

## Lesson 4

# The American Founding and the Federal Era (1785-early-1800s)

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Words such as “*virtue*,” “*piety*” and “*learning*” are emphasized in the writings of our Founding Fathers and therefore appear in many of our governmental documents. In fact, when modern political scientists examined seventy-six of the most representative pamphlets and essays written by our Founders, they found the word “*virtue*” stressed over 300 times.<sup>1</sup> Additionally, various synonyms meaning the same thing (such as “*religion*,” “*morality*,” and “*knowledge*”) also frequently appear in official writings (such as in the famous Northwest Ordinance, by which territories become states).<sup>2</sup> Significantly, to our Founders, “*religion*” meant Christianity; “*morality*” or “*virtue*” meant Biblical character; and “*knowledge*” meant information or skills acquired within the framework of a Biblical worldview.

The Founders consistently emphasized the elements of religion and morality (or piety and virtue) as the indispensable foundation and supports of our American system of government. They believed that if these pillars were lost, then our nation would eventually collapse. Notice some of their representative declarations affirming this:

[I]t is religion and morality alone which can establish the principles upon which freedom can securely stand.<sup>3</sup> [R]eligion and virtue are the only foundations...of republicanism and of all free governments.<sup>4</sup> Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other.<sup>5</sup> **JOHN ADAMS**, SIGNER OF THE DECLARATION

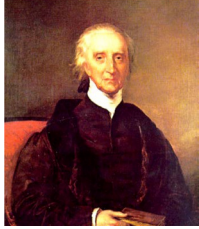
[R]eligion and good morals are the only solid foundations of public liberty and happiness.<sup>6</sup> While the people are virtuous, they cannot be subdued; but when once they lose their virtue, they will be ready to surrender their liberties to the first external or internal invader.<sup>7</sup>

**SAMUEL ADAMS**, SIGNER OF THE DECLARATION



Samuel Adams

[A] free government...can only be happy when the public principles and opinions are properly directed...by religion and education. It should therefore be among the first objects of those who wish well to the national prosperity to encourage and support the principles of religion and morality.<sup>8</sup> **ABRAHAM BALDWIN**, SIGNER OF THE CONSTITUTION



Charles Carroll

Without morals a republic cannot subsist any length of time; they therefore who are decrying the Christian religion (whose morality is so sublime and pure)... are undermining the solid foundation of morals—the best security for the duration of free governments.<sup>9</sup> **CHARLES CARROLL**, SIGNER OF THE DECLARATION

Sensible of the importance of Christian piety and virtue to the order and happiness of a state, I cannot but earnestly commend to you every measure for their support and encouragement....Manners, by which not only the freedom but the very existence of the republics are greatly affected, depend much upon the public institutions of religion.<sup>10</sup> **JOHN HANCOCK**, SIGNER OF THE DECLARATION

[T]he great pillars of all government and of social life [are] virtue, morality, and religion. This is the armor, my friend, and this alone, that renders us invincible.<sup>11</sup> **PATRICK HENRY**

[F]or avoiding the extremes of despotism or anarchy...the only ground of hope must be on the morals of the people.<sup>12</sup> I believe that religion is the only solid base of morals and that morals are the only possible support of free governments.<sup>13</sup> [T]herefore education should teach the precepts of religion and the duties of man towards God.<sup>14</sup> **GOUVERNEUR MORRIS**, SIGNER OF THE CONSTITUTION

Religion and morality...[are] necessary to good government, good order, and good laws.<sup>15</sup> **WILLIAM PATERSON**, SIGNER OF THE CONSTITUTION

Without [religion] there can be no virtue, and without virtue there can be no liberty, and liberty is the object and life of all republican governments.<sup>16</sup> **BENJAMIN RUSH**, SIGNER OF THE DECLARATION



Benjamin Rush

The practice of morality being necessary for the well-being of society, He [God] has taken care to impress its precepts so indelibly on our

hearts that they shall not be effaced by the subtleties of our brain.<sup>17</sup> [T]he studious perusal of the Sacred Volume will make [us] better citizens.<sup>18</sup> **THOMAS JEFFERSON**, SIGNER OF THE DECLARATION



George Washington

Purity of morals [is] the only sure foundation of public happiness in any country.<sup>19</sup> [R]eligion and morality are the essential pillars of civil society.<sup>20</sup> **GEORGE WASHINGTON**, SIGNER OF THE CONSTITUTION

[T]he primary objects of government are the peace, order, and prosperity of society....To the promotion of these objects, particularly in a republican government, good morals are essential. Institutions for the promotion of good morals are therefore objects of legislative

provision and support, and among these...religious institutions are eminently useful and important.<sup>21</sup> **OLIVER ELLSWORTH**, DELEGATE TO THE CONSTITUTIONAL CONVENTION; CHIEF JUSTICE OF THE SUPREME COURT

[G]overnment...is a firm compact sanctified from violation by all the ties of personal honor, morality, and religion.<sup>22</sup> **FISHER AMES**, FRAMER OF THE BILL OF RIGHTS

[T]he cultivation of the religious sentiment represses licentiousness...inspires respect for law and order, and gives strength to the whole social fabric.<sup>23</sup> Moral habits...cannot safely be trusted on any other foundation than religious principle, nor any government be secure which is not supported by moral habits....Whatever makes men good Christians, makes them good citizens.<sup>24</sup> **DANIEL WEBSTER**, “DEFENDER OF THE CONSTITUTION”

Republican government loses half of its value where the moral and social duties are...negligently practiced. To exterminate our popular vices is a work of far more importance to the character and happiness of our citizens, than any other improvements in our system of education.<sup>25</sup> [T]he moral principles and precepts contained in the Scriptures ought to form the basis of all our civil constitutions and laws....All the miseries and evils which men suffer from vice, crime, ambition, injustice, oppression, slavery and war, proceed from their despising or neglecting the precepts contained in the Bible.<sup>26</sup> **NOAH WEBSTER**, “SCHOOLMASTER TO AMERICA”



Noah Webster

There are many additional examples affirming the Founders’ belief that Biblical morality and Biblical faith were vital for the proper operation of both society and civil government. But the Founders did more than just hold these convictions, they also acted on them. This is apparent in the very first governments they created.

Significantly, America’s separation from Great Britain had wiped out all state and colonial governments, for each had been British authorized and operated. New purely American governments were needed, so many of the Founders who signed the Declaration returned home to assist in drafting their state’s first constitution and establishing its new government. They took deliberate steps to ensure that both Biblical religion and morality were directly incorporated into government from the beginning.

