



# Yes, the Constitution is Relevant

By David Boaz

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In the *Washington Post*, [Paul Kane reports](#) that recent experiences with ultra-conservative Senate candidates have made Republican leaders fearful of candidates like Rep. Paul Broun in Georgia. There may be [reasons](#) for party leaders or voters to have doubts about Broun, but I hope they aren't actually concerned about the purported problem that Kane identifies:

Broun is prone to fiery speeches invoking the Founding Fathers and applying those 1789 principles to issues 225 years later.

Seriously? He thinks the Constitution is still the law of the land? And that the framework it established for individual rights and limited government is still relevant today? Do Republican leaders really think that's a bad message? Or does the *Washington Post*?

Thomas Jefferson and his followers hailed "the principles of '76" or "the spirit of '76" in their battles with Federalists. As historian Joseph Ellis [put it](#), "Jefferson's core conviction was that what might be called 'the spirit of '76' had repudiated all energetic expressions of government power, most especially power exercised from faraway places, which included London, Philadelphia or Washington." Good thing there isn't an actual Jeffersonian running!

But the principles of 1789, or actually of 1787, also protect freedom from government power and are just as essential today as they were at the Founding. The Framers knew their history. They knew that people with power tend to abuse it and to restrict freedom. In his last letter, 50 years after the Declaration of Independence, Jefferson wrote:

All eyes are opened, or opening, to the rights of man. The general spread of the light of science has already laid open to every view the palpable truth, that the mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the grace of God.

Because they feared the exercise of power, the Framers wrote a Constitution that established a government of delegated, enumerated, and thus limited powers. Then the people insisted on a

Bill of Rights to further protect their rights even from the very limited federal government established in the Constitution. Then, after identifying specific rights that individuals retained, they also added, “for greater caution,” as James Madison put it, the Ninth Amendment to clarify that “The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.”

One would hope that all members of Congress – and voters, and political reporters – believe that those principles and those constitutional rules should be applied to issues of today. Surely the First Amendment remains relevant. And the Fourth. And the limits on unconstrained power in the basic structure of the Constitution. The merits of any particular candidate aside, support of the Constitution and the principles it embodies seems like a good, even minimal, qualification for public office.

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