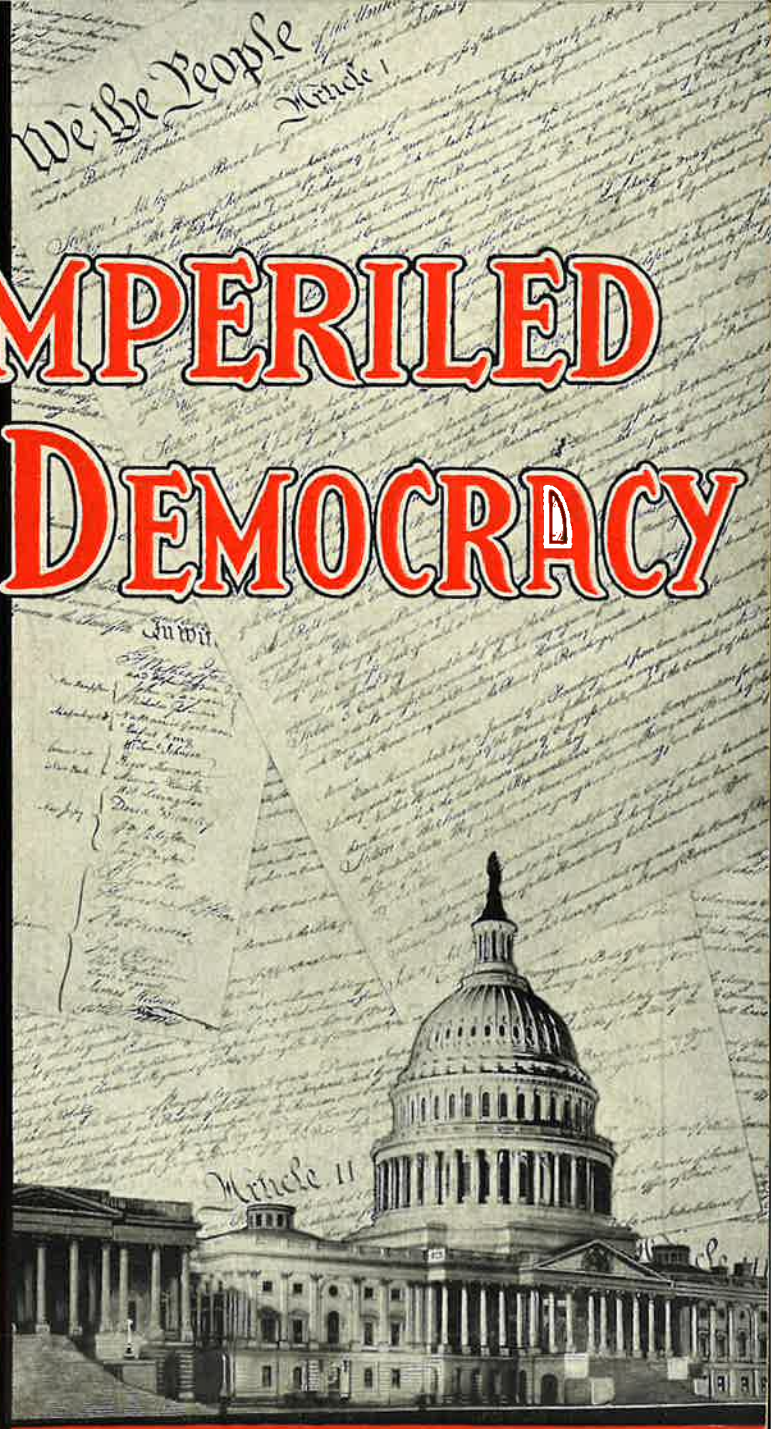


We the People  
Article I

# IMPERILED DEMOCRACY

Article II



CLAUDE  
E.  
HOLMES



## The PROMISED LAND

By Carlyle B. HAYNES

**W**ILL the future existence be a psychic one, or will the saved be real beings who think and act very much as they do now, without the influence of sin and evil? Will they be re-incarnated in the body of an animal, as some believe, or will they, after millions of years, be born again as human beings? The answers are given in 96 pages of interesting reading matter, which leave no room for doubt. Paper binding. **Price, only 25 cents.**

## SPIRITISM and the BIBLE

By  
Carlyle B.  
HAYNES



**W**HERE did Spiritism originate? What has been its history since the first practitioner plied his trade? What are its influences in other lands? Up-to-date information on a subject that is uppermost in the minds of many people today. Read it and learn whether you can communicate with the dead. 96 pages, attractively bound in paper. **Price, only 25 cents.**

## IMPERILED DEMOCRACY

Center for Adventist Research  
Andrews University  
Berrien Springs, Michigan



*Publishers' Photo Service*

*Independence Hall, Philadelphia, Pennsylvania, where the Constitution of the United States came into being.*

# IMPERILED DEMOCRACY

By  
Claude E. Holmes



SOUTHERN PUBLISHING ASSOCIATION  
Nashville, Tennessee

PRINTED  
IN  
U.S.A.

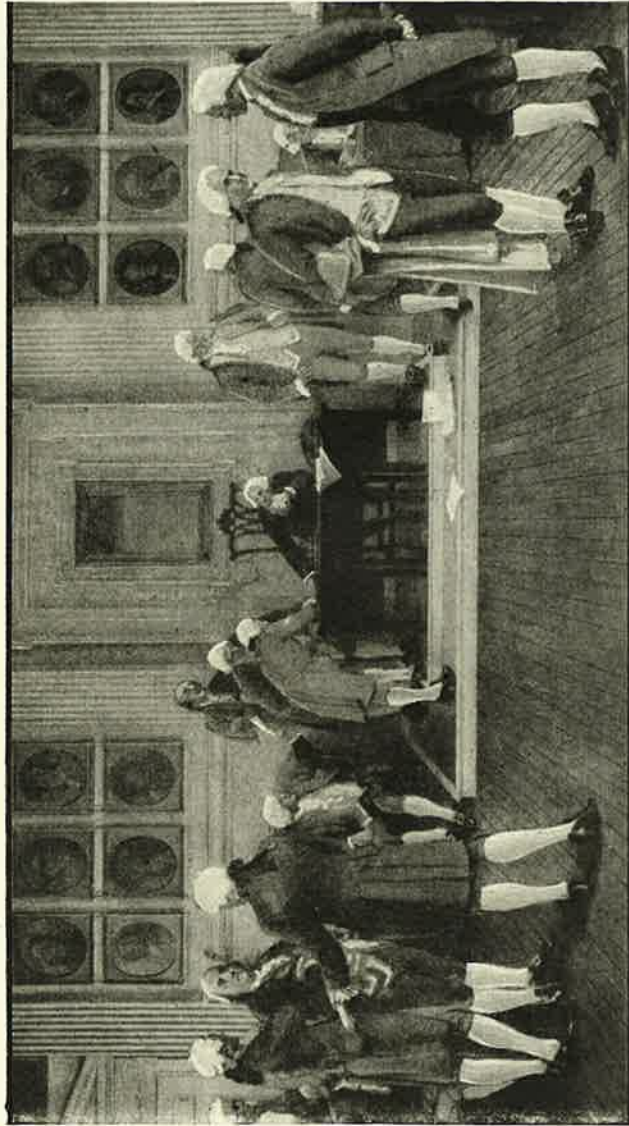
DEMOCRACY  
IMPERILED

Copyrighted, 1938, by  
Southern Publishing Association  
Nashville, Tennessee.

JK  
273.  
.H64  
1938  
Her.

**Contents**

THE BIRTH OF THE CONSTITUTION	- - - -	7
FORCES BEHIND THE CONSTITUTION	- - - -	16
RELIGIOUS LIBERTY UNDER THE CONSTITUTION	- - - -	27
OUR PRESIDENTS AND THE CONSTITUTION	- - - -	37
THE CONSTITUTION A TRAIL BLAZER	- - - -	50
THE SUPREME COURT—THE KEYSTONE OF OUR GOVERNMENT	- - - -	61
THE CONSTITUTION IN DANGER	- - - -	73
WHAT OF THE FUTURE?	- - - -	84



By Ewing Galloway, N. Y.  
[6]

Signing the Constitution, Sept. 17, 1787

## The Birth of the Constitution

SHORTLY after the Revolution, Alexander Hamilton declared: "The world has its eye upon America."—*Works*, Vol. IV, page 288. What caused the nations of the world to center their gaze upon this country? A few obscure states along the Atlantic coast, thousands of miles away from Europe, with a population scarcely equalling some of the cities of the Continent, surely should cause little anxiety to old, established kingdoms.

But something unusual had taken place over here. Some zealous patriots had proclaimed the disturbing doctrine that all men were created equal and had won a war in its defense. They had not only claimed this equality of opportunity for themselves and their posterity, but had broadcast that every nation, kindred, tongue, and people were equally entitled to this freedom.

"Jefferson's superb crystallization of the popular opinion that 'all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among them are life, liberty, and the pursuit of happiness,' had its force and effect in being the deliberate utterance of the people," declared the Hon. Chauncey M. Depew, at the dedication of the World's Columbian Exposition in 1892. "It swept away in a single sentence kings and nobles, peers and prelates."—*Memorial*, page 178.

It was the voice of a people crying for liberty in the wilderness of political and religious tyranny. "In the fullness of time a Republic rose in the wilderness of America," wrote the historian Bancroft. "Thousands of years had passed away before the child of the ages could be born. From whatever there was of good in the systems of former centuries she drew her nourishment; the wrecks of the past were her warning."—*Memorial*

*Address on the Life and Character of Abraham Lincoln, before the Houses of Congress, Feb. 12, 1866.*

The despotic rulers of other nations well knew that once their oppressed people heard that proclamation they would seek this land of liberty and opportunity; and their fears were soon realized.

"All at once, Europe stirred, and the North Atlantic was dotted with sails, moving westward. Why this restlessness; why this migration; why happened it then instead of before; why did it occur at all? The answer is short and emphatic. So long as men were satisfied with their condition, there was no reason for their moving. But when a sudden and marvelous expansion of the human intellect occurred; then, under that expansion, old bonds were broken and the ancient systems were left inadequate to supply the new demands of society; when these systems failed to readily adapt themselves to the changed order of things, then life fast became intolerable, and men who were determined upon having something better were forced to seek elsewhere what they could not find at home."—*The Development of Constitutional Liberty*, by E. G. Scott, page 5.

With the political tyranny of a foreign throne cast overboard by the Revolution, and the decks swept clear of class privileges and discriminations, the new ship of state was ready for action. But there must be a captain. A form of government must be established; power must be lodged somewhere; the liberties so dearly bought must be protected; the principles of the Declaration of Independence must be crystallized into permanent law.

Experiment after experiment was undertaken to stabilize commercial and political conditions and to unify the colonies, but with little success. Matters grew worse and worse. Mobs drove Congress from Philadelphia into New Jersey and assaulted courthouses in Massachusetts. Trade was paralyzed, credit was lacking, discipline was at a low ebb, unemployment prevailed, some of the States were planning to withdraw from the confederation. At this time (Oct. 7, 1788), George Washington wrote to James Warren: "We are descending into the vale of

confusion and darkness." Later (Nov. 5, 1788) he wrote to James Madison:

"No morn ever dawned more favorable than ours did; and no day was ever more clouded than the present. Wisdom and good example are necessary at this time to rescue the political machine from the impending storm. . . . Without an alteration in our political creed the superstructure we have been seven years in raising at the expense of so much treasure and blood, must fail. We are fast verging to anarchy and confusion."

Edmund Randolph, governor of Virginia, in an appeal for the ratification of the Constitution, described before the state convention the unsettled conditions of the time between the Revolution and the birth of the Constitution:

"There is no peace, sir, in this land. Can peace exist with injustice, licentiousness, insecurity, and oppression? These considerations, independent of many others which I have not yet enumerated, would be sufficient reason for the adoption of this Constitution, because it secures the liberty of the citizen, his person and property, and will invigorate and restore commerce and industry."—*Elliot, "Debates on the Constitution," Vol. III, page 67.*

Something decisive had to be done to save the country. It was proposed to call a convention of state delegates, though it seemed only another idle gesture, a dream. The appeal finally prevailed, and in May, 1787, it met in Philadelphia. It was a time of inclement weather. The roads through the wilderness, up and down hills, through bogs and gulleys, were almost impassable. The inns along the way were wretched. It took men of strength and fortitude to undertake such a journey, but they all arrived on time.

In the face of previous failure and present opposition they began their work. It was about the same group of men, representing the same people, of the same states, grappling with the same problems — but it was a different time! Though men knew it not, the hour had struck in God's clock for the birth of a new nation; for the building of a city of refuge for earth's down-trodden millions.

"On this great continent, which God had kept hidden in a little world—here, with a new heaven and a new earth, where former things had passed away, the people of many nations, of various needs and creeds, but united in heart and soul and mind for the single purpose, builded an altar to Liberty, the first ever built and ever could be built, and called it the Constitution of the United States."—*Hon. Henry D. Estabrook, before Connecticut Bar Association, "Reports," 1916, page 73.*

What a company of men they were who framed the Constitution! "The group of fifty-five men who met at the appointed time to consider the momentous problem of devising a Constitution for the nation was the most distinguished which has ever been gathered on this continent," comments the historian James Truslow Adams. "The character, ability, and broad mental attainments which they possessed provide an amazing commentary upon the quality of American civilization in the eighteenth century."—*"Epic of America," page 102.*

"They were not ordinary men," declares Col. James A. Moss. "They were unusual men of great ability, profound learning, and real inspiration. They were thoroughly familiar with history, governments, and laws. They knew the attempts that had been made in forming republics. They aimed to avoid the pitfalls and mistakes that had been made by other statesmen in other countries. They had before them the English Constitution, the Magna Charta, and other laws of the world. They took the good points of all these documents, improved upon them, and added new points to suit their needs."—*"Your Rights Under the Constitution," page 8.*

They had knowledge plus experience. Speaking of Montesquieu's "Spirit of Laws," a writer comments: "There were in the colonies at the time of the revolution over 2,500 copies of this great book. We know the names of many of the men in the Constitutional Convention who had it in their libraries, and in many instances we know the very comments which they scribbled with their own hands upon the margins of the leaves."—*Monte Appel, Chicago Tribune, March 1, 1936.* Blackstone's law commentary was also a common book among them.

Ancient history was quoted again and again in the debates in the various state conventions. Franklin explained in the Convention that "we have gone back to ancient history for models of government and have examined the different forms of those republics."—*Madison Papers, June 28, 1787.* The same thought is suggested by Noah Webster in 1788 when giving the background of the Constitution:

"In the formation of our Constitution, the wisdom of all ages is collected—the legislators of antiquity are consulted—as well as the opinions and interests of the millions who are concerned. In short, it is an *empire of reason.*"—*Ford, "Pamphlets on the Constitution," page 29.*

Coupled with this book knowledge was a wealth of experience with tyrannical rulers of the mother country as well as oppressive officials at home. They were conversant with the persecutions in the New England States, with the atrocities perpetrated upon so-called witches, Quakers, Baptists, and others. All this was in their hearts and minds and helped in framing our documents of justice and liberty.

The delegates were not faced with an easy task as they gathered to frame a national constitution. There were obstructionists inside and outside the convention. Says one writer: "The fathers of our republic, as they wrought on in their grand endeavor to lay deep, wide, and strong the foundation of a nation that should be to all others as the sun is to the stars, heard day after day, the carpings of the critics, the sneers of the scorners, the censures of the wiseacres, and the prophecies of failure from the ashy lips of cowards and traitors; but thanks be to an all-wise Providence, they were not deterred in their efforts!"—*"The Destiny of the Republic," by Mahone, page 139.*

At one time in the deliberations it was proposed to adopt some questionable measures that might catch the fancy of the people and help in its adoption. The historian Fiske tells how this was defeated:

"Washington suddenly interposed with a brief but immortal speech, which ought to be blazoned in letters of gold and posted on the wall of every American assembly that shall meet to

nominate a candidate or declare a policy or pass a law, so long as the weakness of human nature shall endure. Rising from his president's chair, his tall figure drawn up to its full height, he exclaimed in tones unwontedly solemn with suppressed emotion: 'It is too probable that no plan we propose will be adopted. Perhaps another dreadful conflict is to be sustained. If, to please the people, we offer what we ourselves disapprove, how can we afterward defend our work? Let us raise a standard to which the wise and the honest can repair; the event is in the hand of God.'—"*Encyclopedia Americana*," article "Constitution."