For example, Declaration signers George Read and Thomas McKean helped draft<sup>27</sup> Delaware’s 1776 constitution, which required:

Every person who shall be chosen a member of either house, or appointed to any office or place of trust...shall...make and subscribe the following declaration, to wit: “I, \_\_\_\_\_, do profess faith in God the Father, and in Jesus Christ His only Son, and the Holy Ghost, one God – blessed forevermore; and I do acknowledge the Holy Scriptures of the Old and New Testament to be given by Divine inspiration.”<sup>28</sup>

Massachusetts' 1780 constitution (written with the help of Declaration signers Samuel Adams, John Hancock, Robert Treat Paine, and John Adams,<sup>29</sup> as well as Constitution signer Nathaniel Gorham<sup>30</sup>) similarly required:

Any person chosen governor, lieutenant-governor, counselor, senator, or representative, and accepting the trust, shall—before he proceed to execute the duties of his place or office – make and subscribe the following declaration, viz. “I, \_\_\_\_\_, do declare, that I believe the Christian religion and have a firm persuasion of its truth.”<sup>31</sup>

Declaration signers Benjamin Franklin and James Smith of Pennsylvania helped write its 1776 Constitution,<sup>32</sup> which likewise stipulated:

And each member [of the legislature] before he takes his seat, shall make and subscribe the following declaration, viz: “I do believe in one God, the Creator and Governor of the universe, the Rewarder of the good, and the Punisher of the wicked; and I acknowledge the Scriptures of the Old and New Testaments to be given by Divine inspiration.”<sup>33</sup>

Other constitutions contained similar clauses.<sup>34</sup> The Christian spirit undergirding America was so readily apparent even to the British that in England...

Sir Richard Sutton read a copy of a letter...from a governor in America to the Board of Trade showing that....”If you ask an American, ‘Who is his master?’ he will tell you he has none—nor any governor but Jesus Christ.”<sup>35</sup>

Another reflection of the Founder’s insistence that Biblical principles be part of public affairs is seen in the fact that all the states had Sabbath laws, requiring rest and abstinence from work on that day. In some cases, these laws continued for centuries; in fact, even today some states still use parts of those Sabbath laws.

Across the years, there were attempts to secularize the government and repeal these Sabbath laws and (until recent years) those efforts were largely rejected. For example, in 1838, the Legislature of New York received a petition seeking “*the repeal of the laws for the observance of the Sabbath.*”<sup>36</sup> They refused that call in a nearly unanimous vote, explaining:

With us it is wisely ordered that no one religion shall be established by law but that all persons shall be left free in their choice and in their mode of worship. Still, this is a Christian nation. Ninety-nine hundredths, if not a larger proportion of our whole population, believe in the general doctrines of the Christian religion. Our government depends for its being on the virtue of the people—on that virtue that has its foundation in the morality of the Christian religion and that religion is the common and prevailing faith of the people. There are, it is true, exceptions to this belief; but general laws are not made for excepted cases.<sup>37</sup>

## The Articles of Confederation

Just as the Founders created new *state* governments after their separation from Great Britain, so, too, they also created a *national* government. In 1777, they penned the Articles of Confederation, under which Congress governed itself throughout the remainder of the War for American Independence. But their experience over that time demonstrated that it had three major weaknesses:

1. Congress had no power to raise the money needed to fund its appropriate activities, such as national defense and operating the Continental Army.
2. Congress had no power to enforce any of its decisions.
3. There was no clear national leader—that is, no single executive head. Congress, as a body, had been the governing entity, but it was bulky, slow, and inefficient when it came to making important and timely decisions.



George Washington, President of the Constitutional Convention, declared of the Convention, “*The event is in the hands of God.*”

These flaws caused the government to be weak and inept, resulting in almost fatal problems. For example, because of these shortcomings, many times during the war the army lacked supplies and received no pay, which not only contributed to the suffering of the troops in places such as Valley Forge in 1777 but also caused some officers and men to threaten a military coup in 1783. It was evident that something must be done to correct these glaring weaknesses. Some proposed amending the Articles of Confederation; others, including James Madison, George Washington, and Noah Webster, felt that an entirely new system was needed.

## The Constitutional Convention, 1787

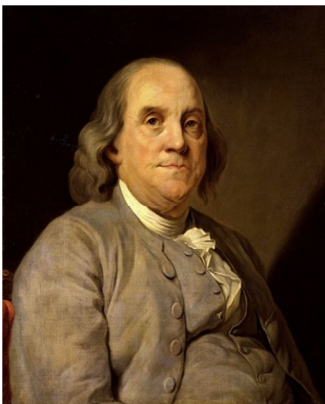
In an attempt to solve the problems in the national government, in the spring of 1787 delegates from across the country met together at the State House in Philadelphia (also known as Independence Hall, where the Declaration of Independence had been signed). Most came prepared to keep (but amend) the Articles of Confederation; but the Virginia delegates proposed an entirely new and different governing document. The initial reaction by the other delegates was hesitancy and doubt, believing any dramatic change would be opposed by the people and would fail; they felt that half-measures would be far more acceptable.



George Washington (who had been chosen by the other delegates to preside over this assembly) then arose and addressed the Convention in a brief but immortal speech. He agreed that it was indeed “*probable that no plan we propose will be adopted,*” but warned that if this occurred, then it was entirely possible that we would have to endure another dreadful war.<sup>38</sup> He therefore challenged the delegates to be bold, telling them, “*If—to please the people—we offer what we ourselves disapprove, how can we afterward defend our work?*”<sup>39</sup> He concluded by urging the delegates to “*raise a standard*” of the best government they could possibly devise, no matter how much change it required, and then trust in the fact that “*The event is in the hands of God.*”<sup>40</sup> They accepted his challenge, but their way forward was neither easy nor smooth.

In fact, after only a few weeks of deliberations, the Constitutional Convention was on the verge of collapsing. For more than a month the delegates had been deadlocked on different issues, such as that of fair representation between the small and large states. With this impasse, and no forward progress, patience was wearing thin and emotions were on edge. A somber George Washington began to despair of seeing success.

At this point, Benjamin Franklin, the oldest delegate (he was then 81-years-old at a time when the average lifespan in America was only about thirty-three<sup>41</sup>), asked for permission to speak. On previous occasions, he had always written his remarks and had someone else read them to the Convention, but this time Franklin was stirred to personally address the delegates, telling them:



Benjamin Franklin

In this situation of this assembly, groping, as it were, in the dark to find political truth, and scarce able to distinguish it when presented to us, how has it happened, sir, that we have not hitherto once thought of humbly applying to the Father of Lights to illuminate our understandings? In the beginning of the contest with Britain when we were sensible of danger, we had daily prayers in this room for the Divine Protection. Our prayers, sir, were heard, and they were graciously answered. All of us who were engaged in the struggle must have observed frequent instances of a superintending Providence in our favor.... And have we now forgotten that powerful Friend? or do we imagine we no longer need His assistance? I have lived, sir, a long time; and 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? We have been assured, sir, in the Sacred Writings that except the Lord build the House, they labor in vain that build it. I firmly believe this; and I also believe that without His concurring aid, we shall succeed in this political building no better than the builders of Babel...and we ourselves shall become a reproach and a byword down to future ages. I therefore beg leave to move, that henceforth prayers imploring the assistance of Heaven, and its blessings on our deliberations, be held in this assembly every morning before we proceed to business, and that one or more of the clergy of the city be requested to officiate in that service.<sup>42</sup>

