

How the constitution limits the power of government

[Law](#), [Constitution](#)



The Founding Father of America believed that freedom is a cornerstone of the nation. Therefore freedom had to be protected from any kinds of abuse including abuse by the Government. In order to achieve this purpose the Constitution has been designed in a manner that allowed to limit the powers of governing authorities and protect human rights. This paper shall investigate some of related constitutional provisions and demonstrate how the Constitution limits powers of the Government.

First and foremost powers of the Government are limited by the American Bill of Rights which includes inalienable rights of every citizen which under no circumstances can be terminated. These rights include a right of free speech, right to carry arms, right to privacy etc. In fact the Bill of Rights does not limit the Government, yet it provides abilities for individuals to protect themselves from abuse by the Government [1].

The second feature that allows to limit power is principle of separation of powers. There are three branches of power: legislative power represented by the Congress, executive power headed by the President and judicial power vested by the Supreme Court. Neither of the branches has absolute power and each of them has certain rights and obligations together forming the checks and balances system – a second guarantee against abuse of powers[2].

The third opportunity to limit the Government is federalism. The principle of federalism means separation of powers between the central power and the states. Federalism restricts exercising absolute power by the Government because some powers can be exercised exclusively by the States. On the

other hands, some powers can be exercised exclusively by the central government, so power of the Government and power of the States are mutually limited[2].

The fourth opportunity to limit powers is a right of citizens to elect their governments (both Federal and State). The Government which abuses human rights and misuses it's powers would simply not be elected for the next term, thusly being deprived of opportunity to further infringe it's powers[3].

Works Cited:

1. Constitution of the United States of America. Amendments 1-10 (American Bill of Rights). Available at: <http://www.usconstitution.net/const.html> (last viewed: May 3, 2008)
2. Cooray Mark The Australian Achievement: From Bondage To Freedom. Available at: <http://www.ourcivilisation.com/cooray/btof/chap174.htm> (last viewed: May 3, 2008)
3. Jacob G. Hornberger (2000) The Constitution: Liberties of the People and Powers of Government. Available at: <http://www.fff.org/freedom/0900a.asp> (last viewed: May 3, 2008)