When at last the Constitution was ready to be signed, Benjamin Franklin made one of his characteristic appeals in its behalf:

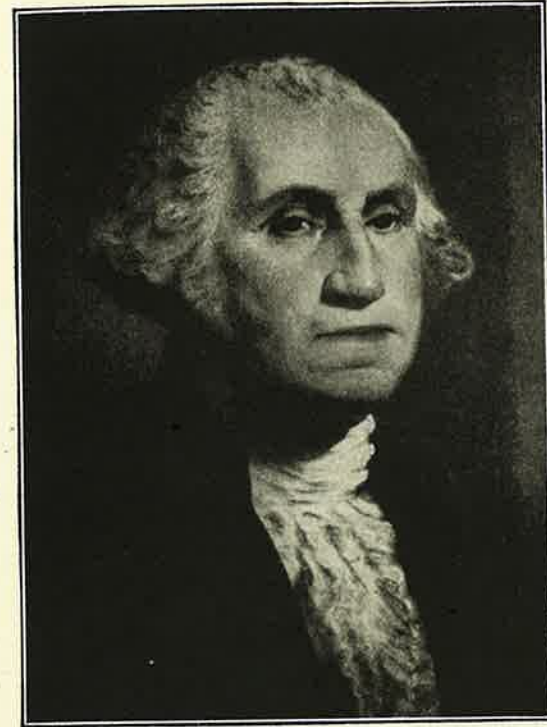
"I agree to this Constitution with all its faults, if there are such; because I think a general government necessary for us, and there is no form of government but what may be a blessing to the people if well administered. . . . I doubt, too, whether any other Convention we can obtain may be able to make a better Constitution."—"*Story of the Constitution*," by Thorpe, page 140.

No one watched with greater interest the placing of signatures on that document than did Franklin. Carefully he counted the votes until the necessary number were attached. Then, with joy, he turned to one of his colleagues, and pointing to a sun carved on the back of Washington's chair, whispered:

"I have often and often, in the course of the session, amid the solicitude of my hopes and fears as to its issue, looked at that behind the President without being able to tell whether it was rising or setting. But now at length I know that it is a rising and not a setting sun."—*Id.*, page 143.

The Convention then adjourned, and the proposed Constitution with the following message was sent to the States, Sept. 17, 1787, for their consideration:

"The Constitution which we now present is the result of a spirit of amity, and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable. That it will meet the full and entire approbation



George Washington,  
President of  
the Convention  
that framed the  
Constitution.

of every State, is not, perhaps, to be expected; but each will doubtless consider that, had her interest alone been consulted, the consequences might have been particularly disagreeable or injurious to others; that it is liable to as few exceptions as could reasonably have been expected, we hope and believe; that it may promote the lasting welfare of that country so dear to us all, and secure her freedom and happiness, is our most ardent wish."—"*Constitution*," by Hickey, page 188.

It is still a wonder how "the framers of the Constitution did so well; and that wonder was never so great as now at the close of a stormy century, littered with the wrecks of governments

and nations and dynasties and constitutions."—*“Encyclopedia Americana,”* subject, *“Constitution.”*

The convention also showed their wisdom in arranging for its amendment. They knew that humanity is fickle. Under the urge of some supposed necessity or spell of political oratory, they might be cajoled into a snap judgment on a vital question. So it was provided that an amendment must be proposed by two thirds of both Houses of Congress, or two thirds of the States, and must be ratified by three fourths of the States. This procedure would give both the people and their representatives ample time to study and reflect upon a proposed change.

From Washington's day to Jan. 1, 1937, 3,759 amendments to the Constitution have been proposed. Only 21 have been adopted. This is a testimony to the remarkable thoroughness with which our Magna Charta of liberty was constructed.

No less remarkable is the short time that it took these statesmen to frame that instrument. "When we see recent conventions with modern facilities for rapid work spending months in putting a few patches on existing State constitutions, we can best appreciate the ability of the men who in eighty-five working days forged the great compact of the people of the United States with themselves—a compact which has lasted more than a century substantially unchanged."—*Ibid.*

As summed up by Senator Joseph B. Foraker, before the Ohio Constitution Convention, March 14, 1912:

"It has not been necessary to strike out from or add to the instrument they framed a single word, . . . and they did it all in a compass of seven articles, consisting of an aggregate of only twenty-four short sections, embracing all told less than forty-four hundred words. Some of our latest State constitutions with more than forty thousand words are in painful contrast."—*“Notes of a Busy Life,”* p. 532.

The brevity of the Constitution was particularly noted by Oliver Ellsworth, who was the second Chief Justice of the Supreme Court:

"It is an excellency of this Constitution that it is expressed with brevity, and in the plain, common language of mankind.

Had it swelled into the magnitude of a volume, there would have been more room to entrap the unwary, and the people who are to be its judges would have had neither patience nor opportunity to understand it. Had it been expressed in the scientific language of law, or in those terms of art which we often find in political compositions, to the honorable gentlemen it might have appeared more definite and less ambiguous; but to the great body of the people altogether obscure, and to accept it they must leap into the dark."—Ford, *“Essays on the Constitution,”* page 156.

And so the Constitution has come to us as the epitome of justice and liberty, the fruit of centuries of struggle for freedom, the working out of divine principles in human government. "The American form of government came out of centuries of the trial-and-error method of finding the best method of self-government. Centuries of experience in the struggle for civil and religious liberties lay behind it. The formation of the Constitution of the United States is comparable to the formation of a great river system; its branches reaching back into remote areas of history. There are elements from the Mosaic law, the Orient, Greece, Rome, Magna Charta, and Petition of Right woven into this immortal document," was the testimony of Dr. Wallace C. Calvert, before the Federal Judiciary Committee. (*“Reorganization of the Federal Judiciary,”* Vol. 6, page 1547.)

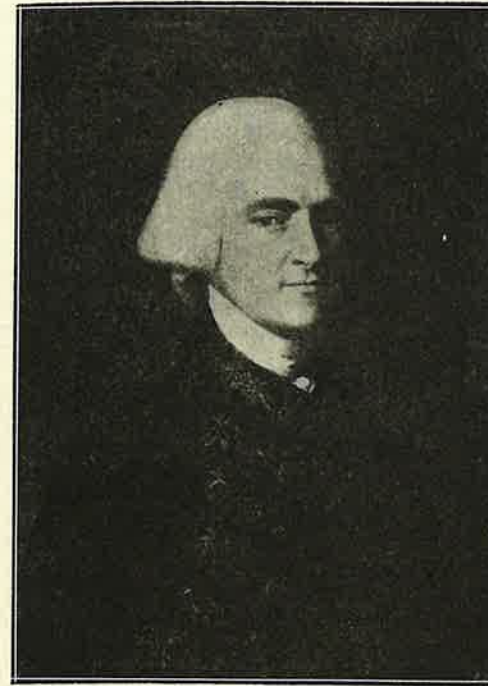
## Forces Behind the Constitution

WHEN the framers of the Constitution had finished their deliberations and had opportunity to survey the fruit of their labors, they were surprised at what had been accomplished. Out of political confusion mingled with religious and personal prejudices and stirred by trouble makers had come forth a work of honor. Like a piece of pottery it had grown under the skill of the divine Potter.

Once during the convention, envy and jealousy brought on a crisis. Confusion reigned; they could not understand one another's language; the work stopped, and the convention seemed about to break up in disorder. Sensing the difficulty, Franklin arose and said: "The longer I live, the more convincing proofs I see of this truth—that God governs in the affairs of men. And if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid?"

This brought a calm into the meeting. It was so evident that God's hand was leading that it made a strong impression upon many of the delegates. Later on Mr. Pinckney wrote: "When the general convention met, no citizen of the United States could expect less from it than I did. So many jarring interests and prejudices to reconcile! The variety of pressing dangers at our doors, even during the war, were barely sufficient to force us to act in concert, and necessarily give way at times to each other. But when the great work was done and published, I was not only agreeably disappointed, but struck with amazement. Nothing less than that superintending hand of Providence that so miraculously carried us through the war (in my humble opinion), could have brought it about so complete, upon the whole."—*Ford, "Essays on the Constitution," page 412.*

[16]



*John Hancock, noted Revolutionary leader, helped to secure the ratification of the Constitution by Massachusetts, because he recognized the hand of God in its creation.*

"It appears to me, then, little short of a miracle," wrote George Washington to his friend Lafayette, "that the delegates from so many different states (which states you know are also different from each other, in their manners, circumstances, and prejudices), should unite in forming a system of national government, so little liable to well-founded objection."—*February 7, 1788.*

Alexander Hamilton was one of the most brilliant men of those days. In his appeal for the adoption of the Constitution, he publicly admitted that more than human wisdom was manifest in its creation. "For my own part I sincerely esteem it a system, which, without the finger of God, never could have

been suggested and agreed upon by such a diversity of interests."—Ford, *Essays on the Constitution*, page 287.

When the Constitution was presented to the Massachusetts convention, the president, John Hancock, acknowledged the hand of God in that document:

"The question now before you is such as no nation on earth, without the limits of America, has ever had the privilege of deciding upon. The Supreme Ruler of the universe has seen fit to bestow upon us this glorious opportunity; let us decide upon it; appealing to Him for the rectitude of our intentions, and in humble confidence that He will yet continue to bless and save our country."—Elliot, *Debates on the Constitution*, Vol. 11, page 176.

Were Hancock here in America today, he might pertinently call the attention of the citizens to the same question. We are again at the crossroads. Then it was a matter of accepting the Constitution; today it is a question of sustaining it.

It is not strange that the first official utterances of our first President and first Congress should acknowledge the providences of God. Time and again it seemed that the little Revolutionary armies, as they fought for liberty, were doomed to defeat and destruction. Then a storm arose, and they either escaped or turned it into a victory. General Washington gave God credit for His evident intervention at Long Island, Trenton, Germantown, Yorktown, and in the discovery of Arnold's treachery. After the surrender of Cornwallis, he wrote: "The hand of Providence has been so conspicuous in all this that he must be worse than an infidel that lacks faith."

In his inaugural message Washington said: "No people can be bound to acknowledge and adore the Invisible Hand which conducts the affairs of men more than those of the United States. Every step by which they have advanced to the character of an independent nation seems to have been distinguished by some token of providential agency."

To this the Senate replied: "When we contemplate the coincidence of circumstances and wonderful combination of causes which gradually prepared the people of this country for

independence, when we contemplate the rise, progress, and termination of the late war, which gave them a name among all the nations of the earth, we are with you unavoidably led to acknowledge and adore the Great Arbiter of the Universe, by whom empires rise and fall."—May 7, 1789.

While those who adopted the Constitution were largely religious men, who acknowledged God's influence in the establishing of the nation, yet they refused to recognize God or any particular religious belief in that document. The tyranny of state-established churches had left a trail of persecution and injustice that was anything but Christian or civil. It created an atmosphere so oppressive that, once freed from its vitiating effects, the Revolutionary heroes wished never to meet it again. They believed, as Isaac Backus wrote to President Washington, that "religious ministers, when supported by force, are the most dangerous men on earth."—*Life and Times of Isaac Backus*, page 252. Also the well-known James Russell Lowell was constrained to write: "Toward no crimes have men shown themselves so cold-bloodedly cruel as in punishing differences of belief."—*Among My Books*, page 130.

When certain church groups in Massachusetts and New Hampshire sent an address to Washington in favor of an "explicit acknowledgment of the only true God and Jesus Christ" to be inserted in the Constitution, Washington replied in his usual respectful manner: "I am persuaded that you will permit me to observe that the path of true piety is so plain as to require but little political direction. To this consideration we ought to ascribe the absence of any regulation respecting religion from the Magna Charta of our country. To the guidance of the ministers of the gospel [this] important object is, perhaps, more properly committed. And in the progress of morality and science, to which our government will give every furtherance, we may confidently expect the advancement of true religion and the completion of our happiness."—*Christian Life and Character of the Civil Institutions of the United States*, page 248.

In a work on the Constitution by James Bayard, highly commended by Marshall, Story, Kent, and other distinguished



Franklin Delano Roosevelt and the heirloom Bible on which he took the oath of office, March 4, 1932. Though our government "is not, in any sense, founded on the Christian religion," our chief executives have been men who paid respectful honor to religion, and by their administration of Constitutional guaranties have promoted the prosperity to which our free principles have entitled us.

jurists, is to be found this interesting comment on the same question:

"It has been made an objection to the Constitution by some, that it makes no mention of religion, contains no recognition of the existence and providence of God,—as though His authorship were slighted or disregarded. But such is not the reason of the omission. The convention which framed the Constitution comprised some of the wisest and best men of the nation,—men who were firmly persuaded not only of the divine origin of the Christian religion, but also of its importance to the temporal and eternal welfare of men. The people, too, of this country were generally impressed with religious feelings, and felt and acknowledged the superintendence of God, who had protected them through the perils of war and blessed their exertions to

obtain civil and religious freedom. But there were reasons why the introduction of religion into the Constitution would have been unseasonable, if not improper."—Page 259.

Thomas Jefferson stated that "the insertion was rejected by a great majority, in proof that they meant to comprehend within the mantle of its protection the Jew and the Gentile, the Christian and Mohammetan, the Hindoo, and Infidel of every denomination."—"Works," Vol. 1, page 45.

A House Judiciary Committee, February 18, 1874, in reply to a similar petition, reported: "As this country, the foundation of whose government they were then laying, was to be the home of the oppressed of all nations of the earth, whether Christian or pagan, and in full realization of the dangers which the union between church and state had imposed upon so many nations in the Old World, with great unanimity [they] agreed that it was inexpedient to put anything into the Constitution or frame of government which might be construed to be reference to any religious creed or doctrine."—House Reports, 43rd Congress, 1st Session, No. 143.

Because of this attitude taken by our forefathers, some contend that the Constitution is atheistic and antireligious. But "it has been very aptly remarked that the state which does not encroach on the sphere of the conscience of its subjects can be called antireligious just as correctly as it can be called anti-industrial, antimusical, and antimedicinal, if it manufactures no tobacco, composes no opera, and dispenses no medicine."—"Religious Condition of Christendom," page 277.

The real position of the Constitution is well stated by Mr. Goddard: "The Federal Constitution is not irreligious, it is simply non-religious. It treats religion as individual and voluntary, and never to be forced. That church which leans upon the state for support can never be a free church. And in a state where all are required to conform in religious matters there can never be free religion."—10 Michigan Law Review, 167.

Once the Constitution was made public, it became the center of interest. Pamphlets and papers regarding it fluttered everywhere. Prominent men issued booklets under *noms de*



Anne Striber  
[22]

Happy, safe American homes are made possible by the liberties secured for us by the Constitution.

plume. Newspapers had forums open to the public. Debating societies and street-corner groups discussed it. And thirteen state conventions gave it a thorough analysis. "Never in the history of this or any other nation has a governmental problem received such widespread and long continued study. For more than nine months the Constitution was thus debated and discussed."—*The Citadel of Freedom*, Randolph Leigh, page 35.

Strong opposition to it arose in many quarters, and it nearly failed of being adopted. It is freely admitted that had it not been for the influence of George Washington it never would have been accepted. Wrote James H. Penniman in his "Honor to George Washington," prepared for the Bicentennial Celebration of the Birth of Washington, page 93:

"Few Americans understand that if we had had no Washington, we should not have had our Constitution; not only because of his powerful agency in framing it and his great influence in securing its adoption, but because the certainty that Washington would be the first president made the people sure that the provisions of the Constitution would be interpreted with wisdom and executed with justice." This statement is corroborated in a letter from Gouverneur Morris, who was a member of the Convention, to General Washington, October 30, 1787. He wrote:

"I have observed that your name to the new Constitution has been of infinite service. Indeed, I am convinced that, if you had not attended that Convention, and the same paper had been handed out to the world, it would have met with a colder reception, with fewer and weaker advocates, and with more, and more strenuous, opponents. As it is, should the idea prevail that you will not accept the presidency, it would prove fatal in many parts."—Elliot, *Debates on the Constitution*, Vol. 1, page 505.

On June 22, 1798, when trouble with France was brewing, Washington was asked to take the command of the army. "We must have your name," it was declared, "if you will in any case permit us to use it. There will be more efficacy in it than in many an army."—*The Constitution*, by Hickey, page 232.

What made the name of Washington so potent? Why were the people so willing to trust their liberties with him? Perhaps these questions may be answered by a letter written to Washington when he was president, by the Baptist General Committee. Referring to the Constitution, the committee wrote:

"The plan must be good, for it has the signature of a tried, trusty friend, and if religious liberty is rather insecure in the Constitution, 'the administration will certainly prevent all oppression, for a Washington will preside.' . . . The very name of Washington is music in our ears."—*Struggle for Religious Liberty in Virginia*, by Charles T. James, page 172.

What a powerful influence for good can be exerted by a single individual. Because of his justice, integrity, and faithfulness, Washington unconsciously became commander-in-chief of the people's affections until it was but a logical step to the highest position they could bestow. One man gave us the Constitution; will one man be able to destroy it?

Washington's name was not attached to the Declaration of Independence with its message of liberty and equality, but he fought and suffered that its mighty truths might be preserved. He did not frame the Constitution but he gracefully presided over the distinguished convention that gave it form and life.

The real spring of Washington's life is often overlooked. What shall we say of his devoted mother? Every day, rising an hour before the remainder of the family, she kept a morning watch with God. By precept and example she wove true Christian principles into the life of her son. From that consecrated home he went forth a Moses to deliver a people from bondage. Like the ancient deliverer, Washington suffered trials and difficulties; but he saw his people eventually established in a land of peace and prosperity.