Most modern observers, even critics, would certainly concede that these eleven sentences spoken by Franklin carry a general religious overtone, but they likely would not admit much more. However, there is much more. Unrealized by most today is that in those eleven sentences, Franklin had specifically referenced or quoted by memory eight different Bible phrases that appear in thirteen different Bible verses:

1. “groping in the dark” (Job 12:25)
2. “the Father of Lights” (James 1:17)
3. “illuminate our understanding” (James 1:5)
4. “a sparrow cannot fall to the ground without His notice” (Matthew 10:29, Luke 12:6)
5. “can an empire rise without His aid” (Daniel 4:17, Psalm 75:7)
6. “except the Lord build the house, they labor in vain that build it” (Psalm 127:1)
7. “the builders of Babel” (Genesis 11:1-9)
8. “a reproach and a byword” (Deuteronomy 28:37, 2 Chronicles 7:20, 1 Kings 9:7, Psalm 44:14)

Many Americans now know so little of the Bible that they no longer recognize these Bible references and phrases. In fact, unless speakers today announce they are citing a specific Bible verse, people listening usually don’t recognize Bible quotations or references. But in the Founders’ day, they didn’t need to call attention to which Bible verses they were quoting, for nearly all Americans had learned to read from the Bible and studied it in school and therefore knew and recognized its phrases.

Roger Sherman of Connecticut seconded Franklin’s motion for prayer, but then Hugh Williamson of North Carolina pointed out that they had no funds to pay the salary of a full-time chaplain.<sup>43</sup> Edmund Randolph of Virginia then proposed “*that a sermon be preached, at the request of the Convention, on the Fourth of July, the anniversary of Independence*” and that “*thenceforward prayers to be read in the Convention every morning.*”<sup>44</sup>

The Constitutional Convention therefore recessed for three days, attended church, and listened to patriotic orations.<sup>45</sup> They gathered at the Calvinist Reformed Church in Philadelphia, and the Rev. William Rogers prayed a special prayer over them:

[W]e fervently recommend to Thy fatherly notice...our Federal Convention....[F]avor them from day to day with Thy immediate presence; be Thou their wisdom and their strength! Enable them to devise such measures as may prove happily instrumental for healing all divisions and promoting the good of the great whole...that the United States of America may furnish the world with one example of a free and permanent government....May we....continue, under the influence of republican virtue, to partake of all the blessings of cultivated and civilized society.<sup>46</sup>

After those three days off, with attending church, listening to orations, and having special prayer, there was an apparent change in atmosphere: the delegates slowly began making progress and were gradually able to reach a solution on major problematic issues. This resulted in the best

form of government ever devised by man, and the US Constitution has proven to be the most valuable and stable civil document in history.<sup>47</sup> As President Calvin Coolidge affirmed, “*no other document devised by the hand of man has brought so much progress and happiness to humanity. The good it has wrought can never be measured.*”<sup>48</sup> He correctly concluded that “*To live under the American Constitution is the greatest political privilege that was ever accorded to the human race.*”<sup>49</sup>



Calvin Coolidge

The finished Constitution was signed by thirty-nine delegates on September 17, 1787 (which is why September 17 is annually celebrated nationally as “Constitution Day”), and then sent to the states for approval. The ratification debates in several of the state conventions were heated, and in many states the votes were close.

Significantly, some forty-four clergy from various denominations had been elected by their states as delegates to the state ratification conventions,<sup>50</sup> and in states such as Connecticut, North Carolina, and Massachusetts, the ratification conventions for the Constitution were actually held in churches.<sup>51</sup> Many of those clergy delegates (especially in Massachusetts, North Carolina, and New Hampshire) played key roles in securing approval for the Constitution.

For example, twenty clergy in Massachusetts served in that state’s convention, and their support was crucial since the Constitution was ratified in that state by a margin of only nineteen votes (187 to 168). Benjamin Lincoln of Massachusetts (one of George Washington’s most trusted generals during the final campaigns of the War for Independence) reported to his former Commander-in-Chief: “*It is very fortunate for us that the clergy are pretty generally with us.*”<sup>52</sup>

In South Carolina, celebration broke out after the successful ratification vote was announced. When order was restored, elder statesman Christopher Gadsden addressed the convention. Acknowledging his advanced age, he said that he would probably not live long enough to see the happy results of the final adoption of the Constitution by the entire nation, but for his own part, he declared: “*I shall say with good old Simeon [when he saw the Christ child brought into the Temple] ‘Lord, now let Thou Thy servant depart in peace, for mine eyes have seen the salvation of my country [Luke 2:29]’*”<sup>53</sup> He believed the new Constitution would be a significant force for good in the nation, and was grateful to have lived long enough to see it approved before he died.

Despite sometimes vigorous debates, state after state continued approving the Constitution. New Hampshire became key; if it ratified, it would be the ninth state to do so, which meant that the necessary threshold had been reached for the Constitution to officially become the new governing document for America. Just prior to that vote, George Washington told American hero Marquis de Lafayette:

Should everything proceed with harmony and consent according to our actual wishes and expectations, it will be so much beyond anything we had a right to imagine or expect eighteen months ago that it will, as visibly as any possible event in the course of human affairs, demonstrate the finger of Providence.<sup>54</sup>



The Constitution was indeed ratified by New Hampshire; and all of the remaining states also eventually approved it.

Significantly, numerous Framers of the Constitution openly avowed that the final document reflected God’s hand and providence. For example, signer William Samuel Johnson of Connecticut declared that the finished Constitution was the result of “*a signal [obvious] intervention of Divine providence.*”<sup>55</sup> Alexander Hamilton similarly affirmed:

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.<sup>56</sup>

James Madison agreed, and reported:

It is impossible for the man of pious reflection not to perceive in it a finger of that Almighty Hand which has been so frequently and signally extended to our relief in the critical stages of the Revolution.<sup>57</sup>



James Madison

According to these delegates (and others), the finger of God—that is, His Divine power (specifically referenced in Bible passages such as Exodus 8:19, Exodus 31:18, Deuteronomy 9:10, Luke 11:20)—had guided their writing of the Constitution. Benjamin Franklin certainly believed this to be the case, explaining:

[I] beg I may not be understood to infer that our general Convention was Divinely inspired when it formed the new federal Constitution...[yet] I can hardly conceive a transaction of such momentous importance to the welfare of millions now existing (and to exist in the posterity of a great nation) should be suffered to pass without being in some degree influenced, guided, and governed by that omnipotent, omnipresent, and beneficent Ruler in Whom all inferior spirits “live and move and have their being” [Acts 17:28].<sup>58</sup>

George Washington (president of the Convention) similarly attested:

As to my sentiments with respect to the merits of the new Constitution...It appears to me then little short of a miracle that the delegates from so many different states...should unite in forming a system of national government.<sup>59</sup>

Benjamin Rush, a signer of the Declaration from Philadelphia (and a ratifier of the Constitution), closely monitored the proceedings and openly testified:

I do not believe that the Constitution was the offspring of [Divine] inspiration, but I am as perfectly satisfied that the Union of the states in its form and adoption is as much the work of a Divine Providence as any of the miracles recorded in the Old and New Testament were the effects of a Divine power.<sup>60</sup>



Benjamin Rush

Clearly, many of the Founding Fathers involved with writing and approving the US Constitution believed that God had been a direct force in its creation.

