

Constitutional significance of article 1, section 8 of the united states constitu...

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Constitutional significance of article section 8 of the US Constitution

Introduction The United s Constitution is the supreme law of the country stipulating in detailed the legal concepts, requirements, functionality and duties of different organs and bodies. It is common knowledge that every article and section of the Constitution should have a constitutional implication in the country. The constitution of US establishes the national governments, guarantees basic rights for citizens in the country and establishes fundamental laws. In an attempt to intrinsically understand the nature and the operation modalities of the constitution, this paper will narrow down to article one section eight of the Constitution in examining the constitutional significance of the section.

Article 1, section 8 of the US Constitution

In a detailed manner, article 1 section 8 of the US Constitution specifies the powers of the Congress. The section lists the powers of the Congress in addition to bestowing the Congress with the power to make rules that are deemed “ necessary and proper” and to oversee their implementation. In the section, the law making powers are stipulated in the states. Among the core powers that are enumerated in article one section eight is the power to set taxes, tariffs and other ways of generating federal revenue. The section also gives the Congress the power to authorize the expenditure of all the federal funds (Law & Versteeg, P. 87).

Article 1, section 8 of the Constitution gives the Congress the power to create postal services, Navy, Army, lower federal courts, the power to coin money and the power to declare war. The Congress is also bestowed with the power of determination of naturalization criteria on how immigrants

could become citizens of the United States. This power is thus beyond interference by any individual states. The duties of regulating international commerce, provision for the punishment of counterfeiting and the promotion and progress of science and are equally significant duties and powers the Constitution grants to the Congress (Law & Versteeg, P. 88).

Constitutional significance

According to the National constitution center, article 1 section 8 of the United States' constitution has an immense constitutional significance. The article and section purposes to ensure that the federal government through the Congress maintains its validity in the country. By giving the Congress the core powers of determination of revenues for the country and mechanism of spending the funds, the constitution attempts to maintain the significance of unity within the states of the US. Through giving the Congress the power to constitute armies and Navy, the Constitution grants the federal government the mandate of ensuring general security of the country thus ensuring no state keeps its army.

This part of the constitution is particularly significant as it helps in checking the limits of states by stipulating some powers that can only be carried out by the Congress, but above the limits of the states. Through outlining some powers like determination of the currency to be used, determination of naturalization of procedure and making trade treaties with other countries, article 1 section 8 of the constitution denotes the necessity of the states to comply and cooperate with the union. Significantly, the constitution insinuates at the benefits that come with the union while at the same time eliminates unhealthy competition among the states (U. S. Const., P. 5).

Denoting the constitutional significance of article 1 section 8 of the Constitution is the 1819 Supreme Court case of *McCulloch v. Maryland*. The state of Maryland attempted to interfere with the operations of the second bank of the United States through taxing the notes of the bank not chartered in the state. Nevertheless, the court through the application of the “necessary and proper clause” expressed the power of the Congress to constitute laws that are not expressed in the Constitution and to allow the operations of the second bank of the United States (Richard, P. 13).

Work cited

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