No sooner had the Constitution been adopted, than the States began to rise out of the terrible vale of depression into which they had fallen after the Revolution. Washington, writing again of national conditions, said in a letter to Catherine M. Graham, July 19, 1791: "The United States enjoys a scene




---



---

"It is rather for us to be here dedicated to the great task remaining before us— . . . that government of the people, by the people, for the people, shall not perish from the earth."

Keystone View Co.

---



---

of prosperity and tranquillity under the new government that could hardly have been hoped for."

The next day he sent a communication to David Humphreys: "Our public credit stands on that high ground which three years ago it would have been considered as a species of madness to have foretold."

If the Constitution was largely instrumental in lifting the nation out of the slough of despond and depression of those days, can we ever expect to get out of the same conditions today by destroying that document and its principles?

Who can build a better Constitution, that will better protect the people and make them more secure and safe in their lives and property? Our forefathers not only studied history, but they made history,—the greatest in the annals of the world. What about those nations that have set up other forms of government, which it is claimed are superior to ours, which some in our land are eulogizing and seeking to establish here? Do we see millions of oppressed peoples fleeing to those countries? Are they hurrying from our nation to those lands? Rather, barriers must be erected by them to keep their own people in.

No better way to solve problems can be found than that recommended by President Lincoln, when he was approaching one of the greatest crises that this nation has ever met: "Intelligence, patriotism, Christianity, and a firm reliance on *Him who has never yet forsaken this favored land*, are still competent to adjust in the best way all our present difficulties."—*Inaugural Address*.



Former President Herbert Hoover has expressed the true philosophy of religious liberty. (See page 27.)

## Religious Liberty Under the Constitution

**T**HE heart of the Declaration of Independence is its proclamation that all men are entitled to liberty, equality, and justice. The mighty, driving force behind it is the acknowledgment that these rights come from the Creator—a gift from God and not dependent on the tolerance or caprice of any earthly sovereign. "The high tenet of this philosophy," said Herbert Hoover, "is that liberty is an endowment from the Creator to every individual man and woman, upon which no power, whether economic or political, can encroach, and not even the Government may deny."—*Saturday Evening Post*, Sept. 8, 1934.

This truth is well stated by the U. S. Supreme Court: "Certain inherent rights lie at the foundation of all action, and upon a recognition of them alone can free institutions be maintained. These inherent rights have never been more happily expressed than in the Declaration of Independence, that new evangel of liberty to the people: 'We hold these truths to be self-evident,'—that is, so plain that their truth is recognized upon their mere statement,—'that all men are endowed,' not by edicts of emperors, or decrees of parliament, or acts of congress, but 'by their Creator, with certain inalienable rights'—that is, rights which cannot be bartered away, or given away, or taken away except in punishment of crime,—and that among these are life, liberty, and the pursuit of happiness, and to secure these—not grant them, but secure them—'governments are instituted among men, deriving their just powers from the consent of the governed.'"—*111 U. S. 756*.

These eternal principles of right, found in the Declaration of Independence, were further perpetuated in our Constitution, which "is the body and letter of which the Declaration is the spirit and thought." Civil and religious liberty go hand in

hand; they stand and fall together; they are the Siamese twins of government and when one dies, the other soon follows. When civil liberty was proclaimed, there could be but one result—religious liberty.

Our liberty-loving forefathers wrote in the Constitution that “no religious test shall ever be required as a qualification to any office or public trust under the United States.”—*Article VI*. In this one short sentence they struck down a thousand precedents upholding the so-called divine right of kings or the assumed authority of ecclesiastical tyrants to dictate what their subjects must believe.

“Mr. Pinckney was the author of this famous provision. In the Convention he moved it as an amendment to the foregoing clause and it was agreed to without objection. In his speech in support of his amendment he said: ‘It is a provision the world will expect from you in the establishment of a system founded on republican principles, and in an age so liberal and enlightened as the present.’ (Journal, 640. Moore’s “American Eloquence,” Vol. 1, page 369.) The amendment was prompted by a desire to keep church and state forever separate and distinct in the United States. It has received the universal approval of the American people; as it received the unanimous approval of the Convention.”—*Watson on the Constitution,* Vol. II, 1338.

Justice Joseph Story, who lived in the early days of the new government, makes a further interesting comment on this provision:

“This clause was not introduced merely for the purpose of satisfying the scruples of many respectable persons, who felt an invincible repugnance to any religious test, or affirmation. It had a higher object: to cut off forever every pretence of any alliance between church and state in the national government. The framers of the Constitution were fully sensible of the dangers from this source, marked out in the history of other ages and countries; and not wholly unknown to our own. They knew that bigotry was unceasingly vigilant in its stratagems to secure to itself an exclusive ascendancy over the human mind; and that intolerance was ever ready to arm itself with all the

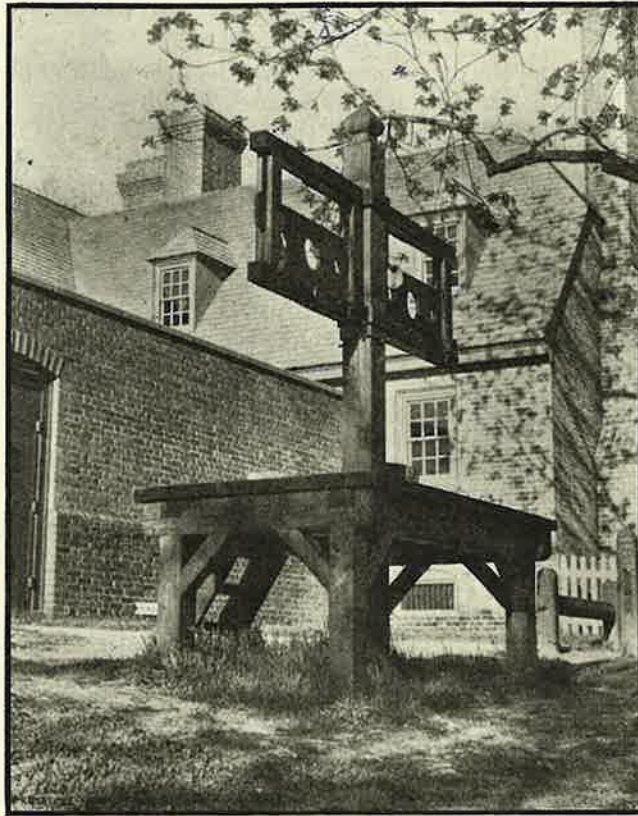
terrors of the civil power to exterminate those who doubted its dogmas, or resisted its infallibility.”—*Commentaries on the Constitution,* Vol. III, page 705.

Those were the days when men who had the spirit of liberty in their hearts were strong in its defense. Their declarations give evidence that they meant what they said in their claims for religious freedom. Speaking in the North Carolina convention, when debating the adoption of the Federal Constitution, Mr. James Iredell said:

“If any future Congress should pass an act concerning the religion of the country, it would be an act which they are not authorized to pass, by the Constitution, and which the people would not obey. Every one would ask, ‘Who authorized the government to pass such an act? It is not warranted by the Constitution, and is barefaced usurpation!’—*Elliot,* “*Debates on the Constitution,*” Vol. 4, page 194.

Among the delegates to the State conventions were a number of clergymen. To their credit be it said that they were practically all in favor of religious liberty, as contended for by the Federal delegates. Unfortunately, that is not true of many preachers today. Said Rev. Mr. Shute, of Massachusetts: “I must therefore think, sir, that the proposed plan of government, in this particular [religious test], is wisely constructed; that, as all have an equal claim to the blessings of the government under which they live, and which they support, so none should be excluded from them for being of any particular denomination in religion.”—*Id.,* Vol. II, page 119.

Another valuable statement was made by Rev. Mr. Backus, of the same State: “Nothing is more evident, both in reason and the Holy Scriptures, than that religion is ever a matter between God and individuals; and, therefore, no man or men can impose any religious test, without invading the essential prerogatives of our Lord Jesus Christ. . . . Let the history of all nations be searched from that day [Constantine’s] to this, and it will appear that the imposing of religious tests hath been the greatest engine of tyranny in the world.”—*Id.,* page 148.



*Restoration of the old pillory in front of the gaol, Williamsburg, Va. Memories of religious persecutions in Europe, or even in the American colonies, led the founding fathers to guarantee religious liberty by the Constitution.*

Keeping religion and religious tests out of the Constitution was a long stride away from state-established churches. Yet the people did not feel that even this was sufficient. They went even further and demanded that the great triumvirate of liberty—freedom of conscience, freedom of speech, and freedom of the press—be more specifically recognized and protected against governmental interference and domination. In the words of Jefferson they insisted that “in questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution.” A historian of that day wrote of the framers:

“Those judicious men were solicitous that everything should be clearly defined; they were jealous of each ambiguity in law or government, or the smallest circumstances that might have a tendency to curtail the republican system or render ineffectual the sacrifices they had made for the security of civil and religious liberty.”—Quoted in *“The Making of the Constitution,”* by Warren, page 753.

Because of this desire that their liberties be protected by the letter as well as the spirit of the Constitution, the First Amendment was added to that document, and, with the other nine of the Bill of Rights, may be said to really be an integral part of it; for it was understood that the adoption of the Constitution was contingent upon immediate recognition of these rights. The First Amendment reads: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

The Constitution permits Congress to establish a court but not a religion; to suppress an insurrection but not a newspaper; to close a port but not our mouths; to take a vacation but not our property; to regulate commerce but not our lives.

It is generally conceded that the principle of religious liberty is America’s greatest contribution to modern civilization. For a time after Washington became president, he was the recipient of many communications from various religious de-

nominations. Some were congratulatory, others were appeals for the liberty which it was hoped the Constitution provided.

Surely no one was better qualified to give an authoritative reply to those who were seeking an interpretation of the Constitution on this important question. Washington was president of the Convention which framed the Constitution and he understood the feelings of those statesmen regarding religious liberty. "There was not a member of the convention, I believe, who had the least objection to what is contended for by the advocates for a Bill of Rights," wrote Washington to Lafayette (April 28, 1788). And the first and most important of these rights was that of religious liberty, as afterwards inscribed in the First Amendment.

One of the most interesting and valuable chapters in the history of the Constitution is found in these letters written by Washington in reply to the various churches. They breathe a spirit of unselfishness and liberty, and reveal the true principles of freedom which characterized the lives of the early patriots and which have made our nation the envy of the world.

On August 8, 1789, the Baptist General Committee made an appeal to President Washington, saying in part: "When the Constitution first made its appearance in Virginia, we, as a society, had unusual strugglings of mind, fearing that the liberty of conscience, dearer to us than property or life, was not sufficiently secured. Perhaps our jealousies were heightened by the usage we received in Virginia under the regal government, when mobs, fines, bonds, and prisons were our frequent repast."—*The Struggle for Religious Liberty in Virginia*, by C. F. James, page 171.

To this letter Washington replied:

"If I could have entertained the slightest apprehension that the Constitution framed by the convention, where I had the honor to preside, might possibly endanger the religious rights of any ecclesiastical society, certainly I would never have placed my signature to it; and if I could now conceive that the general government might be so administered as to render the liberty of conscience insecure, I beg you will be persuaded that none



*The Statue of Liberty, in a modern setting of flying machines, yet stands for our ancient rights, which are eternal, through times change.*

Paul Thompson

would be more zealous than myself to establish effective barriers against the horrors of spiritual tyranny and every species of religious persecution; for you doubtless remember I have often expressed my sentiments, that any man, conducting himself as a good citizen, and being accountable to God alone for his religious opinions, ought to be protected in worshipping the Deity according to the dictates of his own conscience."—*Id.*, p. 173.

In Colonial days the Quakers were familiar with the rigors of persecution. They were unmercifully hounded from place to place. Washington was not ashamed to assist their cause. In a communication he declared that liberty of worship belonged to them as a *right*, and not a mere privilege grudgingly tolerated. He said:

"Government being, among other purposes, instituted to protect persons and consciences of men from oppression, it certainly is the duty of rulers, not only to abstain from it themselves, but according to their stations to prevent it in others. The liberty enjoyed by the people of these States of worshiping Almighty God agreeably to their consciences is not only among the choicest of their *blessings* but also of their *rights*."—*Old South Leaflets*, No. 65, page 7.

For many years Jews had been victims of all kinds of indignities because of their religion. Coming to this country with the seventh-day Sabbath of the Bible, they found themselves out of harmony with the Sunday blue laws and other theological beliefs of the state-established churches. Washington assured the Jews of Newport:

"All possess alike liberty of conscience and immunities of citizenship. It is now no more that toleration is spoken of as if it was by the indulgence of one class of people that another enjoyed the exercise of their inherent natural rights. For happily the Government of the United States, which gives to bigotry no sanction, to persecution no assistance, requires only that they who live under its protection shall demean themselves as good citizens."—*History of the Jews in Chicago*, by Meitus, page 20.

Seventh-day Baptists, who observed the Sabbath of the fourth commandment, as did the Jews, had been fined and imprisoned for laboring on Sunday. They inquired of Washington if he thought the new Constitution permitted or indorsed such interference with their liberties. He replied in almost the same words as to the Baptists.

Writing to the bishops of the Methodist Church, Washington expressed his purpose to manifest the principles of religious

liberty in his own life: "It shall be my endeavor to manifest by overt acts, the purity of my inclinations for promoting the happiness of mankind as well as the sincerity of my desires to contribute whatever may be in my power towards the preservation of the civil and religious liberties of the American people."—*Old South Leaflets*, No. 65, page 3.

To the Presbyterian Church Washington suggested that those enjoying the privileges of freedom found in this nation could do nothing better than reveal in their lives the fruits of true Christianity. He said: "While all men in our territories are protected in worshiping the Deity according to the dictates of their consciences, it is rationally to be expected from them in return, that they will be emulous of evincing the sanctity of their professions by the innocence of their lives and the beneficence of their actions."—*Id.*, page 2.

In his communication to the Dutch Reformed Church, he declared that "I readily join with you, that 'while just government protects all in their religious rights, true religion affords to government its surest support.'"—*Id.*, page 8.

The Continental Congress had adopted resolutions against Roman Catholics because of their intolerance in other lands. In his counsel to this church, Washington called attention to the radical departure from Old World policies that was to be found here under the Constitution. Men were liberal, and our government was the protector of all religions instead of espousing one at the expense of others. His words were: "As mankind has become more liberal, they will be more apt to allow, that all those, who conduct themselves as worthy members of the community, are equally entitled to the protection of the civil government."—*Id.*, page 10.

Some of the people were frightened at the thought that the Turks and other "heathens" might wish to become citizens of this country and thus be placed on an equality with themselves. "We have abundant reason to rejoice that, in this land, the light of truth and reason has triumphed over the power of bigotry and superstition, and that every person may here worship God according to the dictates of his own heart," said

Washington to the founders of the New Baptist Church, Baltimore. "In this enlightened age, and in this land of equal liberty, it is our boast that a man's religious tenets will not forfeit the protection of the law, nor deprive him of the right of attaining and holding the highest offices that are known in the United States."—*Id.*, page 13.

Washington proclaimed civil and religious liberty for the Quaker, who respects no particular day as the Sabbath; he contended for freedom of belief and action for the Jews and Seventh-day Baptists, who observe the seventh-day Sabbath of the Bible; and he urged equal liberty for Methodists, Presbyterians, Baptists, and others who observe the first day of the week as a rest day. Those who attempt to enforce religious dogmas, under our Constitution, are not in harmony with the Constitution that Washington signed; for he declared that he would not have signed it if he had thought that it interfered with any one's religion.

Washington believed that a man could be a good citizen and keep any day of the week as a Sabbath that he might choose. Unfortunately there are societies today who are attempting to secure and enforce Sunday blue laws upon the people. Such a program is entirely out of harmony with the ideas of the founders of this nation. Washington's lifelong policy was revealed in a letter to Lafayette:

"Being no bigot myself, I am disposed to indulge the professors of Christianity in the church with that road to heaven which to them shall seem the most direct, plainest, easiest, and least liable to exception."—*Old South Leaflets*, No. 65, page 15.

## Our Presidents and the Constitution

SINCE our government began to function, millions have trodden this land of freedom and enjoyed its peace and prosperity. Only a handful have had the honor, however, of residing within the portals of the White House. Upon them has rested the responsibility of protecting and guiding the destinies of this great republic. Almost invariably they have been impressed to turn for political counsel to our magnificent Constitution, which they have sworn to uphold. Under the powerful influence of this document of freedom, there have issued from the Executive Mansion the most solemn messages in its defence and appeals to remain true to its principles that have ever come to the American people. It is inspiring to read the testimonies of these distinguished men of the nation.

*George Washington, Farewell Address, Sept. 17, 1796.*—"I shall carry it with me to my grave as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free Constitution which is the work of your hands may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue. . . . Resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect in the forms of the Constitution alterations which will impair the energy of the system, and thus to undermine what cannot be directly overthrown."