## The US Constitution

Sadly, despite the abundant historical evidence, numerous modern jurists, academics, and others today wrongly claim the US Constitution is a Godless document. In fact, in the book *Godless Constitution*, two professors firmly assert the Constitution was completely secular and not influenced by religious principles. On what authoritative historical sources do those professors rely to prove this errant claim? Significantly, in their “*Note on Sources*” at the end of the book, they candidly admit: “*we have dispensed with the usual scholarly apparatus of footnotes.*”<sup>61</sup> There are *no* footnotes—they use no original historical documentation to prove their “historical” claims. What a startling admission, but this is reflective of what often occurs in far too much of academia and media today.

For several reasons, the truth is actually the opposite of what they claim.

First, many of the specific ideas presented in the Constitution were developed from the Christian culture of the preceding two centuries. This is confirmed by the extensive work of political scientists who embarked on an ambitious ten-year project to analyze writings from the Founding Era (1760-1805) with the goal of isolating and identifying the specific political authorities quoted during in those writings. If the sources of the specific quotes in those writings could be identified, then the origin of the Founders’ political ideas could be documented.

Selecting some 15,000 representative writings, the researchers isolated 3,154 direct quotations, and then documented the origin of those quotations.<sup>62</sup> Their research revealed the single most cited authority in the writings of the Founding Era was the Bible: thirty-four percent of the documented quotes were taken from the Bible—a percentage almost four times higher than the second most-quoted source.<sup>63</sup>

A second proof that the Constitution is not secular or Godless is that it was deliberately designed to be utilized alongside the Declaration of Independence—a document that explicitly refers to God multiple times. The Declaration is the foundation upon which first our nation and then our Constitution were built, and the Declaration and the Constitution were intended to be used side-by-side—hand-in-hand; one will not work properly if separated from the other. As the US Supreme Court attested (1897):

[T]he latter [Constitution] is but the body and the letter of which the former [Declaration of Independence] is the thought and the spirit, and it is always safe to read the letter of the Constitution in the spirit of the Declaration of Independence.<sup>64</sup>

This reality was also affirmed by John Quincy Adams in his famous oration, “*The Jubilee* [that is, the fiftieth anniversary] *of the Constitution*,” in which he explained:

[T]he virtue which had been infused into the Constitution of the United States...was no other than the concretion of those abstract principles which had been first proclaimed in the Declaration of Independence....This was the platform upon which the Constitution of



John Quincy Adams

the United States had been erected. Its virtues, its republican character, consisted in its conformity to the principles proclaimed in the Declaration of Independence and as its administration...[and] was to depend upon the...virtue, or in other words, of those principles proclaimed in the Declaration of Independence and embodied in the Constitution of the United States.<sup>65</sup>

From the beginning, the interdependent relationship between these two documents was clear: together, both of them form our founding charter; and the entire framework of our government as expressed in both documents is built upon the Christian idea of man and government.

A third proof that the Constitution is not a Godless secular document is found in its internal content. Several of its specific clauses actually incorporate specifically recognizable Biblical provisions and rhetoric. Here are a few examples.

### Sundays Excepted

The Constitution recognizes and sets apart Sunday from governmental work. Article II of the Constitution stipulates that when Congress passes a bill, for that bill to become law the president has ten days to sign it—not counting Sundays, or as the Constitution says, “*Sundays excepted.*”

Significantly, Christianity is the only major religion in the world that has a Sunday Sabbath. As the Supreme Court of California observed (1858), the Sabbaths observed by various religions included “*the Friday of the Mohammedan, the Saturday of the Israelite, or the Sunday of the Christian.*”<sup>66</sup> The South Carolina Supreme Court (1846) similarly noted the fact that the US Constitution officially recognized and set apart the Christian Sabbath:

Christianity is a part of the common law of the land, with liberty of conscience to all. It has always been so recognized....The US Constitution allows it as a part of the common law. The President is allowed ten days [to sign a bill], with the exception of Sunday. The Legislature does not sit; public offices are closed; and the government recognizes the day in all things....The observance of Sunday is one of the usages of the common law recognized by our US and state governments....Christianity is part and parcel of the common law.<sup>67</sup>

The Senate Committee on the Judiciary similarly commented (in 1853) on this constitutional provision, reaching the same obvious conclusion:

In the law, Sunday is a “*dies non*” [a day on which no legal business can be conducted]. It cannot be used for the services of legal process, the return of writs, or other judicial purposes. The executive department, the public establishments—are all closed on Sundays; on that day neither House of Congress sits....Here is a recognition by law and by universal usage not only of a Sabbath but of the Christian Sabbath, in exclusion of the Jewish or Mahammedan Sabbath....The recognition of the Christian Sabbath [by the Constitution] is complete and perfect.<sup>68</sup>

For decades, the specific recognition of the Christian Sabbath in the Constitution was cited by state and federal courts as proof of the Christian nature of our Constitution (and many other governing documents contain the same recognition of the Christian Sabbath).

## Oath-Taking

The five oath-taking clauses in the Constitution also demonstrate its religious nature, for the Founders universally affirmed oath-taking to be a singularly religious activity. For example, James Madison called an oath “*the strongest of religious ties*”<sup>69</sup>; John Adams said oaths were “*sacred obligations*”<sup>70</sup>; Declaration signer John Witherspoon said taking an oath “*indeed is an act of worship*”<sup>71</sup>; Declaration signer Oliver Wolcott said that an oath “*is a direct appeal to...God*”<sup>72</sup>; US Supreme Court Justice James Iredell said it was a “*solemn appeal to the Supreme Being*”<sup>73</sup>; and George Washington warned to never let oath-taking become a secular activity.<sup>74</sup> For the Founding Fathers and Framers of the Constitution, the oath-taking clauses were overtly religious.

In fact, Constitution signer Rufus King declared that oaths were a “*principle which is proclaimed in the Christian system.*”<sup>75</sup> Consider how this is “*principle*” from the “*Christian system*” is reflected in our American oath-taking process even today.

Traditionally, in taking an oath an individual raises their right hand, places the other on the Bible, takes the oath, and concludes with “*So help me God.*” Notice how the elements in this sequence directly parallels specific verses in the Bible.



