



Written by [Joe Wolverton, II, J.D.](#) on January 9, 2011

## Intent of the Founders: Is it Relevant Today?

Apart from the focus on the Constitution attracted by the good work performed by these proponents, there was additional emphasis on our founding charter recently as newly elected Speaker of the House, John Boehner mandated that members stand and [read the Constitution](#) (as amended) from the floor of the House, the first time such a reading was performed in the history of that body.



As reported in an earlier article published by [The New American](#), the recitation of the Constitution by members of the House of Representatives caused quite a little kerfuffle in the mainstream media. Pundits decried it as mere gimcrack, a useless show of sound and fury signifying nothing.

Maybe. Generation after generation of the people's representatives have proclaimed their fidelity to the Constitution and the limited government it created only to contract Potomac Fever upon arriving in Washington and suffer from the memory loss that seems to be a symptom of that ailment.

A recent article published in the venerable [Washington Post](#) chronicles the opinions of several scholars offered by the paper as experts on the subject of the Constitution. The title of the piece, "Recitation of Constitution set in House renews debate over Founders' intentions," invokes the title of that cadre of statesmen who were "witnesses at the creation" of our Republic.

In mocking the record of another creation event, the *Post* article slaughters two sacred cows with one sentence: "And the Founders said: Let there be a constitution. And the Founders looked at the articles and clauses and saw that it was good." Putting aside the intent of the Founders for a moment, the obvious intent of this incipit is to accuse those who genuinely venerate the Founding Fathers of a moon-eyed apotheosis, converting noble men into gods.

Evidence of this purported Founder worship is provided by the article's author:

"They are reading like a sacred text," said New York Rep. Jerrold Nadler (D-N.Y.), the outgoing chairman of the House Judiciary subcommittee on the Constitution, Civil Rights and Civil Liberties, who has studied and memorized the Constitution with Talmudic intensity.

Nadler called the "ritualistic reading" on the floor "total nonsense" and "propaganda" intended to claim the document for Republicans. "You read the Torah, you read the Bible, you build worship service around it," said Nadler, who argued that the Founders were not "demigods" and that the document's need for amendments to abolish slavery and other injustice showed it was "highly imperfect."

Michele Bachmann, a member of Congress from Minnesota and a Tea Party favorite, rejects Nadler's portrayal of Constitutionalists as fanatics or cultists.



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"It's not on the same level as a sacred text that God would hand down to the faithful," said Bachmann, specifying the document was "secular" and intended to provide parameters for the branches of government. But, she added, religious inspiration had a role in the document's drafting. "Those who wrote the Declaration of Independence and the Constitution were themselves devout individuals — primarily in their Christian faith," she said, arguing that the product was "reflective of their sincerely held beliefs."

The preceding paragraph is so full of red herrings in the form of the author's editorial interjections that he could open a seafood restaurant.

While Bachmann's words themselves seem reasonable and appropriately deferential to our Founders without being pious, the tossing in of the controversial issue of the religious faith of the Founders together with the depth of their individual devotion to "their Christian faith" seems to serve no other purpose than to rile the irreligious into further derision of believers.

Next, the author of the article turns his attention to the true "motivating spirit of the Founders." Again, he calls expert witnesses to the stand to testify to the Founders' true motives.

"They are steeped in Enlightenment classical culture. They want a reestablishment of Republicanism through acts of reason. This is deeply inconsistent with the rote reading of a text as if it were handed down from Mount Sinai," said Bruce Ackerman, a Yale professor of political science.

First, the esteemed professor must be unaware of the multitudes of interpretations of the Ten Commandments advanced by millions of those who accept them as the word of God to man. Debate over their application or even the provenance has no bearing at all on whether or not a man or woman of faith chooses to adhere to the principles set forth therein.

The same is true of the Constitution. While no one with even a scintilla of familiarity with the historical matrix from which the Constitution was crafted would argue that the Enlightenment played no role in it, there is just as much evidence from the Framers themselves suggesting that there was inspiration at work in that muggy chamber in Philadelphia in 1787. One can very comfortably identify himself as a child of the Enlightenment without denying that he is also a child of God. This is the crucial point misunderstood or purposely ignored by so many commentators and journalists who pride themselves on their skill at bringing the Founders and the Constitution back down to earth.

Finally, there is no need to defend the Constitution as sacred or divinely inspired. The Constitution was written by mortal men and our responsibility is to elect men and women from among ourselves who will be bound by the fetters forged in the clauses and articles of it. The text of the Constitution may be interpreted, the source material whence it was derived may be investigated, but the legitimacy and supremacy of it as the law of the land may not be questioned.

What is still at issue, however, is will we, the people, preserve our freedom by requiring strict adherence to the limits on power placed in the Constitution? The people and the states have a right and a responsibility to enforce the separation of enumerated powers handed down to us by our noble Founding Fathers.

If we fail, a rising generation may come to consider the Constitution in terms such as those used by Representative Nadler to describe it: "[the Constitution is] a long, dry boring document with details about how Congress will have power to lay imposts and taxes."

Regardless of the debate over why they used this phrase or that in the wording of the Constitution or



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what is the original source of the principles expressed therein, there is one thing for certain: the Founding Fathers intended to restrain government, limit and separate its powers, protect the sovereignty of the people and the states, and thereby “secure the blessings of liberty to ourselves and our posterity.”



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