*John Adams, Inaugural Address, March 4, 1797.*—"I first saw the Constitution of the United States in a foreign country. Irritated by no literary altercation, animated by no public debate, heated by no party animosity, I read it with great satisfaction, as the result of good heads prompted by good

---

*James Monroe, fifth president, said truly that to preserve our Constitutional liberties required "virtues and talents equal to those which were displayed in acquiring them."*

---



hearts, as an experiment better adapted to the genius, character, situation, and relations of this nation and country than any which had ever been proposed or suggested. In its general principles and great outlines it was conformable to such a system of government as I had ever most esteemed."

*Thomas Jefferson, "Life of Jefferson," by Ford, Vol. 9, page 174.*—"I consider the Government of the United States as interdicted by the Constitution from intermeddling with religious institutions, their doctrines, discipline, or exercise. . . . Certainly no power to prescribe any religious exercise, or assume authority in religious discipline, has ever been delegated to the general government."

*James Madison, "National Gazette," Feb. 6, 1792.*—"The people who are the authors of this blessing must also be its guardians. Their eyes must be ever ready to mark, their voice to pronounce, and their arms to repel or repair, aggressions on the authority of their Constitution."

*James Monroe, Message to House of Representatives, May 4, 1822.*—"The establishment of our institutions forms the most important epoch that history hath recorded. They extend un-

exampled felicity to the whole body of our fellow citizens, and are the admiration of other nations. To preserve and hand them down in their utmost purity to the remotest ages will require the existence and practice of virtues and talents equal to those which were displayed in acquiring them."

*John Quincy Adams, Inaugural Address, March 4, 1825.*—"Administered by some of the most eminent men who contributed to its formation, through a most eventful period in the annals of the world, and through all the vicissitudes of peace and war incidental to the condition of associated man, it has not disappointed the hopes and aspirations of those illustrious benefactors of their age and nation. It has promoted the lasting welfare of that country so dear to us all; it has to an extent far beyond the ordinary lot of humanity secured the freedom and happiness of this people. We now receive it as a precious inheritance from those to whom we are indebted for its establishment, doubly bound by the examples which they have left us, by the blessings which we have enjoyed as the fruits of their labors, to transmit the same unimpaired to the succeeding generations."

*Andrew Jackson, Farewell Address.*—"The Constitution cannot be maintained, nor the union preserved, in opposition to the public feeling, by the mere exertion of the coercive powers confided to the general government. The foundations must be laid in the affections of the people; in the security it gives to life, liberty, character, and property in every quarter of the country, and in the fraternal attachment which the citizens of the several states bear to one another as members of one political family, mutually contributing to promote the happiness of each other."

*Martin van Buren, Inaugural Address.*—"For myself, therefore, I desire to declare that the principle that will govern me in the high duty to which my country calls me is a strict adherence to the letter and spirit of the Constitution, as it was designed by those who framed it. Looking back to it as a sacred instrument carefully and not easily framed, remembering that it was throughout a work of concession and compromise, . . .

I shall endeavor to preserve, protect, and defend it by anxiously referring to its provision for direction in every action."

*William Henry Harrison, Inaugural Address.*—"The broad foundation upon which the Constitution rests, being the people, a breath of theirs having made, a breath can unmake, change, or modify it—it can be assigned to none of the great divisions of government but to that of democracy."

*John Tyler, Message to House of Representatives, Sept. 9, 1841.*—"The Constitution itself I regard and cherish as the embodied and written will of the whole people of the United States. It is their fixed and fundamental law, which they unanimsly prescribe to the public functionaries, their mere trustees and servants. This *their* will and the law which *they* have given us as the rule of our action have no guard, no guaranty of preservation, protection, and defense, but the oath which it prescribes to the public officers, the sanctity with which they shall religiously observe those oaths, and the patriotism with which the people shall shield it by their own sovereign will, which has made the Constitution supreme."

*James K. Polk, Inaugural Address, 1845.*—"This most admirable and wisest system of well-regulated self-government among men ever devised by human minds has been tested by its successful operation for more than half a century, and if preserved from the usurpations of the Federal Government on the one hand and the exercise by the States of power not reserved to them on the other, will, I fervently hope and believe, endure for ages to come and dispense the blessings of civil and religious liberty to distant generations."

*Zachary Taylor, First Annual Message, Dec. 4, 1849.*—"Our Government can only be preserved by the suppression and entire elimination of every claim or tendency of one coordinate branch to encroachment upon another. With the strict observance of this rule and the other injunctions of the Constitution, with a sedulous inculcation of that respect and love for the union of the States which our fathers cherished and enjoined upon their children, and with the aid of that ever-ruling Providence which has so long and so kindly guarded our liberties and

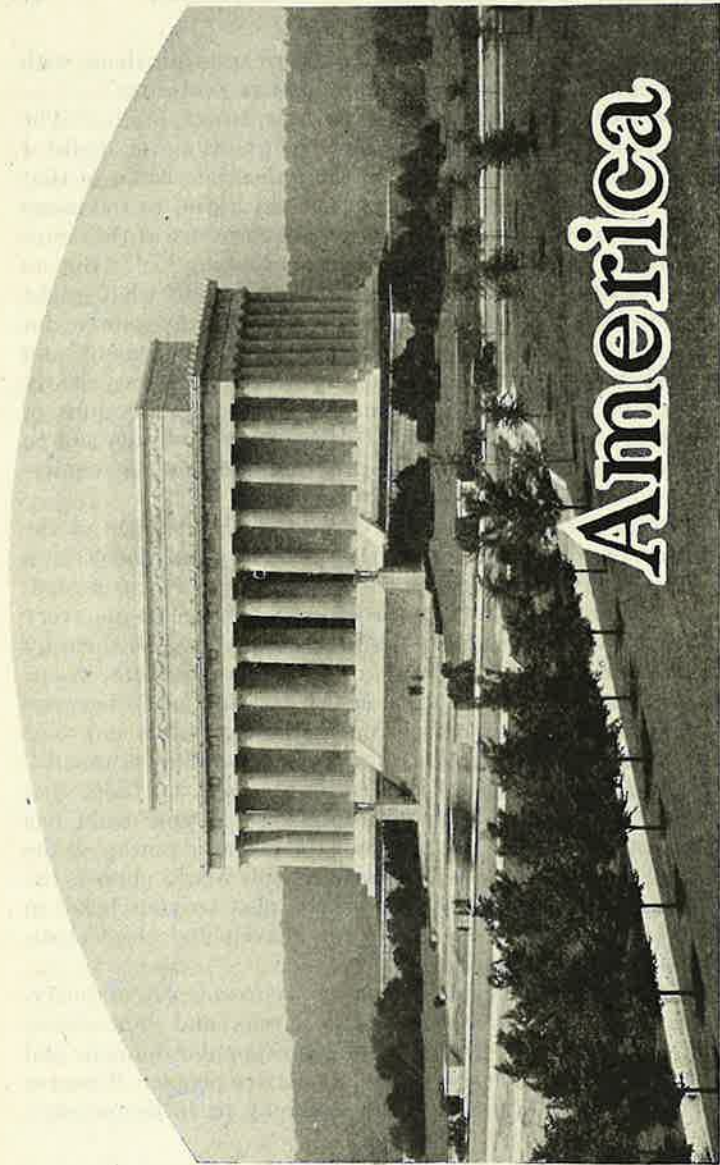
institutions, we may reasonably expect to transmit them, with their innumerable blessings, to the remotest posterity."

*Millard Fillmore, First Annual Message, Dec. 2, 1850.*—"The Constitution will be my guide, and in questions of doubt I shall look for its interpretation to the judicial decisions of that tribunal which was established to expound it and to the usage of the government, sanctioned by the acquiescence of the country. I regard all its provisions as equally binding. . . . But no pretense of utility, no honest conviction, even, of what might be expedient, can justify the assumption of any power not granted. The powers conferred upon the Government and their distribution to the several departments are as clearly expressed in that sacred instrument as the imperfections of human language will allow, and I deem it my first duty not to question its wisdom, add to its provisions, evade its requirements, or nullify its commands."

*Franklin Pierce, Inaugural Address.*—"The dangers of the concentration of all power in the general government of a confederacy so vast as ours are too obvious to be disregarded. You have a right, therefore, to expect your agents in every department to regard strictly the limits imposed upon them by the Constitution of the United States. The great scheme of our constitutional liberty rests upon a just discrimination between the separate rights and responsibilities of the States and your common rights and obligations under the general government."

*James Buchanan, Speech at New York, April 24, 1856, after trip abroad. "Works," Vol. X, page 78.*—"If you could feel how despotism looks on; how jealous the despotic powers of the world are of your glorious institutions, you would cherish the Constitution and Union to your hearts, next to your belief in the Christian religion—the Bible for heaven and the Constitution of your country for earth."

*Abraham Lincoln, First Inaugural Address.*—"A majority, held in restraint by constitutional checks and limitations, changing easily with deliberate changes of popular opinions and sentiments, is the only true sovereign of a free people. Whoever rejects it does, of necessity, fly to anarchy or to despotism."



Harris and Ewing.  
As majestic as the Lincoln Memorial, Washington, D. C., the influence of America has been for liberty throughout all nations.

[42]

*Andrew Johnson, First Annual Message, Dec. 4, 1865.*—  
“The hand of divine Providence was never more plainly visible in the affairs of men than in the framing and the adopting of that instrument. It is beyond comparison the greatest event in American history, and, indeed, is it not of all events in modern times the most pregnant with consequences for every people of the earth?”

*Ulysses S. Grant, Seventh Annual Message, Dec. 7, 1875.*—  
“From the fall of Adam for his transgression to the present day, no nation has ever been free from threatened danger to its prosperity and happiness. We should look to the dangers threatening us and remedy them so far as lies in our power. . . . I suggest for your earnest consideration, and most earnestly recommend it, that a constitutional amendment be submitted to the legislatures of the several States for ratification, making it the duty of each of the several States to establish and forever maintain free public schools adequate to the education of all the children in the rudimentary branches within their respective limits, irrespective of sex, color, birthplace, or religion; forbidding the teaching in said schools of religious, atheistic, or pagan tenets; and prohibiting the granting of any school funds or school taxes, or any part thereof, either by legislative, municipal, or other authority, for the benefit or in aid, directly or indirectly, of any religious sect or denomination, or in aid or for the benefit of any other object of any nature or kind whatever.”

*Rutherford B. Hayes, Message to House of Representatives, April 29, 1879.*—“No single branch or department of the Government has exclusive authority to speak for the American people. The most authentic and solemn expression of their will is contained in the Constitution of the United States. By that Constitution they have ordained and established a government whose powers are distributed among co-ordinate branches, which, as far as possible consistently with a harmonious cooperation, are absolutely independent of each other. The people of this country are unwilling to see the supremacy of the Constitution replaced by the omnipotence of any one department of the Government.”

*James A. Garfield, Inaugural Address, March 4, 1881.*—“Under this Constitution the boundaries of freedom have been enlarged, the foundations of order and peace have been strengthened, and the growth of our people in all the better elements of national life has indicated the wisdom of the founders and given new hope to their descendants. . . . Freedom can never yield its fullness of blessings so long as the law or its administration places the smallest obstacle in the pathway of any virtuous citizen.”

*Chester A. Arthur, Inaugural Address, Sept. 22, 1881.*—“The Constitution defines the functions and powers of the executive as clearly as those of either of the other two departments of the Government, and he must answer for the just exercise of the discretion it permits and the performance of the duties it imposes. Summoned to these high duties and responsibilities and profoundly conscious of their magnitude and gravity, I assume the trust imposed by the Constitution, relying for aid on divine guidance and the virtue, patriotism, and intelligence of the American people.”

*Grover Cleveland, Address at the 100th Anniversary of the Constitution, 1887, "History," Vol. II, page 262.*—“When we look down one hundred years and see the origin of our Constitution, when we contemplate all its trials and triumphs, when we realize how completely the principles upon which it is based have met every national need and every national peril, how devoutly should we say with Franklin, ‘God governs in the affairs of men,’ and how solemn should be the thought that to us is delivered this ark of the people’s covenant, and to us is given the duty to shield it from impious hands. It comes to us sealed with the test of a century. It has been found sufficient in the past, and it will be found sufficient in all the years to come, if the American people are true to their sacred trust.”

*Benjamin Harrison, Inaugural Address, March 4, 1889.*—“I do not misinterpret the spirit of the occasion when I assume that the whole body of the people covenant with me and with each other today to support and defend the Constitution and the Union of the States, to yield willing obedience to all the

laws and each to every other citizen his equal civil and political rights. Entering thus solemnly into covenant with each other, we may reverently invoke and confidently expect the favor and help of Almighty God—that He will give me wisdom, strength, and fidelity, and to our people a spirit of fraternity and a love of righteousness and peace.”

*William McKinley, Speech at Dayton, Ohio, October 18, 1887.*—“We are now one hundred years from the promulgation of the Constitution of the United States, a Constitution founded in the wisdom and patriotism of the Fathers, which neither foreign wars nor internal conflicts have been able to destroy. It is therefore not only a fitting occasion for retrospection and thankfulness, but a suitable time to take our bearings, make sure of our foundations, that we may pass along to the century



*In his presidential utterances Theodore Roosevelt upheld and honored the Constitution.*

which is to come the Constitution unimpaired and strengthened and the liberties which it guarantees firmly secured, and so demonstrate our fitness to preserve the Government which has accomplished so much for human progress and human rights in the first century of its existence."

*Theodore Roosevelt, Thanksgiving Proclamation, Oct. 31, 1908.*—"In no other place and at no other time has the experiment of government of the people, by the people, for the people, been tried on so vast a scale as here in our country in the opening years of the twentieth century. Failure would not only be a dreadful thing for us, but a dreadful thing for all mankind, because it would mean loss of hope for all who believe in the power and the righteousness of liberty."

*William H. Taft, Statement to Pope Leo XIII, "Report of War Department, 1902," Vol. I, page 238.*—"The policy of separating church from state, as required in the Constitution of the United States, does not indicate hostility to religion or to the maintenance of any church. On the contrary, the founders of our government were profoundly convinced that religion must be upheld for the benefit of the state, and that it was the true

---

*Both as President of the United States and Chief Justice of the Supreme Court, William H. Taft defended the separation of church and state.*




---

*President Wilson saw the Constitution as "a model for those who seek to set liberty upon foundations that will endure against fortuitous change, against storm and accident."*

basis for the morality of the citizen; and in practice it will be found that in the United States the rights of all churches, both as to property, administration, and practice of religion, are observed and protected with even more scrupulous care than in some countries where church and state are said to be united. . . . The government of the United States treats all churches and creeds alike."

*Woodrow Wilson, Inaugural Address, March 4, 1913.*—"We have built up, moreover, a great system of government which has stood through a long age as in many respects a model for those who seek to set liberty upon foundations that will endure against fortuitous change, against storm and accident."

*Warren G. Harding, Inaugural Address.*—"Ours is a Constitutional freedom where the popular will is the law supreme and the minorities are sacredly protected. Our revisions, reformations, and evolutions reflect a deliberate judgment and an

orderly progress and we mean to cure our ills but never destroy or permit destruction by force."

*Calvin Coolidge, "Foundations of the Republic," pages 93, 97.*—"No president, however powerful, and no majority of the Congress however large, can [rightfully] take from any individual, no matter how humble, that freedom and those rights which are guaranteed to him by the Constitution. . . . The Constitution of the United States has for its almost sole purpose the protection of the freedom of the people. We must combat every attempt to break down or to make it easy, under the pretended guise of legal procedure, to throw open the way to reaction or revolution. To adopt any other course is to put in jeopardy the sacred right of life, liberty, property, and the pursuit of happiness."

*Herbert Hoover, "The New Day," page 179.*—"Our country has a political, social, and economic system that is peculiarly our own. It is the American system. It grew out of our revolt from European systems, and has ripened with our experience and our ideals. We have seldom tried to express it or define it. It has been the moving force of our progress. It has brought us into the leadership of the world. The founders of our Republic under divine inspiration set up not alone a great political system of self-government, but they set up also a revolutionary social system in the relation of men toward men. Our political system is unique in the world. It is unique because of its decentralization of self-government and its checks and balances which safeguard ordered liberty and freedom to each individual."

*Franklin D. Roosevelt, Inaugural Address, March 4, 1933.*—"Our Constitution is so simple and practical that it is possible always to meet extraordinary needs by changes in emphasis and arrangement without loss of essential form. That is why our Constitutional system has proved itself the most superbly enduring political mechanism the modern world has produced. It has met every stress of vast territory, of foreign war, of bitter internal strife, of world relations."

The Constitution is a veteran of many wars and depressions. It is worthy of all the eulogies that men may give it. After all, however, the greatest testimony to its incomparable value to humanity, is seen in that endless caravan of immigrants, one hundred fifty years long, that has trekked to this land of freedom and opportunity.