Rufus King

For example, in Genesis 26:2-3, God told Isaac “I will perform the OATH which I SWORE to Abraham your father”—so God Himself swore an oath. Concerning the oath, God declared: “I RAISED MY HAND IN AN OATH . . .” (Ezekiel 20:15, 23; 36:7; Psalm 106:26). The Scripture further tells us that “The Lord has sworn by His RIGHT hand” (Isaiah 62:8). And when God’s people were instructed about how to take an oath, they were told: “You shall . . . take oaths IN HIS NAME” (Deuteronomy 10:20), which is what we do today when we use the phrase “So help me God.”

Clearly, the oath-taking clauses of the Constitution reflect specific Biblical practices.

## Attestation Clause

The Constitution declares in Article VII that it was written “*in the year of our Lord*” 1787. Most legal documents of that day gave only the year; a few added “*in the year of the Lord*”; but the drafters of the Constitution personalized that phrase, making it “*in the year of our Lord.*” Our Founders deliberately dated the Constitution in a way that recognized the birth of Christ.

## Other Clauses

Notice the extremely close parallels between the explicit wording of the Bible and the almost identical wording of that unique thought or idea in the Constitution. For instance:

### ❖ The Natural-Born Citizen Presidential Requirement

- Concerning the selection of a national executive leader, the Bible says “*One from among your brethren you shall set as king over you; you may not set a foreigner over you, who is not your brother*” (Deuteronomy 17:15, ESV). The national leader cannot be an immigrant but must be native-born.
- Reflecting this same requirement, the Constitution stipulates: “*No person except a natural born citizen...shall be eligible to the office of President*” (Article II, Section 1, Paragraph 5). The Constitution allows a US Senator or Representative to be an immigrant, but it requires that the national leader—the President—must be native-born (or as the Bible specified, “*one from among your brethren*” who is “*not a foreigner*”).

### ❖ Capital Punishment

- Concerning the death penalty, the Bible says: “*Whoever is deserving of death shall be put to death on the testimony of two or three witnesses; he shall not be put to death on the testimony of one witness.*” (Deuteronomy 17:6, NKJV)
- Concerning treason (a death penalty offense specifically named in the Constitution), the Constitution likewise requires: “*No person shall be convicted of treason [and put to death], unless on the testimony of two witnesses to the same overt act*” (Article, Section 3, Paragraph 3).

### ❖ Attainder

- The Bible says: “*The son shall not bear the guilt of the father, nor the father bear the guilt of the son. The righteousness of the righteous shall be upon himself, and the wickedness of the wicked shall be upon himself*” (Ezekiel 18:20, NKJV). The family is not to be punished for the wrongdoing of a single member of the family.
- Attainder (common in European governments at the time) punishes an entire family for the wrongdoing of one member of the family. For example, if one person in the family commits treason, then the bloodline of the entire family becomes “corrupt” and for generations thereafter no member of the family can own property or enjoy other rights. But the Constitution, echoing the Bible’s teaching, says: “*No attainder of treason shall work corruption of blood or forfeiture, except during the life of the person attainted*” (Art. III, Sec. 3, Clause 2).

And notice also the three branches of government—the Judicial, Legislative, and Executive—is set forth in Isaiah 33:22 (“*The Lord is our judge [the judicial], the Lord is our lawgiver [the legislative], the Lord is our king [the executive]*”). And the type of tax exemptions the Founders gave to churches (tax exemptions that still exist today) is found in Ezra 7:24: “*You have no authority to impose taxes, tribute or duty on any of the priests, Levites, musicians, gatekeepers, temple servants or other workers at this house of God.*”

And the mandate of republicanism set forth in the Constitution in Art. IV, Sec. 4 (that is, of selecting our leaders at the local, county, state, and federal levels) has its origins in Exodus 18:21 (“*select capable men from all the people...as officials over thousands, hundreds, fifties, and tens*”) and also Deuteronomy 1:13. In fact, Noah Webster (the Founder personally responsible for Art. I, Sec 8, ¶8 of the Constitution) specifically cites Exodus 18:21,<sup>76</sup> as do Declaration signers John Witherspoon and Benjamin Rush.<sup>77</sup>

Further demonstrating the Constitution’s reliance on and incorporation of Biblical precepts, on multiple occasions John Adams directly affirmed that the principle undergirding the constitutional separation of powers was specifically taken from the Bible is teaching in Jeremiah 17:9. Adams explained:

To expect self-denial from men when they have a majority in their favor (and



John Adams

consequently power to gratify themselves) is to disbelieve all history and universal experience—it is to disbelieve [Divine] Revelation and the Word of God, which informs us, “the heart is deceitful above all things, and desperately wicked” [Jeremiah 17:9]....There is no man so blind as not to see that to talk of founding a government upon a supposition that nations and great bodies of men, left to themselves, will practice a course of self-denial is either to babble like a newborn infant, or to deceive like an unprincipled impostor.<sup>78</sup>

To understand Adams’ reference to Jeremiah 17:9, recall that the Founders largely viewed man from a Christian perspective. As such, they believed in what Christian theologians call “the depravity of man.” This meant that man is in a fallen state; consequently, doing the wrong thing comes naturally to him—unless he has chosen to live by God’s principles and the uplifting standards of the Bible. Because of man’s sinful proclivity to do what is wrong, it was not likely that governments formed by men will automatically be inherently good and always serve the people. In fact, the record of countless governments across history repeatedly proves just the opposite—that nearly all governments which do not have internal safeguards and restraints that account for the inherent “depravity of man” will eventually become corrupt, selfish, oppressive, and tyrannical.

The Founders believed that the branches of government therefore needed to be separated from, and able to check and balance each other so that perhaps all might not go wicked at the same time. Thus, if the Judiciary became selfish and corrupt, then perhaps the Legislative and Executive could negate that influence; and the same was true with the other branches. So, using their Biblical understanding of the general fallen nature of man, the Founders were careful to construct a form of government that would not entrust any man or branch with too much power, knowing that sinful man tends to abuse that power.

Not only did John Adams cite Jeremiah 17:9 (on multiple occasions) to explain separation of powers, but the same point was similarly made by signers of the Constitution George



Washington<sup>79</sup> and Alexander Hamilton.<sup>80</sup> And James Madison, affirming the same Biblical view of the fallen and sinful nature of man, in *Federalist 51* affirmed:

What is government itself but the greatest of all reflections on human nature? If men were angels, no government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed, and in the next place oblige it to control itself.<sup>81</sup>

## The Preamble to the Constitution

Significantly, the Preamble (that is, the introduction) to the Constitution set the tone for the limited nature of that document. It identifies five basic functions of civil government, and each reflects Biblical precepts. Those five enumerated purposes of America's federal government are to:

1. "*Establish justice.*" Dozens of Bible verses specifically address this as being a proper and primary object of government. For example:

- Thus says the Lord of hosts: "Execute true justice." (Zechariah 7:9)
- All His ways are justice—a God of truth and without injustice. (Deuteronomy 32:4)
- Righteousness and justice are the foundation of Your throne. (Psalm 89:14)

Government must administer God's justice.

