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[Reconnecting with the Constitution and its Principles](#)

Posted by RICK MORAN, Guest Voice Columnist in [Guest Contributor](#), [Law](#), [Politics](#), [Society](#).
May 21st, 2010

Something remarkable has been happening in America since even before President Obama took office. There has been a dedicated effort on both sides of the political divide to reconnect with our founding document and its principles in an effort to understand, and counteract what they see as dangerous unconstitutional actions by our government.

It is more widespread today than it was in the Bush years, but even then there were many on the left who worried about the increase in executive power the Bush administration was accumulating and we witnessed many ordinary citizens earnestly studying the Constitution in their efforts to place the actions of Bush in a constitutional framework. The resulting criticism was, at least in some part, reasonable and rational while being based on sound constitutional arguments.

But this effort was but a prologue to the tsunami of interest in the Constitution evinced by the tea party movement and conservatives generally once the massive spending and power grabs of the Obama administration began. Probably millions of ordinary citizens are reading and trying to understand the Ur document of America's founding given that the pocket sized edition of the Constitution is passed out at every tea party meeting across the country. I [commented on this](#) phenomenon following my visit to the Southern Republican Leadership Conference:

It may seem to some a quaint exercise in good citizenship for these millions to wrestle with such convoluted and complex questions as the meaning and reach of the commerce clause or the constitutionality of the individual mandate to buy health insurance. The condescension is misplaced — and totally unwarranted.

The Constitution was not written in legalese despite the presence of so many lawyers at the Constitutional Convention. It was written in plain, accessible English so that the document could be

read and understood by ordinary Americans. It was printed in newspapers, slapped on the walls near the village commons, and mailed far and wide. It was discussed in churches, in public houses, at family dinners, and between neighbors from New England to Georgia.

Never before in history had a country thought and debated itself into existence. When that generation of Americans looked at our founding document, could they have imagined that one day [a congressman](#) would say that the Constitution doesn't matter? Or that congressmen [could not answer](#) the question of where in the Constitution did it authorize the federal government to force citizens to buy health insurance?

What does it matter today that ordinary people are reading and interpreting the Constitution in their own way, without reference to precedent or knowledge of specific court cases that have laid out the grid work upon which the powers and responsibilities of government have been constructed? After all, they can interpret the Constitution from here to doomsday and it won't matter a fig to the Supreme Court. Those nine robed magistrates will work their will regardless of popular sentiment and, sometimes, common sense.

But in one of the more remarkable aspects of this revival of interest among the citizenry of the meaning and purpose of the Constitution, it doesn't matter what the Supremes think, or the elites, or the sickeningly condescending left who sneer at talk of the Tenth Amendment or strict constructionism. What matters is the effort itself — that people are becoming more engaged in what their government is up to than they have been in a very long time.

What does this mean? [The Hill](#) reports a run on the Constitution booklet at the Government Printing Office:

Since September 2009, the GPO has sold more than 8,700 copies of the pocket Constitution to the public, according to GPO spokesman Gary Somerset. That is a higher sell rate than in recent years.

Those sales are in addition to the thousands of copies given to members of Congress each year. Congress authorized a resolution in 2009 to print 441,000 copies for the use of the House (1,000 for each member) and 100,000 copies for the Senate (1,000 for each senator).

The Heritage Foundation and the Cato Institute, which keep statistics on the Constitution, also say that requests for the historical document are on the rise.

GPO sells copies for \$2.75, but constituents can request a free one from their lawmaker.

Congressional offices are burning through theirs stacks of pocket Constitutions.

In a recent "Dear Colleague" letter titled "Order More Pocket Constitutions!" House Administration Committee Chairman Robert Brady (D-Pa.) advised members to take advantage of a special rate.

The letter stated, "Many Members have lately experienced a large increase in constituent requests for the Pocket Constitution. Members who may need more are invited to take advantage of a special, pre-publication 'rider-rate' of \$390 per 1,000 copies. This rider rate of 39¢ each represents a substantial savings over the post-publication price of \$2.75 each (\$2,750 per 1,000)

available later through the GPO Sales Program.”

There’s been nothing like it in my lifetime and no similar wave of interest in the Constitution that I can fathom from my own reading of history. Perhaps not since the debate on ratification itself have so many ordinary Americans struggled with trying to interpret and understand what Madison, Mason and their compatriots wrought 222 years ago this summer.

Ed Meese from Heritage’s Constitution Center:

“I think there is more interest now than I’ve seen in the last many years, and I think it’s because people are really worried about whether the federal government is getting so large, so expansive, so intrusive and so powerful that the Constitution is in jeopardy.”

Can the naysayers who pooh-pooh American exceptionalism explain this phenomenon in the context of other nations’ citizens carrying on this way? I doubt it. We Americans have always had a reverence for our founding document that transcends the words on the page and becomes sublime veneration – almost a civic bible.

In this, there is danger. There are many in the tea party movement as well as in some boisterous conservative circles who posit the notion that if something is not in the Constitution, then it is, quite simply unconstitutional. Nothing in there about health insurance so of course, it’s not legal. We don’t see the words “Cap and Trade” so we have to oppose it as a measure not authorized in our founding document.

These are people who actually think of the Constitution the same way they think of the Bible; immutable, unchanging, and holy writ. There is no “interpreting” the document because the words are themselves good enough to cover any eventuality that may arise.


This is wrongheaded, of course, but there are many of us who wish government erred more toward that interpretation than toward the present “anything goes” free for all where the Constitution is stretched beyond recognition to cover one scheme or another that seeks to separate Americans from their liberty.

It is here where the debate cleaves the sharpest; is the Constitution a guidebook that government is to follow or is it a suggestion box whose codicils are used to justify power grabs? It seems at times that we use the Constitution to absolve and exonerate rather than trying to grapple with connecting what is being adjudicated to the intent of the Founders.

I know that intentionalism is in pretty bad odor on the left and indeed, carried to extremes it is a pernicious doctrine. But if you are going to respect what’s in the Constitution, it seems like simple common sense to respect the intent of those who wrote it. Obviously, the framers didn’t have a clue about our modern world. They designed a government to cover the exigencies of a 18th century coastal republic of 7 million freemen. But neither could they envision a day when their basic intent of creating a nation of limited government, expansive individual rights, and the protection of property was tossed aside in the name of modernity.

Will all of this interest in the Constitution make a practical difference in our politics and culture? I am anxious to see the answer to that question play out over the next few years.

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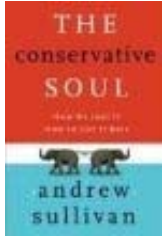
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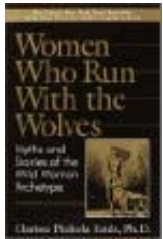
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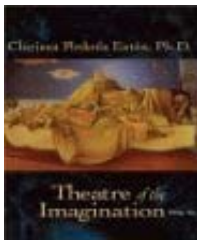
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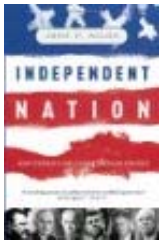
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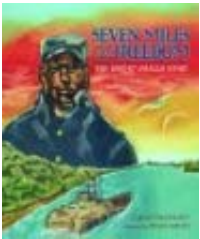
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