## The Constitution a Trail Blazer

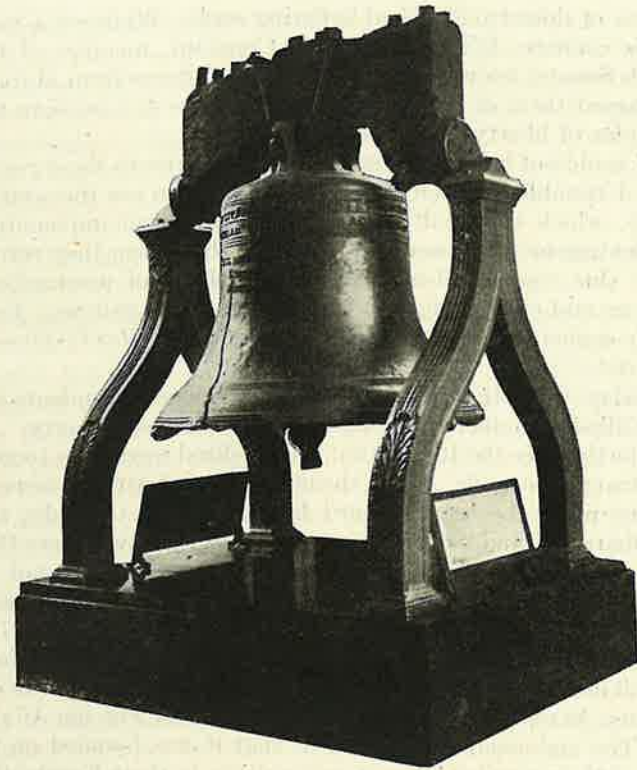
THE patriots who sat at the cradle of liberty in the infancy of this nation were not satisfied merely to inscribe upon paper that they believed all men were created equal. They felt a responsibility to forward the cause of freedom in all the world. Said James Wilson, one of the delegates to the Constitutional Convention:

"By adopting this system, we shall probably lay a foundation for erecting temples of liberty in every part of the earth. It has been thought by many, that on the success of the struggle America has made for freedom will depend the exertions of the brave and enlightened of other nations."—*Elliot, "Debates on the Constitution," Vol. II, page 529.*

The conflict between the principles of the Constitution and the intolerance and superstition of other countries is a chapter in our history that is largely hidden away in the diplomatic archives of the United States State Department. Clothed with the power of a great nation, our political representatives in other nations have broken down the walls of tyranny and oppression and have thrown a mantle of protection over our citizens as they have pioneered the way as missionaries of the gospel or in commercial pursuits. Message after message has been sent to the rulers and leaders of other countries introducing them to liberty.

More than threescore treaties have been negotiated containing provisions for freedom of conscience and religious liberty. Most of them relate more particularly to our own citizens residing in those countries. Our statesmen in writing them, and the Senate in ratifying them, have demonstrated beyond question the esteem with which these principles are held in this country. The interpretations of our constitutional prin-

[50]



*In accordance with the inscription on the Liberty Bell,—“Proclaim liberty throughout all the land unto all the inhabitants thereof” (Lev. 25: 10),—the Constitution has given us a century and a half of the greatest liberty ever enjoyed by any nation.*

ciples by presidents through the State Department also throw valuable sidelights upon their meaning. Sometimes it seems as if greater interest is taken in securing the liberties of our citizens in other countries than of those at home.

Like leaven the new doctrine of liberty penetrated the dark places of earth. It has been the means of bringing freedom to

Center for Adventist Research  
Andrews University  
Berrien Springs, Michigan

millions of downtrodden and suffering souls. While on a visit to this country, D'Estournelles de Constant, member of the French Senate, addressed a company of students from abroad. He warned them of the danger to themselves of espousing the principles of liberty. He later said:

"I could not help giving some friendly advice to these young men. I tremble for their future, because I can see the seed of liberty, which they cultivate in these American universities, germinating in them; and it is probable that when they return home, this seed will bear fruit in the shape of insurrection, sedition, and everything that brings men to the gallows. They merely smiled at my warnings."—*America and Her Problems*, page 207.

Today we note a reversal of this influence. Students are being filled with doctrines that destroy the seeds of liberty.

Shortly after the Revolution, the civilized world was treated to a strange spectacle. Along the north coast of Africa American citizens might be seen at hard labor, chained to mules and wheelbarrows, and fed on a pound of bread a day! Were they robbers or murderers? No, it was because they were not religious—in a certain way. They had been captured by Mohammedan pirates from the country of Tripoli. In March, 1786, John Adams and Thomas Jefferson met the ambassador from Tripoli in London and protested against this ill treatment of our citizens. As reported by John Jay, Secretary for Foreign Affairs:

"The ambassador answered us that it was founded on the laws of their prophet, that it was written in their Koran; that all nations who should not have acknowledged their authority were sinners, that it was their right and duty to make war upon them wherever they could be found, and to make slaves of all they could take as prisoners."—*Diplomatic Correspondence*, Vol. I, page 605.

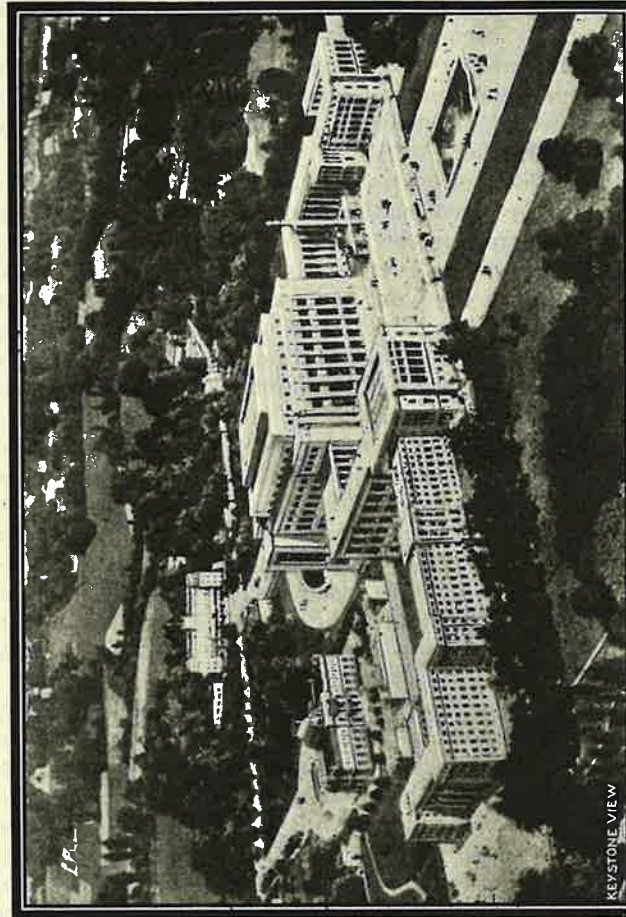
Such a philosophy is the direct result of following the false doctrine of uniting church and state. Political government means force, and to unite any religious belief with civil power means an assumed infallibility, with pains and penalties for all dissenters.

How Adams and Jefferson answered this statement of the Mohammedan is not recorded. After all, what could they say? Nearly all the States they represented were guilty of the same kind of tyranny. Men and women had had their temporal possessions confiscated, others were imprisoned or driven away from their homes and families, some even forfeited their lives because they would not believe the Bible as interpreted by state churches or others.

There may be some excuse for ignorant, heathen peoples indulging in such persecution; but there is no legitimate reason for enlightened church members lowering their high standards of Christian liberty to the level of Mohammedan pirates, who carried the Koran in one hand and a sword in the other. But religious intolerance dies hard. Even now in America citizens are plagued with religious organizations who are seeking by civil law to chain dissenters to some religious dogma. This is especially true of Sunday blue laws.

After the Constitution was adopted, with its principles of religious liberty, our legislators could then meet the challenge of pirates. They forever rejected the idea of the union of church and state, and that rejection has largely been followed ever since. In 1797 a treaty with Tripoli was negotiated by Washington. With a bold hand the Senate wrote into the supreme law of the land that "the United States of America is not, in any sense, founded on the Christian religion."—*United States Statutes at Large*, Vol. VIII, page 155.

"This disclaimer by Washington,' says the Rev. Dr. Samuel T. Spear, an able writer on Constitutional law, 'in negotiating, and the Senate in confirming, the treaty with Tripoli, was not designed to disparage the Christian religion, or indicate any hostility thereto, but to set forth the fact, so apparent in the Constitution itself, that the government of the United States was not founded upon that religion, and hence did not embody or assert any of its doctrines. The language of this article in the treaty was used for a purpose, and that purpose was in exact correspondence with the Constitution itself.'—*The American Spirit*," by Straus, page 264.



The palace of the League of Nations, Geneva, Switzerland. It was the hope of President Wilson that the League might be an international embodiment of the principles of the United States Constitution.

[54]

Washington declared that it was the duty of rulers to use their positions and influence in the interest of religious liberty. President John Quincy Adams evidently believed the same. He took special interest in the South American countries, and sent a message to the Senate suggesting the sending of delegates to a Panama Congress. In it he stated:

“There is yet another subject upon which, without entering into any treaty, the moral influence of the United States may, perhaps, be exerted with beneficial consequences at such a meeting—the advancement of religious liberty. Some of the southern nations are even yet so far under the domination of prejudice that they have incorporated with their political constitutions an exclusive church, without toleration of any other than the dominant sect.”—*International American Conference*, Vol. 4, page 22.

Later two delegates were appointed to attend the Panama Congress. Henry Clay, Secretary of State, prepared a document of instruction for the delegates, incorporating the views of the President. Regarding religious liberty Mr. Clay wrote:

“You will avail yourselves of all suitable occasions to press upon the ministers of the other American States the propriety of a free toleration of religion within their respective limits. The framers of our Constitution of government have not only refrained from incorporating with the state any peculiar form of religious worship, but they have introduced an express prohibition upon the power of Congress to make any law respecting an establishment of religion. With us none are denied the right which belongs to all—to worship God according to the dictates of their own consciences. . . . In the United States we experience no inconvenience from the absence of any religious establishment and the universal toleration which happily prevails. We believe that none would be felt by other nations who should allow equal religious freedom.”—*Id.*, page 146.

Andrew Jackson, in 1829, sent a message to Turkey through the State Department: “The President finds it difficult to believe that the Porte can be indisposed to a just and permanent commercial regulation with a nation like the United States, in

whom the Ottoman has never found an enemy, by whose liberal institutions all political and religious discriminations are banished from her intercourse with foreign states; by whose laws, a Mussulman, whether citizen or alien, would be entitled to the same privileges as a Christian."—*Foreign Relations, 1829.*

In 1851 Daniel Webster, Secretary of State, sent a message to Commodore John H. Anlick, when sailing for Japan:

"It is considered important that you should avail yourself of every occasion to impress upon the Japanese officers with whom you will be brought in contact, that the government of the United States does not possess any power over the religion of its own citizens, and that there is, therefore, no cause to apprehend that it will interfere with the religion of other countries."—*Writings and Speeches of Daniel Webster, Vol. 24, page 428.*

It is not generally known that when Commodore M. C. Perry made his famous visit to Japan in 1853 that he was instructed to inform the emperor of our principles of religious liberty. And the Commodore sent a message to that effect to the emperor. (See "Expedition to Japan," Vol. I, page 258.) Later when a treaty with Japan was negotiated, a provision for religious liberty was incorporated in it.

In 1853 the Senate adopted a definite policy (Report No. 418) on religious liberty in its foreign relations administration. It said:

"The constitutions adopted by the people of the United States, both State and National, guarantee to each citizen freedom of worship according to the dictates of his conscience. No one is compelled by law to subscribe to any particular creed, or to observe any particular form of worship, or to give any church preference over another contrary to the convictions of his own reason and judgment. In these respects the citizen is absolutely free to act in conformity to his own convictions. He is not bound to give a preference to the religious teachers of this or that creed. He may hear all, and then form his own faith for himself. The Government does not dictate. This system of religious freedom and toleration is fundamental with us."

"*Reports of Committees on Foreign Relations, U. S. Senate, 1789-1901, Vol. 6, page 105.*

When Switzerland was annoying some of our citizens because of their religion, our representative to that country protested to "their excellencies the President and other members of the High Federal Council at Berne," May 26, 1859:

"The law of the United States confers upon its citizens equality without distinction of religious profession, and by the Constitution Congress is prohibited from making laws respecting the establishment of religion. American citizens have a right to require of their government equal protection in foreign countries. Their government has a right to promise that protection. The names *Israelite* and *Christian* do not appear in the treaty, and are equally unknown in the Constitution of the United States."—*Foreign Relations Documents, Vol. 56, House Doc. 76, page 83.*

October 19, 1871, the State Department sent a dispatch to our minister in China: "The President [U. S. Grant] will see with deep regret any attempt to place a foreign ecclesiastic, as such, on a different footing from other foreigners residing in China. It is a fundamental principle in the United States, that all persons, of every sect, faith, or race, are equal before the law. They make no distinction in favor of any ecclesiastical organization. Prelates, priest, and ministers can claim equal protection here, and enjoy equal rank in the eye of the civil law."—*Foreign Relations, 1871, page 154.*

In 1895 our State Department protested against the treatment that was being accorded some of our citizens in Russia. It was a case of many years' standing and eventually resulted in the abrogation of our treaty with that country. Our representative to Russia was Clifton R. Breckinridge. After many discussions over the rights of citizens under our Constitution, Baron Osten-Sacken of Russia, finally requested that our ambassador give him "the language of our organic law in regard to religious liberty."

In his reply, Mr. Breckinridge said: "Although Congress had not been granted any power in regard to religious matters,



By Ewing Galloway, N. Y.

As towering as the monument to George Washington, the glory of our Constitution has been maintained by the unanimous voices of our presidents.

[58]

so great was the fear of the States and the people that Congress might upon some pretext attempt such legislation that the first of all the amendments, Article I, says, 'Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.' Thus, you see, my government is prohibited in the most positive manner possible by the very law of its existence from even attempting to put any form of limitation upon any of its citizens by reason of his religious belief."—*"Foreign Relations," 1895, page 1063.*

Officials sought to evade this principle of religious freedom and claimed that they were not interfering with any one's religion. It was parallel with the claim, often put forth by champions of Sunday laws, that forcing those who observe the seventh-day Sabbath of the fourth commandment also to rest on Sunday is not interfering with their right to rest and worship on Saturday. In this limping logic they ignore other rights of labor, etc., on the other six days. To this argument, our ambassador replied to Prince Lobanow:

"Our Constitution does not say that Congress shall not make a law simply 'prohibiting' or 'authorizing' a religious exercise or belief, as your excellency seems to understand. It says that 'Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.' Certainly if a law deprives any people or persons of a certain faith, because of that faith, of all or of any part of the rights, privileges, and immunities enjoyed by other citizens or class of citizens, it is made 'respecting' that religion, and it militates against 'the free exercise thereof,' as much as if the sect had been mentioned in the title of the act and the consequences had been named as pains and penalties for the conscientious belief and observances entertained and practiced."—*Id., page 1066.*

Often our political representatives took occasion to call to the attention of officials of other nations that the marvelous prosperity and progress of our country was due to the civil and religious liberties provided and protected here. In a communication to the Japanese minister of Foreign Affairs, our ambassador to Japan, Mr. C. E. De Long, wrote:

"Absolute freedom in all matters of religious belief has been and is still a leading element of the ever-increasing power and prosperity of the United States, and nations may be said to prosper in proportion as their governments abstain from interference in matters of conscience."—*Foreign Relations*, 1870-71.

Secretary of State Thomas F. Bayard, in a communication to Baron Ignatz von Schaeffer, Minister of Austria-Hungary, May 18, 1885, declared that "religious liberty is the chief cornerstone of the American government, and provisions for its security are imbedded in the written charter and interwoven in the moral fabric of its laws. Anything that tends to invade a right so essential and sacred must be carefully guarded against."—*Foreign Relations*, 1885.

These legal and diplomatic messages and documents from presidents, cabinet officials, ambassadors, and others might be multiplied many times. They reveal the importance with which our leading citizens throughout our national history have viewed the principles of religious liberty guaranteed under the Constitution. They also disclose the responsibility to urge and maintain this policy of freedom which has been felt by the government. In these documents can be seen the definite and concrete manner in which the principles of liberty have made their way into the high places of the nations.

Man has been endowed by his Creator with varied talents—spiritual, mental, and physical. He is responsible to God for the development and use of these gifts. No government can legitimately place restrictions upon his efforts freely to exercise them. This is especially true when it comes to the question of obeying the direct commands of God for His worship. This right must be sacredly guarded, as provided in our Constitution.

## The Supreme Court---the Keystone of Our Government

WHEN our forefathers surveyed and laid out the legal boundaries of our nation, they erected three landmarks designed to protect its domain. They were termed the Legislative, Executive, and Judicial departments. They are the trinity of true government, and were established for one purpose—to protect and preserve the rights of men.

"The Constitution was framed on the fundamental theory that a larger measure of liberty and justice would be assured by vesting the three great powers—the legislative, the executive, and the judicial—in separate departments, each relatively independent of the others," says Justice Van Devanter. (253 U. S. 245.) "And it was recognized that without this independence, if it was not made both real and enduring, the separation would fail of its purpose. All agreed that restraints and checks must be imposed to secure the requisite measure of independence; for otherwise the legislative department, inherently the strongest, might encroach on, or even come to dominate, the others; and the judicial, naturally the weakest, might be dwarfed or swayed by the other two, especially by the legislative."