2. "*Insure domestic tranquility.*" In 1 Timothy 2:1-2, the Bible urges Christians to pray for civil rulers "*in order that we may lead a tranquil and quiet life in all Godliness and dignity.*" God wants His people to seek and enjoy, and the government to produce domestic tranquility.
3. "*Provide for the common defense.*" In Romans 13:4, the Bible affirms that civil government "*does not bear the sword in vain.*" The "sword" is a military weapon, and even Jesus Christ taught His disciples the legitimacy of being armed, telling them in Luke 22:36, "*Now...let him who has no sword sell his robe and buy one.*" Protecting innocent human life is a primary purpose of government (cf. Romans 13:1-5 and 1 Peter 2:13-14), and to fulfill this purpose, governments organize armies to protect citizens from international threats, and establish police forces to protect citizens from domestic threats.
4. "*Promote the general welfare.*" Romans 13:4 says that civil leaders are to be servants "*to you for good*"—they are to serve and seek the common good of all classes of citizens. God wants government to reflect equality in the same way He does; after all, God uses the same standards for all (see Matthew 5:45), and all were created equal by and before God. As the Bible affirms:

- Have we not all one Father? Has not one God created us? (Malachi 2:10)

- God does not show favoritism. (Acts 10:34, Romans 2:11)
- For the Lord your God...shows no partiality. (Deuteronomy 10:17)

By the way, notice that the Preamble says that government is to “*promote the general welfare,*” not “*provide for the general welfare.*” Numerous Scriptures make clear that needy individuals are to be cared for by private acts of charity from individuals, churches, and families, but not from government. The Framers of our government frequently reiterated the same point about promoting welfare.<sup>82</sup>

5. The fifth purpose of American government set forth in the preamble is to “*Secure the blessings of liberty.*” “*Blessings*” means “*God’s favor and protection*” and liberty is one of God’s blessings for all the people.

- Proclaim liberty throughout the land unto all the inhabitants thereof. (Leviticus 25:10)
- Where the Spirit of the Lord is, there is liberty. (2 Corinthians 3:17)
- You have been called unto liberty. (Galatians 5:13)

Significantly, the most basic of our Creator-endowed blessings are identified in the



Declaration of Independence as well as in the Fifth Amendment of the Constitution as “*life, liberty, [and] private property.*” Just as God is the source of liberty, the Scriptures also identify Him as the source of life (Genesis 1:27, “*And God created man...*” and Acts 17:28 “*In Him we live, move, and have our being*”). God is also the source of private property (Ecclesiastes 5:19 states, “*For every man to*

The US Constitution contains many Biblical ideas and principles. whom God has given riches and wealth, He has also empowered him to eat from them...and rejoice in his labor; this is the gift of God”; and 1 Chronicles 29:12, likewise affirms: “*Both riches and honor come from Thee.*”)

The purpose for which American government exists and the Constitution was written is set forth in the five clauses of the Preamble, and all five are firmly rooted in Bible teachings.

### The First Inauguration, 1789

By June 1788, the Constitution had been ratified. Electors from the states then unanimously chose George Washington as the first president. He was the only president in US history to be elected with no opposition.<sup>83</sup>

Constitutional experts abounded at that first presidential inauguration in March 1789. Not only did George Washington help create the Constitution that was now to govern the nation but one fourth of the members of the Congress that organized and directed his inauguration had been delegates with him in writing that Constitution.<sup>84</sup> Furthermore, this very same Congress also penned the First Amendment to the Constitution with its religion clauses. Clearly, therefore, this Congress definitely knew what was and was not constitutional; so the religious activities that were part of the first inauguration may well be said to have had the approval of the greatest congressional collection of constitutional experts America has ever known.



Washington took the Presidential oath of office with his hand on the Bible.

That inauguration occurred in New York City, which served as the nation's capital during the first year of the new federal government. The preparations had been extensive; everything had been well planned; and religious activities abounded.

The newspapers reported on the very first activity of the inauguration:

[O]n the morning of the day on which our illustrious President will be invested with his office, the bells will ring at nine o'clock, when the people may go up to the house of God and in a solemn manner commit the new government, with its important train of consequences, to the holy protection and blessing of the Most High. An early hour is prudently fixed for this peculiar act of devotion and...is designed wholly for prayer.<sup>85</sup>

As the parade carrying Washington by horse-drawn carriage to the swearing-in was nearing Federal Hall, it was realized that no Bible had been obtained for administering the oath, and New York state law required that a Bible be part of the ceremony.<sup>86</sup> Parade Marshal Jacob Morton therefore hurried off and soon returned with a large 1767 Bible.

The inauguration ceremony was conducted on the balcony at Federal Hall; and with a huge crowd gathered below watching the proceedings, the Bible was laid upon a crimson velvet cushion and the oath of office was administered. The Bible was opened (at random) to Genesis 49;<sup>87</sup> Washington placed his left hand upon the open Bible, raised his right, took the oath of office, then bent over and reverently kissed the Bible.<sup>88</sup> Washington and the other officials then departed the balcony and went inside Federal Hall to the Senate Chamber, where Washington delivered his Inaugural Address.

In that first-ever presidential speech, Washington opened with his own heartfelt prayer.<sup>89</sup> He then called on his listeners to remember and acknowledge God.<sup>90</sup> Finishing his address, Washington offered his closing prayer.<sup>91</sup>

Moving on to the next inaugural activity, the Senate directed:

That after the oath shall have been administered to the President, he—attended by the Vice-President and members of the Senate and House of Representatives—proceed to St. Paul’s Chapel to hear Divine service.<sup>92</sup>

The House approved the same resolution,<sup>93</sup> so the president and Congress thus went *en masse* to church as an official body. As affirmed by congressional records:

The President, the Vice-President, the Senate, and House of Representatives, &c., then proceeded to St. Paul’s Chapel, where Divine Service was performed by the chaplain of Congress.<sup>94</sup>

There were thus at least seven distinctly religious activities included in this first presidential inauguration, and those activities have been repeated in whole or part in every inauguration since: (1) the use of the Bible to administer the oath; (2) solemnifying the oath with multiple religious expressions (placing a hand on the Bible, saying “So help me God,” and then kissing the Bible); (3) prayers offered by the president himself; (4) religious content in the inaugural address; (5) the president calling on the people to pray or acknowledge God; (6) church inaugural worship services; and (7) clergy-led prayers.

