutional authority on a faster track.

Enumerating authority for legislation has been a primary Patriot Post objective since our inception. Indeed, it was the basis for our petition of the Bush administration for an [Enumerated Powers Amendment](#). This proposed amendment is also a primary component of the [Patriot Declaration](#), which stipulates "that all legislation explicitly cite its compliance with the Tenth Amendment to our Bill of Rights, '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,' thus prohibiting the central government from

usurping the powers reserved to the States or the People."

If the Speaker succeeds with enumerated powers enactment, the next step should be an amendment as this would make the enumeration of constitutional authority binding on both the House and Senate, and not be subject to legislative revocation.

In 1776, a great insurrection was mounted against the throne of tyranny, and from that revolution was birthed our Constitution. We face the prospect of such tyranny again, and the solution now, as then, is government constrained by the Rule of Law as [enshrined in our Constitution](#).

Moving forward, those politicians of any stripe who forsake their solemn oath to support and defend our Constitution, and abide by its constraints, should be subject to censure and removal from office. The momentum of the Tea Party movement will increase, despite efforts by the Leftmedia to undermine its grassroots drive, and we will expand further the ranks of constitutional conservatives in 2012. Barack Hussein Obama, the days of your regime are numbered, as are those of every elected official who fails to honor their oath.