Of these three divisions our fathers felt that the judicial was the most vital and important, and to properly function it must be independent and free. In the Declaration of Independence it was charged that King George III "made judges dependent on his will alone for the tenure of their offices and the amount and payment of their salaries."

A judge must be immune to fear or favor. "If he would be just," declared H. S. Barker, President of the State University of Kentucky, "he must be like the ancient goddess, blind, and hold aloft the golden scales with impartial hand. He must know neither friend nor foe, and his judgments should not be in-

fluenced by the howl of the mob, nor the frown of power, the blandishments of flattery, nor the whisperings of corruption. Before him all men must stand alike; he should be indifferent whether the litigants are white or black, Jew or Gentile, Pagan or Christian; they are all entitled to equal justice without reference to their color, their politics, their religion, or want of religion. In the administration of the law, there should be none so high as to be above its restraint, and none so low as to be beneath its protection."—"Kentucky Law Journal," December, 1915, page 6.

A subservient judge caused the crucifixion of Christ. Though declaring Him innocent of the charges against Him, Pilate, the Roman governor, lacked courage to free Him when a mob was shouting, "If thou let this man go, thou art not Cæsar's friend." John 19:12. Similar miscarriages of justice had been seen in this country. One hundred years before the Constitution was framed a "subservient judge in England had written his name in blood of innocent people on its pages of history—the bloody Jeffreys in the bloody Western Assize." To avoid such travesties on justice the judiciary must be free from coercive influences.

In his excellent book on the American government, Lord Bryce pointed out this desire of its framers: "The Supreme Court is the living voice of the Constitution; that is, of the will of the people expressed in the fundamental law they have enacted. . . . The fathers of the Constitution studied nothing more than to secure the complete independence of the judiciary."—"American Commonwealth," page 276.

"One of the great contributions which America made to the science of government," said President Calvin Coolidge, "was the establishment of an independent judiciary department under which this authority resides in the Supreme Court. That tribunal has been made as independent and impartial as human nature could devise. This action was taken with the sole purpose of protecting the freedom of the individual, of guarding his earnings, his home, his life."—"Foundation of the Republic," page 93.




---

President Calvin Coolidge said the Supreme Court is "one of the greatest contributions which America has made to the science of government."

---

The Supreme Court is also a creature of the Constitution. For it to render decisions contrary to our fundamental law would be as disastrous to liberty as digressions on the part of the legislative or executive departments. By manipulations of the other branches of government judges might be placed upon the Court who are antagonistic or indifferent to republican principles. Directly or indirectly the freedom of the individual would be undermined through their power. Eventually the real purpose of the Constitution—the protection of human rights—would be trampled underfoot and a throne of tyranny set up.

It devolved upon Washington, as our first President, to establish the first Supreme Court. In his letter notifying the associate justices of their appointment, he referred to the "judicial system as the chief pillar upon which our national government must rest." In the commission to John Jay, appointing him chief justice, Washington wrote that the Supreme Court "must be considered as the keystone of our political fabric."

"The Father of our country was right when he declared, in a letter to the first chief justice of the United States, that the judicial department was the keystone of our political fabric,"

said Justice John Marshall Harlan, in an address at the Centennial Celebration of the Establishment of the Supreme Court. "Time has grandly vindicated that declaration. All now admit that the fathers did not err when they made provision, in the fundamental law, for 'one Supreme Court,' with authority to determine, for the whole country, the true meaning and scope of that law. The American people, after the lapse of a century, have a firm conviction that the elimination of that court from our constitutional system would be the destruction of the government itself, upon which depends the success of the experiment of free institutions."—*The Supreme Court,* by Carson, page 725.

It was the intention of the framers of the Constitution that the Court should not only be independent, but that it should also be the watchdog of the Constitution, the traffic officer of the nation, guiding it in the paths of justice and liberty, an impartial umpire, settling controversies according to the written law. This need is more evident today than ever before.

"The Supreme Court is the only factor for stability we have in this country," states Professor Edwin Borchard, of Yale University. "We have no monarchy, and our few traditions seem now to be honored mainly in the breach. Our volatile population is easily swayed by emotions, sometimes reflected in state legislature and in Congress. The minority, for whose protection a Constitution largely exists, is readily subjected to coercion by the majority in times of excitement."—*Reorganization of the Federal Judiciary,* Vol. 4, page 827.

Did the Supreme Court usurp the authority to declare a law of Congress unconstitutional and void? It is rather late, after one hundred fifty years, to raise such a question. The principle of judicial review had its roots back in British and Colonial courts. It was exercised by State courts from 1780 to 1787. It was approved by the first Congress of the United States in the Judiciary Act of 1789. Hamilton and Madison discussed it in the Federalist Papers. In 1795 Associate Justice Wm. Patterson made a positive pronouncement of this right:

"I take it to be a clear position, that if a legislative act

oppugns a constitutional principle, the former must give way and be rejected on the force of repugnance. I hold it to be a position equally clear and sound, that in such case, it will be the duty of the court to adhere to the Constitution and to declare the act null and void."—2 *Dal.* 304, 309.

Oliver Ellsworth, member of the Constitutional Convention and later appointed Chief Justice, when debating the adoption of the Constitution in the Connecticut Convention, said: "If the United States go beyond their powers, if they make a law which the Constitution does not authorize, it is void, and the judicial power, the national judges, who, to secure their impartiality, are to be made independent, will declare it to be void."—*Elliot, "Debates on the Constitution,"* Vol. 11, page 196.

James Wilson, also a member of the Convention and afterward an associate justice of the Supreme Court, declared that "under this Constitution, the legislature may be restrained and kept within its prescribed bounds, by the interposition of the judicial department."

The Supreme Court was not called upon to declare a law unconstitutional for sixty-eight years after its establishment. That was not because it did not possess or claim the authority, as noted in the foregoing quotations, but because of the faithfulness of the legislators and executives to their oaths to support the Constitution. Members of Congress endeavored to exercise only the power granted to them. When occasionally a law was passed that seemed to be unconstitutional, it was promptly vetoed by the President. Consequently the Court did not need to exercise this prerogative for many years.

Law and order must exist. Power to settle questions must be lodged somewhere. No family, business, organization, city, state, or nation can be run successfully without an authority to decide controverted points. Majorities are well able to take care of themselves. The rights of minorities are at the mercy of the majority, and a power separate and distinct from the ones making and enforcing laws is needed to preserve the liberties of all. Had it not been for the Supreme Court, there is no question but that many of our rights would have disappeared years ago.



Delegation of Texans who appeared before the Senate Judiciary Committee in defense of the Constitution. The threat of danger to that bulwark of our rights arouses all patriotic citizens.

[66]

"It is a solemn fact that, even in times of comparative freedom from emergency or excitement, Congress, or one of its branches, has violated the provisions of the Bill of Rights at least ten times since the year 1867; and at least ten times has the Supreme Court saved the individual against congressional usurpation of power," writes Mr. Warren in his book, "Congress, the Constitution, and the Supreme Court," page 150.]

A few illustrations of how the Court has thus protected citizens are well summed up by Edward T. Lee, dean of the John Marshall Law School of Chicago: "Our Declaration of Independence asserts that a government of the people is established to secure not to grant certain inalienable rights. And the Supreme Court has always been the protector of these rights, as shown in the Schechter case, a case of a humble Jewish citizen; in the Scottsboro case involving some helpless Negro boys; in the Meyer case, involving a German Lutheran school teacher in which the Supreme Court held invalid a statute of Nebraska forbidding the teaching of foreign languages in public and private schools; and the Oregon Compulsory Education case, in which a society of Catholic sisters were defendants, charged with violating a law of Oregon requiring children between eight and sixteen years of age to be sent to a public school."—"Reorganization of the Federal Judiciary," Vol. 6, page 1722.

The power of judicial review has been the most widely copied provision of our Constitution. New republics springing up in various parts of the world were quick to note its value. It is not strange, therefore, that this important balance wheel of government should be the first to be attacked when enemies of democracy arise. Standing as a citadel of strength on the borderline of tyranny, it must be destroyed before despotism can triumph.

The Court is referred to as being composed of nine old men. Are justices too old to fill their positions properly after they become seventy years of age? Who knows? "No statesman has been able to correlate liberal or conservative opinions with age from 40 to 70," said H. W. Dodds, President of Princeton

University, when testifying before the Senate Judiciary Committee, on the bill to increase the size of the Supreme Court.—*Id.*, Vol. 3, page 619.

Millenniums ago it was declared that "with age there is wisdom," hence we say, "Old men for counsel, young men for war." There is plenty of opportunity for youth and new blood when action and endurance are needed. When it comes to the matter of guiding the destiny of a great cosmopolitan nation, where vital principles of truth and justice are at stake, there is no substitute for age and experience.

A glance through the hall of fame reveals an unending roster of persons who have accomplished feats of mental achievement long after the age of seventy. Bancroft the historian, Newton the scientist, Franklin the philosopher, Michaelangelo the sculptor, Gladstone the prime minister, Morse the inventor, Lister the surgeon, Fanny Crosby the hymn writer, Edison the electric wizard, Justice Oliver Wendell Holmes, and many others might be mentioned.

The decisions of the Court have been declared out of harmony with the times. Aspersion have been cast upon that august body by men in positions of authority until many feel that it is a ball and chain upon the nation's progress, and think that it is a virtue to denounce it. Recently in a large city a gathering of 40,000 people booed when the Supreme Court was referred to. It is doubtful if such persons realize that, were it not for the influence of the Court, perhaps before this they would have lost the very liberty to express themselves publicly, unless in harmony with the prevailing power.

Many are infatuated with the cry of something "new." They are ready to cast into the discard the most precious rights that a people ever enjoyed for a mess of unsavory political pottage. This indifference to properly constituted authority is producing its baneful fruitage, in both young and old, as seen in lawlessness and disregard for the rights of others.

As summed up by Admiral Richmond Pearson Hobson:

"The strength of democracy is the strength of its constitution. The integrity of the Constitution of the United States

It would be a sign of loose thinking were such grand old statesmen as Charles Evans Hughes, Chief Justice of the United States Supreme Court, despised for their venerable age.



rests on the Supreme Court, and the integrity of both rests upon the confidence of the American people. A thoughtful citizen can see throughout the land a standardized, highly financed, insidious, sustained propaganda against the Constitution, . . . and can detect a half-conceded plan to undermine the authority of the Supreme Court and the integrity of the Constitution by destructive amendments and the appointment of radical judges to fill vacancies. This is in full line with enemy grand strategy and constitutes a spearhead pointed at the heart of America."—*Christian American*, September, 1936.

Conditions have become so serious and general that even our patriotic women are being aroused. Miss Cathrine Curtiss, representing an organization of 350,000 women, stated: "Our system of government with its free and independent judiciary has given us absolute freedom for religious worship, with its far-reaching influence upon the home and character of our people. Women, upon whom rests to a great extent, the training of future generations, hold this religious freedom very dear. A discredited court, or a politically influenced court, might at some future time bow to a wave of mass hysteria, which might be anti-Catholic, anti-Jew, anti-Negro, or even anti-God. It is a chance we women do not care to take."—*Reorganization of the Federal Judiciary*, Vol. 6, page 1781.

Dr. Katharine J. Gallagher, of Goucher College, Baltimore, speaking before the same committee, had this to say:

"It has taken centuries, gentlemen, of bitter struggle for human rights before we were able to realize the ideal of a judiciary free from political control. A court independent of politics is the cornerstone of a free government. The political majority in this country is just as intolerant today as majorities always have been, more so, perhaps, because a sense of mission gives something akin to fanaticism to the upholders of a cause. The political minority at the present time is just as strongly in need of nonpolitical safeguards as the people of seventeenth and eighteenth century England."—*Id.*, page 1673.

The Supreme Court is the only barrier we have between

liberty and despotism. It has no way of enforcing its decisions except through the will of the people. If its power is to be preserved inviolate, the people must speak in no uncertain terms in its behalf.

"The time to check excessive power is at the time of granting it, no matter what splendid purpose may be urged as a reason for such grants. Once a ruler, no matter how noble his intentions may be, has been permitted to level the last defenses against him, he is beyond control."—*Id.*, page 1617.

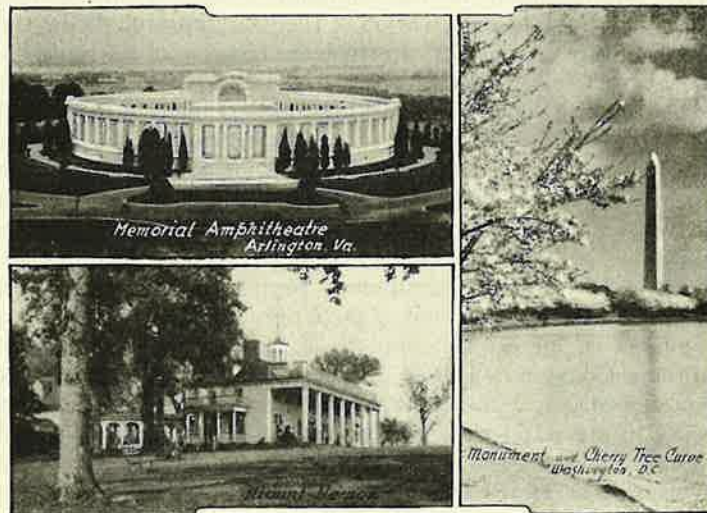
All through our history our greatest statesmen have eulogized this innovation in our government. Says Hampton L. Carson: "The establishment of the Supreme Court of the United States was the crowning marvel of the wonders wrought by the statesmanship of America. In truth the creation of the Supreme Court with its appellate powers was the greatest conception of the Constitution. It embodied the loftiest ideas of moral and legal power. . . . No product of government, either here or elsewhere, has ever approached it in grandeur. . . . In dignity and moral influence it outranks all other judicial tribunals of the world. . . . Yet its powers are limited and strictly defined. Its decrees are not arbitrary, tyrannical or capricious, but are governed by the most scrupulous regard for the sanctity of law."—*The Supreme Court of the United States*, page 5.

One of the greatest champions of the Constitution and the Supreme Court was Daniel Webster. In the U. S. House of Representatives, Jan. 25, 1826, he stated: "No conviction is deeper in my mind than that the maintenance of the judicial power is essential and indispensable to the very being of this government. The Constitution, without it, would be no Constitution—the government, no government. I am deeply sensible, too, and, as I think, every man must be whose eyes have been open to what has passed around him for the last twenty years, that the judicial power is the protecting power of the government. Its position is upon the outer wall."

Democracy is fast disappearing from the world. More than 300,000,000 people are today living under the rule of totalitarian governments. Their property is liable to confiscation

at a moment's notice, and their lives are in jeopardy as forces over which they have no control may be directed against them. Our Supreme Court is one of the agencies that save us from a like situation.

It is a time when we should be strengthening, rather than weakening and experimenting with, our rights and privileges, lest our temple of liberty be undermined by political miners and sappers, and we find ourselves dominated by some dictatorial power.



Scenes of interest near our national capitol.

## The Constitution in Danger

"How long will the American republic endure?" inquired M. Guizot, the French historian, of James Russell Lowell, the poet. Replied Mr. Lowell: "So long as the ideas of the men who founded it continue dominant."—*Prose Works,* Vol. 6, page 206.

The men who framed the Constitution had great faith in that document and hoped for its future as a protector of justice and liberty. Yet they were not so optimistic as to believe that even such an ideal written law would forever hold in check the selfish ambitions of designing men. It was not the Constitution they feared, but the attitude of the people. "The people made the Constitution, and the people can unmake it. It is the creature of their will, and lives only by their will," wrote Chief Justice Marshall. (6 Wheaton, 389.)

And another has rightly judged: "To foretell the future of the Constitution is to foretell the future of the American people. They will change before it is changed."—*Americana, "Constitution."* This principle was well understood by our forefathers. "When frenzy seizes the mass, it would be equal madness to think of their happiness, that is, of their freedom. They will infallibly have a Philip or a Cæsar, to bleed them into soberness of mind. At present we are cool; and let us attend to our business," counseled John Dickinson, in 1788. (Ford, "Pamphlets of the Constitution," page 184.)

One of the last messages sent by the Continental Congress to the States was an appeal to the people: "The citizens of the United States are responsible for the greatest trust ever confided to a political society. If justice, good faith, honor, gratitude, and all the other qualities which ennoble the character of a nation, and fulfill the ends of government, be the fruits

of our establishments, the cause of liberty will acquire a dignity and luster which it has never yet enjoyed, and an example will be set which cannot but have the most favorable influence on the rights of mankind. If, on the other side, our governments should be blotted with the reverse of these cardinal and essential virtues, the great cause which we have engaged to vindicate will be dishonored and betrayed, the last and fairest experiment in favor of the rights of human nature will be turned against them, and their patrons and friends exposed to be insulted and silenced by the votaries of tyranny and usurpation."—*Elliot, "Debates on the Constitution," Vol. I, page 100.*

In Revolutionary days, a Dr. Elmer warned that if the people were not actuated by principles of virtue and genuine patriotism, and if the management of public affairs was not placed in the hands of men of integrity and ability, that "a Julius Cæsar, or an Oliver Cromwell, will spring up among ourselves, who, taking advantage of our political animosities, will lay violent hands on the government, and sacrifice the liberties of his country to his own ambitions and domineering humor."