### **Christianity and the Congress**

The Continental Congress had passed an important act known as "The Northwest Ordinance." President Washington and Congress passed a federal law to ensure that this Ordinance would be in effect under the new Constitution.<sup>95</sup> It is so important that even today, it is still considered one of the four organic, or fundamental American laws on which all others are to be based.<sup>96</sup> It not only declared that “*civil and religious liberty...form the basis whereon these republics, their laws, and constitutions are erected,*”<sup>97</sup> but it was also the first federal law to address education. Article III of that national law directly linked religion and public education together, declaring:

Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.<sup>98</sup>

(Across history, numerous state constitutions, complying with this provision, likewise declared that religion, morality, and knowledge were to be part of public education, and many state constitutions today still retain this requirement.<sup>99</sup>)

Some six weeks later on September 25, 1789, Congress finished framing the Bill of Rights (the first Ten Amendments, setting forth the God-given inalienable rights that belong to every individual). The Bill of Rights was the Capstone of the Constitution. Significantly, 165 years later, US Supreme Court Chief Justice Earl Warren declared:

I believe the entire Bill of Rights came into being because of the knowledge our forefathers had of the Bible and their belief in it: freedom of belief, of expression, of assembly, of petition, the dignity of the individual, the sanctity of the home, equal justice under law, and the reservation of powers to the people....I like to believe we are living



today in the spirit of the Christian religion. I like also to believe that as long as we do so, no great harm can come to our country.<sup>100</sup>

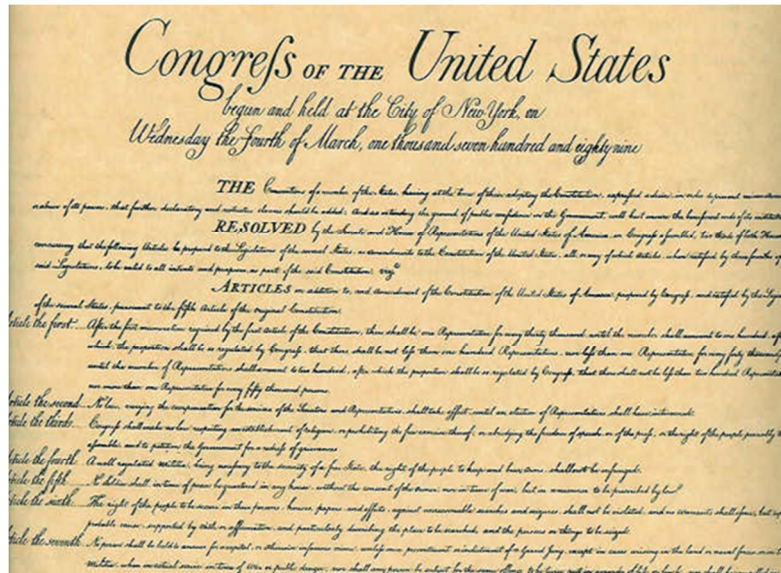
On that notable day in 1789 on which the Bill of Rights was completed, the *Journals of Congress* record that:

Mr. [Roger] Sherman [the only Founding Father to sign all four founding documents] justified the practice of thanksgiving on any signal [important] event not only as a laudable one in itself but as warranted by precedents in Holy Writ [i.e., the Scriptures]: for instance, the solemn thanksgivings and rejoicings which took place in the time of Solomon after the building of the temple was a case in point [1 Kings 8, 2 Chronicles 5-7]. This example he thought worthy of Christian imitation on the present occasion.<sup>101</sup>

Congress therefore unanimously requested that President Washington issue a proclamation for the people of the United States to thank Almighty God for the “opportunity peaceably to establish a Constitution of government for their safety and happiness.”<sup>102</sup>

Washington happily complied with that request, affirming that it is “the duty of all nations to acknowledge the providence of Almighty God, to obey His will, to be grateful for His benefits, and humbly to implore His protection and favor.”<sup>103</sup>

Notice that George Washington said *nations*—not just individuals, but *nations*—have four distinct duties: (1) to acknowledge the providence of Almighty God, (2) to obey His will, (3) to be grateful for His benefits, and (4) humbly to implore His protection and favor. Our Congress and our presidents have fulfilled this duty hundreds of times in our nation’s history.



Ten of the twelve originally proposed amendments to the Constitution were ratified by the states, and those then are now known as the Bill of Rights

## The First Amendment

The First Amendment to the Constitution (part of the Bill of Rights passed by the Congress) is misunderstood by many people today, including numerous courts. Concerning religion, the Amendment states: “Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.” Many today claim that this Amendment mandates a “separation of church and state,” which to them means that government can have nothing to do with religion in general, or Christianity in particular. But our Founders wrote this clause only to ensure that Congress could not establish a national church, or give official preference to a

particular religious denomination, as had been the centuries-long practice for many European governments at that time.

The Founders considered the idea of separating God from government, or making government purely secular, a ridiculous notion. They repeatedly affirmed that God was Supreme over all earthly governments; to them, any attempt to separate government from Godly principles would mean the death of the nation. As George Washington openly reminded Americans:

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness—these firmest props of the duties of men and citizens.<sup>104</sup>

According to Washington, anyone who sought to remove religion or morality from government could not be considered a patriot—he was not a friend to or supporter of America. Founding Father John Witherspoon likewise declared:

[H]e is the best friend to American liberty who is the most sincere and active in promoting true and undefiled religion, and who sets himself with the greatest firmness to bear down profanity and immorality of every kind. Whoever is an avowed enemy of God, I scruple not to call him an enemy to his country.<sup>105</sup>

The Founders were adamantly opposed to any notion of a secular society or a Godless public square.

The proper view of the meaning of the First Amendment was accurately set forth by early Supreme Court Justice Joseph Story (called a “Father of American Jurisprudence,” placed on the Court by President James Madison). Story authored the famous *Commentaries on the Constitution of the United States* (1833), considered one of the most respected American legal works. Concerning the First Amendment, he explained:

At the time of the adoption of the Constitution, and of the Amendment to it now under consideration [i.e., the First Amendment], the general if not the universal sentiment in America was that Christianity ought to receive encouragement from the state....An attempt to level all religions and to make it a matter of state policy to hold all in utter indifference would have created universal disapprobation, if not universal indignation....The real object of the [First] Amendment was not to countenance [approve], much less to advance Mahometanism, or Judaism, or infidelity, by prostrating Christianity, but to exclude all rivalry among Christian sects [denominations] and to prevent any national ecclesiastical establishment which should give to a hierarchy the exclusive patronage of the national government [i.e., establish an official national church or denomination, such as Baptists, Catholics, Methodists, or any other].<sup>106</sup>

Justice Story further explained:



In some of the states, Episcopalians constituted the predominant sect [denomination]; in others, Presbyterians; in other, Congregationalists; in others, Quakers; and in others again, there was a close numerical rivalry among contending sects [denominations]. It was impossible that there should not arise perpetual strife and jealousy...if the national government were left free to create a [national] religious establishment...Thus the whole power over the subject of religion is left exclusively to the state governments.<sup>107</sup>

Significantly, even Thomas Jefferson (the man often credited today with being the originator of the phrase “separation of church and state”) adamantly opposed the concept of a secular nation, or Godless public square. In fact, he frequently introduced religious activities directly into the public arena.