In the Constitutional Convention Benjamin Franklin said that whatever form of government might be established in this country, it "can only end in despotism, as other forms have before it, when the people shall become so corrupted as to need despotic government, being incapable of any other."—*"Story of the Constitution," by Thorpe, page 140.*

Washington felt the same way. In a letter to Lafayette, Feb. 7, 1788, he wrote: "I would not be understood, my dear Marquis, to speak of consequences, which may be produced in the revolution of ages by corruption of morals, profligacy of manners, and listlessness for the preservation of the natural and unalienable rights of man, nor of the successful usurpations, that may be established at such unpropitious juncture upon the ruins of liberty, however providently guarded and secured; as these are contingencies against which no human prudence can effectually provide."

In his forceful way Jefferson prophesied: "The spirit of the times may alter, will alter. Our rulers will become corrupt, our



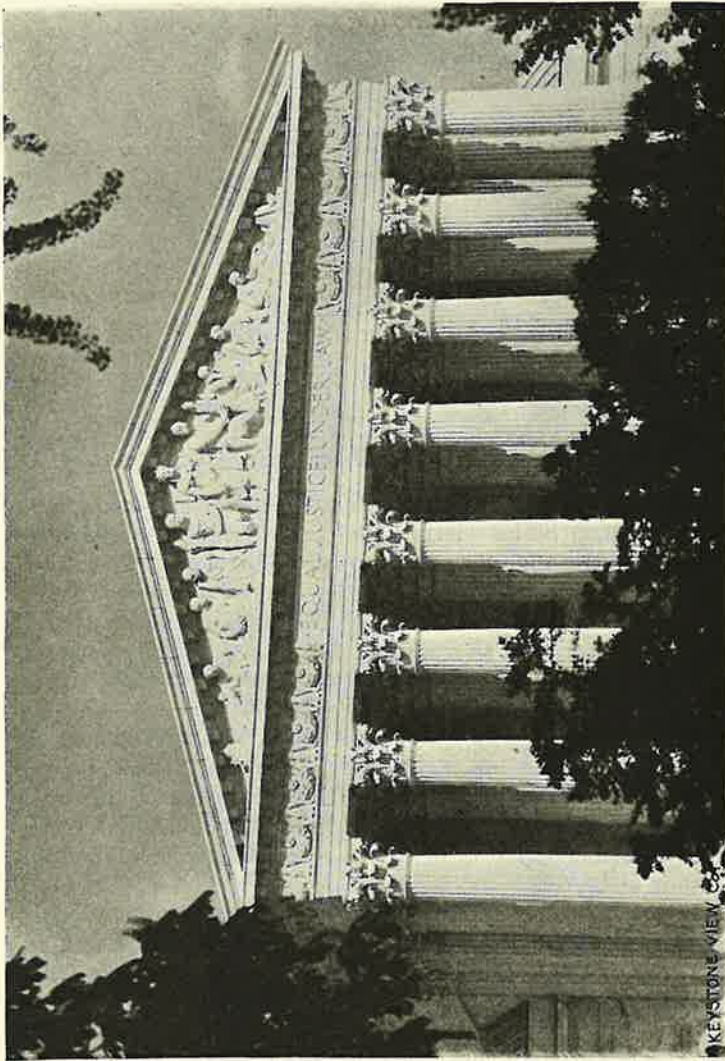

---

*Thomas Jefferson, third President of the United States, saw clearly the dangers to which our republic would be exposed.*

---

people careless. A single zealot may commence persecution, and better men be his victims. It can never be too often repeated, that the time for fixing every essential right on a legal basis, is while our rulers are honest and ourselves united. From the conclusion of this war we shall be going downhill. It will not then be necessary to resort every moment to the people for support. They will be forgotten, therefore, and their rights disregarded. They will forget themselves, but in the sole faculty of making money, and will never think of uniting to effect a due respect for their rights. The shackles, therefore, which shall not be knocked off at the conclusion of this war, will remain on us long, will be made heavier and heavier, till our rights shall revive or expire in a convulsion."—*"Notes on Virginia, Query 17."*

Rumblings of a coming storm have been heard with the passing years. Republics have all been short-lived, therefore the danger is all the more imminent, for America has now been in existence for one hundred fifty years. On the 4th of July, 1788, an address was delivered by Justice James Wilson, in which he pointed out how the enemies of liberty were already working. He said: "The enemies of liberty are artful and



*Supreme Court Building, Washington, D. C. We have built a noble temple to enshrine our highest tribunal; but the building is no stronger than its foundation. Is our foundation of self-government slipping?*

[76]

insidious. A counterfeit steals her dress, imitates her manner, forges her signature, assumes her name. But the real name of the deceiver is licentiousness. Such is her effrontery, that she will charge liberty to her face with imposture; and she will, with shameless front, insist that herself alone is the genuine character, and that herself alone is entitled to the respect, which the genuine character deserves. With the giddy and undiscerning, on whom a deeper impression is made by dauntless impudence than by modest merit, her pretensions are often successful. She receives the honors of liberty, and liberty herself is treated as a traitor and a usurper. Generally however, this bold impostor acts only a secondary part. Though she alone appear upon the stage, her motions are regulated by dark ambition who sits concealed behind the curtain, and who knows that despotism, his other favorite, can always follow the success of licentiousness. Against these enemies of liberty, who act in concert though they appear on opposite sides, the patriot citizen will keep a watchful guard."

In 1818 another Supreme Court Justice, Joseph Story, uttered a warning against evil and ambitious men: "A new race of men is springing up to govern the nation; they are the hunters after popularity, men ambitious, not of the honor, so much as of the profits, of office,—the demagogues whose principles hang laxly upon them, and who follow not so much what is right, as what leads to a temporary vulgar applause. There is great, very great danger that these men will usurp so much of popular favor that they will rule the nation; and if so, we may yet live to see many of our best institutions crumble in the dust."—Quoted in *"The Essential American Tradition,"* page 266.

In 1857 Lord Macaulay, of England, made his famous prediction that because of capital and labor troubles, with the pinch of poverty causing distress, our political institutions would be brought to a severe test. "Your Constitution is all sail and no anchor," he declared. "Either some Cæsar or Napoleon will seize the reins of government with a strong hand, or your republic will be as fearfully plundered and laid waste by

barbarians in the twentieth century, as the Roman Empire was in the fifth,—with this difference, that the Huns and Vandals who ravaged the Roman Empire came from without, and your Huns and Vandals will have been engendered within your own country by your own institutions.”

The real “anchor” of the Constitution is the people. Unfortunately the very liberty of our country makes it a hotbed favorable to all kinds of propaganda designed to destroy that liberty. If the people fail to preserve the principles of the Constitution, then there will be no anchor. The warning of Macaulay is little different from that of our forefathers, as may be seen from the foregoing quotations. In an address on “The Future of the Republic,” in 1873, the Hon. James A. Garfield admitted that “it would be idle to deny that the writer has pointed out what may become serious dangers in our future.”

“Look at history—consult the pages of all history, ancient or modern: look at human nature,” declared Henry Clay in a speech in the United States Senate, Feb. 6, 1850, “and I ask you if it is possible for you to doubt that the final but perhaps distant termination of the whole will be some despot treading down the liberties of the people?—that the final result will be the extinction of this last and glorious light which is leading all mankind?”

In 1887 the centennial of the framing of the Constitution was celebrated in Philadelphia. For a week the people rejoiced over that great document. President Cleveland and many other distinguished citizens eulogized the Constitution. There seemed to be no danger in sight. However Andrew D. White, ex-president of Cornell College, diverged from praise long enough to sound a timely admonition:

“Build your Constitution as lordly as you may, let its ground tone of justice be the most profound, let its utterance of human right be trumpet-tongued, let its combinations of checks and balances be the most subtle; yet what statesman shall so play upon its mighty keys as to still the howling tempest of party spirit, or sectional prejudice, or race hatred, sweeping through an illiterate mob crowding a continent?”—“*One*

*Hundredth Anniversary of the Framing of the Constitution,” Vol. II, page 403.*

In his fourth annual message, delivered the next year, Dec. 3, 1888, President Cleveland mentioned that “our survival for one hundred years is not sufficient to assure us that we no longer have dangers to fear in the maintenance, with all its promised blessings, of a government founded upon the freedom of the people. The time rather admonishes us to soberly inquire whether in the past we have always closely kept in the course of safety, and whether we have before us a way plain and clear which leads to happiness and perpetuity.”

This nation is now staging a great celebration in honor of the one hundred fiftieth anniversary of the framing and adoption of the Constitution. It has come at an opportune time because of a rapidly accelerating undercurrent against this fundamental law of liberty. The storm has at last broken. The fears of our forefathers are being fulfilled. Since the World War there has been a sliding down the mountain of unfulfilled promises, broken contracts, disregard for human life and rights, political corruption, bribery, perjury, dishonesty, greed, defiance of God, injustice, intemperance, etc.

A successful, enduring democracy can be maintained only by a citizenry that is honest, alert, intelligent, fearless, and temperate. When men lose their moral balance and fail to check their evil propensities, then to that extent will the checks and balances of the Constitution be endangered and weakened. Enemies of our government are taking advantage of this lawlessness and confusion to propagate their insidious doctrines. They circulate books, papers, and leaflets; teachings in our schools and colleges eulogize systems of government opposed to ours. Men make light of the Constitution and the Supreme Court and urge the enlargement of the powers of Congress. These influences, supplemented by a lack of training in the tried and true principles of justice, equality, honesty, respect for properly constituted authority, and the personal rights and property of others which are embodied in the Constitution, have brought the nation to the crossroads. There is danger



*The lighted bomb is less dangerous than are the scarce-concealed forces ever seeking to destroy the Constitution.*

[80]

that the nation cannot now be turned off the road to ruin, because to do so would require sacrifice, temperance, self-control and respect for others that now seem largely lacking and which we are apparently possessed of no serious desire to obtain.

A multitude of voices are crying out everywhere against these evil and destroying influences. These warnings are not the vaporings of irresponsible agitators, nor of honest but misguided individuals, but are the solemn fears of our greatest and most influential men and women, who are really concerned over the future of our nation.

"Why do great lawyers, and judges, and law associations, and distinguished patriots raise the danger signal, and talk of an invasion of the Constitution?" seriously inquired former Senator James A. Reed, in his Constitution Day address, at the Century of Progress, 1933. Speaking before the Judiciary Committee of the Senate, Rev. W. B. Harvey stated: "I consider this a greater crisis than that of the Civil War, since both the civil and religious liberties, not of one race, but of all people, are involved in the issue."—*Reorganization of the Federal Judiciary*, Vol. 5, page 1242.

Speaking before the same committee, James Truslow Adams, well-known historian, testified: "Looking over our own national past I see no period in which our self-government was in such danger as it is today—from contagion as well as from whatever disease of that sort may be working among our own people. It is a time that calls for the strengthening—not the weakening—of every instrumentality for preserving personal liberty."—*Id.*, page 1080.

This condition has not come about in a day or a year, but has been working for some time. "For nearly twenty years I have been watching at close range the work of our government. I have seen the gradual growth of tendencies which I believe seriously threaten democracy," said Federal Judge James H. Wilkerson, in the *Chicago Tribune*, Nov. 5, 1933. These tendencies were noted by discerning statesmen years ago. Said John Sharp Williams in the Senate, Jan. 14, 1914: "So far as I know,

there has been no government in this world that ever began, continued, and fell that did not fall by top-heaviness, by gradually assuming to itself every interest and every industry of the people."

And David Jayne Hill, writing in the *North American Review*, observed that "the dangers to constitutional government, however, do not arise from the open opposition of its enemies, for in the field of free debate it is abundantly able to defend itself. Its real foes—and they are not a few—are those who do not avowedly attack or resist it, but who while professing to be its friends and its advocates, secretly repudiate or intentionally pervert its fundamental principles."—*December, 1913.*

Some would have us believe that the Constitution is an antiquated document. When did the rights of life, liberty, and justice become old-fashioned? These principles are as eternal as God Himself; they belong to the universe. Our Constitution did not create them, it only recognized and acclaimed them when this nation was founded.

Symphonies of music are still being composed on the same old staff; the billions of dollars spent by the government are still being figured by the same old multiplication table; and the problems of life and living can be correctly solved only by the same old principles of justice and honesty and liberty as incorporated in the Constitution. We do not need a new Constitution, but we do need a new and larger vision of the old one. We can't be half free and half slave. If we expect to preserve our individualism in politics, in religion, in freedom of speech and press, and liberty of action, we should hold to the government that assures them to us now. There is food for thought in the words of Col. Frederick H. Allen:

"In the last century the youth of this country was brought up and given the Bible in one hand and the Constitution in the other. By one they were taught the Ten Commandments, which told of their duties, and by the other they learned of the ten amendments, which gave them their rights. Millions of our country have sacked the Bible and now we have those who

would sack the Constitution."—*Reorganization of the Federal Judiciary, Vol. 6, page 1689.*

That the Bible and the Constitution should suffer like treatment is not surprising, since the Constitution codifies those ideas expressed in the word of God; hence to attack one is to strike the other.



Paul Thompson  
National Capitol seen through the window of the  
Senate Office Building.

### “What of the Future?”

WHAT is the future of this great nation? Will a dictator arise and rule with an iron hand? Will our liberties eventually be destroyed? Will this land of the free become a prison filled with slaves of tyranny?

These questions are stirring the minds of many persons. Multitudes are indifferent, being satisfied with present conditions, and will only be aroused when they find themselves rudely deprived of their freedom. Others feel that oppression “can’t happen here.” Some pass off all fears with the remark that everything will come out all right in the end. A few are seriously concerned as to the future.

“The people that comes to believe that there is a purpose in the ages, will watch the ‘signs of the times,’ for the attainment of the purpose which is given,” wrote Elisha Mulford years ago, concerning the future of this nation. (“The Nation,” page 413.)

It doesn’t require much searching today to see *signs* that are unusual. They are everywhere visible, indicating that America is fast forsaking the fundamental principles that have made her great. She is seemingly retreating toward the Dark Ages. Fingers are ominously pointing to a Niagara of ruin before us; its roar can be heard in the near distance. An inventory of our social, political, commercial, religious, and other assets reveals a frightful depreciation in the vital principles of honesty, fidelity, justice, and temperance. High ideals have taken a tailspin.

“There is no promise of immortality for this republic, is there?” inquired Senator Wm. H. King at a hearing before the Senate Judiciary Committee on the Supreme Court bill. “Only if this republic will follow the pathway of the fathers, and keep it democratic and maintain the ideals upon which it was

founded,” responded Louis J. Tabor, Master of the National Grange, who was speaking to the committee. (“Reorganization of the Federal Judiciary,” Vol. 3, page 666.)

Are we following the pathway of the founding fathers? “Many earnest, serious-minded people have the conviction that our republic, like all other governments that have drifted away from their original foundations, is headed for the scrap heap of nations unless a halt in our downward course is speedily called, said another speaker.”—*Id.*, Vol. 5, page 1248.

An alarming change is taking place in the people of this nation. “We have witnessed not merely a departure from principles of rectitude in public life, but a shocking ignorance that anything like principle exists,” said W. J. Cameron, on the Ford Sunday Evening Hour, March 21, 1937. “What formerly was concealed for shame, now passes for bold political cleverness. . . . Grown folks once knew and children were taught what Chivalry meant, and Honor, and Responsibility, and Conscience, and Self-control. The very words were traffic lights and guideposts. . . . Somehow it suddenly became unfashionable to name the virtues and teach their rational bases.”

“We must admit that something has happened in American life which is far more impressive, far more sinister, let me say, than the sitdown strike itself or anything it may affect,” said Gilbert H. Montague of the New York Bar. (*Chicago Tribune*, July 11, 1937.) “Something seems to have departed from the character of the people as a whole, something that endangers the fundamentals of society and the preservation of liberty itself,” observed Dr. Thornwell Jacobs, president of Oglethorpe University. (*Chicago American*, June 30, 1936.)

Commencement addresses are replete with warnings to the youth. The dangers and responsibilities before them have been pointed out in no uncertain terms. Chief Justice Charles E. Hughes, at Brown University, said: “The question is no longer one of establishing democratic institutions but of preserving them.” Dr. James A. Angell, former president of Yale, feeling the seriousness of the times, said: “It will require men and women imbued with prophetic vision and inspired with daunt-

less resolution to see the job through and to salvage the inestimable values—moral, political, and spiritual—which inhere in a liberal democracy, while seeing to it that no basic human interest is overlooked.”—*“Christian Science Monitor,” June 22, 1937.*

All kinds of strange political doctrines are blowing about. Men are crying for freedom—not freedom to create new wealth but to share the wealth others have already created. Some are shouting declarations of independence, not cries for justice and equality for all, but demands for their own personal exemption from human and divine prohibitions. Others are framing constitutions, not for the good of the country and their fellow men, but that they may be protected in carrying out their own selfish ambitions and indulgences.

“Rugged individualism” is giving way to “ragged collectivism,” and the promotion of the “general welfare” is degenerating into a “general wildfire” scramble for personal privilege and plunder. Union is being supplanted by division—political, racial, religious, fraternal, commercial, labor, etc., each seeking special privileges and exemptions. Men are not shouting, “Give me liberty or give me death,” as did our forefathers, but, “Give me three meals a day, plenty of money, little work and a good time.”

James Hamilton Lewis, speaking in the United States Senate, declared: “This nation is in great peril. I behold America as it now stands upon an eve of turbulence which can result in a conflict inwardly very similar to that which preceded the Civil War between the States.”—*June 23, 1937.* And Edward T. Lee, dean of the Marshall Law School, adds: “The times, it must be admitted, are stormy and threatening. Our ship of state is being tossed upon a sea of troubles dashing on every shore, but I submit that it will not help to throw the ship’s compass overboard or cast adrift the rudder.”—*“Reorganization of the Federal Judiciary,” Vol. 6, page 1718.*

Summing up conditions in general, George E. Sokolsky, in an address before the Daughters of the American Revolution, declared: “There is no moral leadership in the world. The

church has failed. The school has failed. The family has failed.”—*“Chicago Tribune,” April 22, 1937.*

In the midst of these warnings and the babel of voices heard on every hand, combined with the lawlessness, restlessness, crime, greed, war, indifference to human life, injustice, intemperance, is it strange that serious-minded persons are wondering if there is a voice of authority anywhere in the world that can reveal with certainty what is before us? Surely no journalist, statesman, philosopher, psychologist, or any one else has given any assurance from a human viewpoint. Men may make good guesses. They may reason from cause to effect and often arrive at correct conclusions. But there is only One who knows the end from the beginning—God the Creator. He has sent message after message regarding the history of nations, peoples, and cities, such as Egypt, Babylon, Rome, Tyre, the Arabs, the Jews, and others. The truthfulness of these predictions may easily be verified by history.

“The United States is the marvel of the nations, it is the giant of the centuries.” Standing on this high eminence can anyone doubt that this nation has a place in God’s book of prophecy? The majority of the men who founded this nation believed that God guided in the undertaking. They also believed that America has a divine mission to acquaint the world with civil and religious liberty. Is it possible that this great republic which started out so auspiciously to enlighten the nations will turn its face backward toward the throne of tyranny? The danger of such a metamorphosis in the life of our nation is clearly revealed in the Bible.

In the thirteenth chapter of the Book of Revelation, verses 11-18, a view is given of a “beast,” or government, understood by many commentators to refer to the United States.

The idea of using animals as symbols of governments did not originate with modern cartoonists. Throughout the Bible earthly powers are typified by beasts, whose qualities of swiftness, strength, or ferocity described the government for which the animal stood. Thus in Daniel 7: 2, 3 the prophet said: “I saw in my vision by night, and, behold, the four winds of the



*The United States in prophetic symbol.*

[88]

heaven strove upon the great sea. And four great beasts came up from the sea, diverse one from another." A little later the angel Gabriel explained to Daniel: "These great beasts, which are four, are four kings [or kingdoms, verse 23], which shall arise out of the earth." Verse 17.

Here is the divine key to the Bible cartoons of the nations. Very fittingly the four universal kingdoms of Babylon, Medo-Persia, Greece, and Rome are portrayed by typical animals.

In Revelation 13:11-18, when the prophet saw the beast which typifies the United States, several special characteristics impressed him. He said: "I beheld another beast *coming up out of the earth*; and he had *two horns like a lamb*, and he *spake as a dragon*." Verse 11. Here is revealed the whole life of the nation from a lamb of liberty to a dragon of despotism.

Earthly governments are symbolized in Scripture by blood-thirsty *wild* beasts; the gentle, harmless lamb is used throughout the Bible to represent Jesus Christ. But here is a symbol for a nation involving *lamblike*, or divine, qualities, yet later having a dragon-like voice. No other symbol in the Bible is like it. About the birth of no nation in all time have so many thinkers perceived divine providences; of no other nation have so many statesmen and philosophers visioned a divine mission as of our beloved America. Of countless tributes we quote only the famous words of Bishop Berkeley:

"Westward the course of empire takes its way;  
The first four Acts already past,  
A fifth shall close the Drama with the day;  
Time's noblest offspring is the last."

"Horns" throughout both Holy Writ and literature are used as symbols of power. Webster defines "horn" as "a symbol of strength, power, glory, or pride." In a prophetic description of Jesus Christ, the prophet Habakkuk said: "His brightness was as the light; He had *horns coming out of His hand*: and *there was the hiding of His power*." Chapter 3: 4. The margin for "horns coming out of His hand" is "bright beams out of His

side." The reader will instantly recognize the reference to the wounded hands and side of the Lamb of God; for the basis of His power to reconcile sinners was in His vicarious sufferings. The horns of this beast, unlike those of the first beast of Revelation 13, were not crowned. Compare verses one and eleven. The crowns would denote kingly power; the absence of crowns, a government whose authority is lodged with the people.

The United States had served its unique place in the world from two Christlike, divine qualities, or principles. What more fitting symbol than the horns of a lamb could Inspiration have chosen for the twin foundations of our country's greatness and power—civil and religious liberty?

Another detail that made the symbol John saw different from any other type used of a nation in prophecy is that it came up out of the earth. All other beast-symbols arose out of the sea or stood upon the banks of a river. (See Daniel 7: 2, 3; 8: 3, and elsewhere.) The sea in prophecy was explained by the angel Gabriel to be "peoples, and multitudes, and nations, and tongues." (Revelation 17: 15.) And waters in commotion mean warfare. "Behold, the Lord bringeth up upon them the waters of the river, strong and many, even the king of Assyria, and all his glory: and he shall come up over all his channels, and go over all his banks." Isaiah 8: 7.

But the two-horned beast of Revelation 13: 11 by contrast came up "out of the earth," peacefully, and in an unoccupied portion of the earth's surface. No other prominent nation has had such a meteoric rise to greatness as the colonies of British North America. In a century and a half they attained to such strength as enabled them to throw off the British yoke. And since the Revolution the United States has risen by the conquest of its own wilderness frontiers and by purchase rather than by warfare with other nations mentioned in prophecy.

There is also a time element to be noted in this prophecy of Revelation 13: 11. John beheld this lamblike nation, or the United States, "coming up" at a time when a "beast," or government, described in verses 1-10, was going into captivity. This power, also portrayed in Daniel 7: 8, 19-26; 8: 9-12, 23-25,

is plainly revealed by many proofs as Rome in its pagan and papal forms. Perhaps the greatest of these proofs is the persecuting nature of this beast—"It was given unto him to make war with the saints, and to overcome them." Revelation 13: 7. European soil sodden for centuries with the blood of uncounted millions of martyrs testifies to the truth of the interpretation. The period of supremacy of the papacy is given in prophetic terms in Revelation 13: 5: "Power was given unto him to continue forty and two months." This same period is given elsewhere as "a thousand two hundred and threescore days." (Revelation 11: 3; 12: 6.) A day, in prophecy, stands for a year. (See Ezekiel 4: 6; Numbers 14: 33, 34.) The papal supremacy, according to Revelation 13: 5, would therefore last 1260 years. Dating from 538 A.D., in which year the last of the so-called heretical Arian rulers of Italy gave way before the papal power, 1260 years reach to 1798 A.D., in which year the armies of France under Berthier invaded Rome, took the pope prisoner, and declared the papal office vacant and abolished. This is the deadly wound of Revelation 13: 3, which marked the close of the 1260 years.

John saw the two-horned beast arising at the time the papal beast was going into captivity. Compare Revelation 13: 10 and 11. No nation other than the United States was "coming up" in 1798, in a comparatively uninhabited part of the earth, revealing two divine and Christlike foundation attributes of civil and religious liberty.

But next the prophet heard this nation speak "as a dragon." The "dragon" in the previous chapter is used as a figure of Satan, and this character represents any earthly government which carries out the schemes of Satan to overthrow by persecution the work of Christ and His church. (Revelation 12: 3-6, 12, 13, 17.) A nation speaks through its laws or its governmental policies. Jesus Christ, while on earth, clearly set forth the respective spheres of civil government and religion. He said: "Render therefore unto Cæsar the things which are Cæsar's; and unto God the things that are God's." Matthew 22: 21.

Here are the two pillars of our national greatness, symbolized by the two horns—civil and religious liberty. As long as our country maintains in purity the republican principles of the Constitution, under which the state concerns itself solely with civil affairs, and the people are left perfectly free in religious matters, the Lamblike qualities of our nation are exalted. But the words of the prophet, "and he spake as a dragon," reveal that eventually the nation will degenerate into a persecuting power repudiating its principles of democracy guaranteeing civil and religious freedom.

The course of events in the nation that started out with Lamblike principles is described by John in Revelation 13: 13-17. Verse 13 says: "And he doeth great wonders, so that he maketh fire come down from heaven on the earth in the sight of men." The scientific developments in the United States, the electrification of all mechanical processes, are wonders such as no age has ever before seen. The lightnings of heaven are chained to our dynamos. By scientific, industrial, and commercial development, as well as the prestige of its free principles, the United States has attained an eminence of world influence. But unhappily this influence the prophet saw used harmfully. Events of a supernatural nature are evidently implied in the prophecy as well as the miracles of science, since they are used for a satanic purpose; for he "deceiveth them that dwell on the earth by the means of those miracles which he had power to do in the sight of the beast; saying to them that dwell on the earth, that they should make an image to the beast, which had the wound by a sword, and did live." Verse 14.

An image of anything is a copy, a reproduction, a semblance, a representation, or a similitude. The first beast (Rome in both pagan and papal forms) was a persecuting despotism, further described by Daniel: "It devoured and brake in pieces, and stamped the residue with the feet of it." Chapter 7:7. It was a persecuting power because it took upon itself the prerogatives of God and dictated in religious matters. "I beheld," further said Daniel, "and the same horn made war with the saints, and prevailed against them. . . . And he shall speak

great words against the Most High, and shall wear out the saints of the Most High, and think to change times and laws." Verses 21, 25.

John saw this Roman power *worshiped*, showing that it is a religio-political power. "And they *worshiped the dragon* which gave power unto the beast: and they *worshiped the beast*, saying, Who is like unto the beast? Who is able to make war with him? And there was given unto him a mouth speaking great things and blasphemies; and power was given unto him to continue forty and two months. And he opened his mouth in blasphemy against God, to blaspheme His name, and His tabernacle, and them that dwell in heaven. And it was given unto him to make war with the saints, and to overcome them: and power was given him over all kindreds, and tongues, and nations. And all that dwell upon the earth shall *worship* him, whose names are not written in the book of life of the Lamb slain from the foundation of the world." Revelation 13: 4-8.

The prophecy goes on to state that there would grow up in the United States an *image* to this blasphemous church-and-state power. (Verse 14.) And from an image we can expect the likeness of that from which the image was copied. From what **pagan-papal** Rome has been, we can learn what the two-horned **beast** will become. Gradually the Christlike principles will give way before dragon-like, persecuting principles. Religion will become a part of the state, for, says the prophet, "he had power to give life unto the image of the beast, that the image of the beast should both speak, and cause that as many as would not *worship* the image of the beast should be killed." Verse 15.

How a dragon speaks has been revealed by the prophet Ezekiel: "Thus saith the Lord God: Behold, I am against thee, Pharaoh king of Egypt, the great *dragon* that lieth in the midst of his rivers, which hath said, *My river is mine own, and I have made it for myself.*" Ezekiel 29: 3.

These words give the true spirit of a dragon—selfishness in the extreme; they are the words of a dictator and harmonize exactly with the climax of the Revelator's view: "And he

causeth all, both small and great, rich and poor, free and bond, to receive a mark in their right hand, or in their foreheads: and no man might buy or sell, save he that had the mark, or the name of the beast, or the number of his name." Revelation 13: 16, 17.

Just how this tyranny over men will be manifested is not revealed. It may come by one man or by a set of men; some bureaucracy, labor organization, or other power, political, religious, or otherwise. But it controls all—small and great. It is a financial dictator, for rich and poor feel its grip; it is an economic dictator, for no one can buy or sell without its permission and mark; and lastly it is a religious dictator, for it forces all, under penalty of death, to worship according to its edicts.

How could any person know 1900 years ago, when the Book of Revelation was written, the conditions that are seen today in our country—the thoughts and the very words that are heard on the lips of men—boycott, mark, name, number, image, etc., all pointing to intolerance?

The words of the prophet are not idle words. A few years ago their truthfulness might have been disputed. But today they fit conditions so well that men are quoting them when describing the trend of the times. The possibility of a dictator does not seem so far away. Speaking before the President and other notables, at Arlington Cemetery, Memorial Day, May 31, 1936, General John J. Pershing warned of the danger of a dictator: "It is almost axiomatic to say that a people who complacently submit to unreasonable demands of a clamorous minority will certainly become the prey of a dictator."

On returning from a trip abroad, where he saw dictatorships with his own eyes, the distinguished scientist, Dr. Robert A. Millikan, told a reporter: "We must decide between the despotic world of dictators and the free world with an untrammelled press. The despotic world has encroached upon us during the last ten years."—*Christian Science Monitor*, June 26, 1937.

Perhaps one of the strongest prophecies of the future was made by the well-known historian, James Truslow Adams.

Writing a number of years ago he warned: "Far down the path which America is now treading, but all too clearly visible to the eye of the historian, stands, biding his time, the sinister figure of the man on horseback, the dictator who inevitably 'saves society' when social insubordination and disintegration have become intolerable, when order has given place to chaos. We must rule or be ruled."—*Forum*, July, 1929.

"Our nation is breaking under the tremendous strain of the forces of tyranny that are all about us. John Adams in his inaugural address warned against the "pestilence of foreign influence," and Washington in his farewell address likewise counseled the people: "Against the insidious wiles of foreign influence, I conjure you to believe me, fellow citizens, the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government."

Modern inventions—airplanes, radios, railways, newspapers, steamships, postal and mail facilities—have made the nations of the world our next-door neighbors. We are being adversely affected by the seeds of tyranny which are being blown from the foreign hot houses of intolerance and dictatorships into our fertile fields of freedom. Unfortunately today our nation is not broadcasting the powerful rays of freedom which our infant nation did. Apathy and indifference are noticeable to an alarming degree. The fears of our patriotic forefathers are now being realized. We are going downhill.

Speaking before the United States Judiciary Committee against the Supreme Court bill, Professor Theodore Graebner, of Concordia College, St. Louis, made this interesting observation:

"Some fifty years ago the National Reform Association sought . . . to make all public education Christian and thereby make Jesus Christ the King of the nation. . . . The movement persists to the present day, and is issuing an enormous amount of literature all directed to the end of adopting a Christian amendment."—*Reorganization of the Federal Judiciary*, Vol. 3, page 681.

The ultimate purpose of the National Reform Association—the NRA of religion—is to force religious dogmas upon the people of this nation by civil law. They definitely plan to secure a national Sunday blue law. In other words they hope to standardize all citizens to their idea of Christianity.

When such conditions finally seize upon this republic, there will be a “reign of terror” for all who do not buy, sell, live, and worship according to the dictates of the ruling power and under its mark or label.

The whole world, ravaged by war and bloodshed, famine and pestilence, tyranny and oppression, violence and crime, greed and graft, perjury and plunder, will become a pandemonium, followed quickly by the second coming of Christ, who will bring to an end man’s rule of intolerance and injustice. Present-day events are an accurate answer to the voice of prophecy written centuries ago.

It is said that Abraham Lincoln had a premonition that he was going to be assassinated. He was urged to provide better protection. He replied that the better way to be protected was to be ready to die. There is no better protection against all the evils of the present day than that recommended by the psalmist David:

“I will say of the Lord, He is my refuge and my fortress: my God; in Him will I trust. Surely He shall deliver thee from the snare of the fowler, and from the noisome pestilence. He shall cover thee with His feathers, and under His wings shalt thou trust: His truth shall be thy shield and buckler. Thou shalt not be afraid for the terror by night; nor for the arrow that flieth by day; nor for the pestilence that walketh in darkness; nor for the destruction that wasteth at noonday. A thousand shall fall at thy side, and ten thousand at thy right hand; but it shall not come nigh thee.” Psalm 91: 2-7.



## The CHALLENGE of the TWENTIETH CENTURY

By Roy F. COTTRELL

A GRAPHIC review of present world movements for peace or war, depicting the economic, social, and political unrest and the trend of present-day religion. These events are fast fulfilling the prophecies of the word of God. What immediately follows? Read it in this interesting brochure of 96 pages, well illustrated. In attractive paper binding. Price, only 25 cents.

## JONAH and the WHALE



By Charles G. BELLAH

IS THE story of Jonah and the whale a myth, or is it a miracle? Where was ancient Nineveh? Why was this great city destroyed? Read all about it in this truth-filled book and decide for yourself whether there is any fact in this fantastic story. The book contains 96 pages, attractively illustrated, in four-color paper cover.

Price, only 25 cents.



*Herbert Photos, Inc.*

Father of Liberty