For example, in 1774 while serving in the Virginia state legislature, he introduced a resolution for a colony-wide day of fasting and prayer. And in 1779 as governor of Virginia, he issued a proclamation calling for a statewide day of prayer and thanksgiving.<sup>108</sup>

In 1789, he began serving in the federal government as Secretary of State for President George Washington where he was placed in charge of laying out the city of Washington DC, including building the White House and the US Capitol. He then became Vice President under President John Adams, and during this time, on November 22, 1800, Congress moved into the newly constructed US Capitol building.

Two weeks later on December 4, 1800, with Theodore Sedgwick presiding over the House and Thomas Jefferson over the Senate, a plan was approved whereby Christian church services would be held every Sunday in the Hall of the House of Representatives<sup>109</sup>—the largest room in the Capitol building. The spiritual leadership for each Sunday’s service would alternate between the chaplain of the House and the chaplain of the Senate, each of whom would either personally conduct the service or invite some other minister to preach.

It was in this most recognizable of all government buildings that Vice President Jefferson attended church<sup>110</sup>—a practice he continued throughout his two terms as president.<sup>111</sup> In fact, US congressman Manasseh Cutler, who also attended church at the Capitol, affirmed that “*He [Jefferson] and his family have constantly attended public worship in the Hall.*”<sup>112</sup> Mary Bayard Smith, another attendee at the Capitol services, confirmed, “*Mr. Jefferson, during his whole administration, was a most regular attendant.*”<sup>113</sup> She even noted that Jefferson had a designated seat at the Capitol church: “*The seat he chose the first Sabbath, and the adjoining one, which his private secretary occupied, were ever afterwards by the courtesy of the congregation left for him and his secretary.*”<sup>114</sup>

Each Sunday, Jefferson rode his horse from the White House to the church at the Capitol,<sup>115</sup> a distance of 1.6 miles and a trip of about thirty minutes. He made this ride regardless of weather conditions. In fact, among Representative Cutler’s entries is one noting that “*[i]t was very rainy, but his [Jefferson’s] ardent zeal brought him through the rain and on horseback to the Hall.*”<sup>116</sup> Other diary entries similarly confirm Jefferson’s faithful attendance despite unfavorable weather.<sup>117</sup>

Interestingly, the Marine Corps band, now known as the President's Own Band, played worship services at the Capitol.<sup>118</sup> According to attendee Margaret Bayard Smith, the band, clad in their scarlet uniforms, made a “*dazzling appearance*” as they played from the gallery, providing instrumental accompaniment for the singing.<sup>119</sup> However, good as they were, they seemed too showy for the services and “*the attendance of the Marine Band was soon discontinued.*”<sup>120</sup>

Under President Jefferson, Sunday church services were also started at the War Department and the Treasury Department<sup>121</sup>—government buildings of the Executive Branch under Jefferson's direct control. If Jefferson thought such religious services in government buildings and government settings were unconstitutional or improper, he certainly had the power to stop them; but he did not. To the contrary, he helped start them and encouraged their use. Therefore, on any given Sunday, worshippers could choose between attending church at the US Capitol, the War Department, or the Treasury Department—all with the blessing of Jefferson. (By 1867, the church in the Capitol that Jefferson helped start had become the largest church in Washington, DC.<sup>122</sup>)

When Jefferson was asked why he attended church at the Capitol, he answered:

No nation has ever yet existed or been governed without religion—nor can be. The Christian religion is the best religion that has been given to man and I, as Chief Magistrate of this nation, am bound to give it the sanction of my example.<sup>123</sup>

Additionally, while serving as President of the United States, Jefferson authored the original plan of education for the public schools of Washington, DC. He used the Bible and *Watt's Hymnal* (one of the greatest doctrinal hymnals in Christendom) as the primary reading texts.<sup>124</sup> In 1803, he signed a federal act renewing provisions related to propagating the Gospel among the Delaware Indian tribe<sup>125</sup> and also approved a treaty with the Kaskaskia tribe to provide them Christian ministry and teaching.<sup>126</sup> And in 1804 he signed a federal act related to the propagation of the Gospel among Indians on federal land trusts.<sup>127</sup> President Jefferson not only personally undertook federal initiatives to help propagate Christianity and Christian teachings among native peoples, he also praised others who did the same.<sup>128</sup>

After he left the presidency, Jefferson established the University of Virginia, where he encouraged the teaching of religion and set apart space in the Rotunda for chapel services.<sup>129</sup> He also praised the use of the local courthouse in his home town for religious services.<sup>130</sup>

There are many other examples of how Thomas Jefferson openly promoted religious, and specifically Christian activities throughout government. To him, none of these activities violated the so-called “separation of church and state,” for none established a particular national denomination.

Clearly, the Founders' view of the proper meaning of “separation of church and state” is far different from that claimed by most today, including numerous courts. Many have wrongly used the First Amendment to declare prayer, Bible-reading, and other such traditional religious expressions unconstitutional, but the historical evidence is clear that both the Founding Fathers

and (even Thomas Jefferson, one of the least religious Founders) believed just the opposite of today's often open hostility to religious expressions and activities.

## Congressional Actions

Many significant acts of Congress in promoting religion and Biblical Christianity have already been noted, but there are many more. For example, between 1836 and 1847, Congress commissioned four massive paintings to be hung in the Rotunda of the US Capitol for public viewing. They were designed to depict events reflecting the Christian heritage of the nation, and among the four paintings are featured three Christian prayer services, a Christian Bible study, and a Christian baptism.<sup>131</sup>

A few years later in 1852-1853, a group petitioned Congress for a complete secularization of the public square and a cessation of all religious activities by government. But Congress rejected that request, instead making unambiguous declarations about America as a God-centered and Christian nation:

HOUSE JUDICIARY COMMITTEE: Had the people, during the Revolution, had a suspicion of any attempt to war against Christianity, that Revolution would have been strangled in its cradle. At the time of the adoption of the Constitution and the amendments, the universal sentiment was that Christianity should be encouraged, not any one sect [denomination]...In this age there can be no substitute for Christianity. That [Christianity], in its general principles, is the great conservative element on which we must rely for the purity and permanence of free institutions.<sup>132</sup>

SENATE JUDICIARY COMMITTEE: We are Christians, not because the law demands it, not to gain exclusive benefits or to avoid legal disabilities, but from choice and education; and in a land thus universally Christian, what is to be expected—what desired—but that we shall pay a due regard to Christianity?<sup>133</sup>

In 1856, the House of Representatives likewise declared:

[T]he great vital and conservative element in our system is the belief of our people in the pure doctrines and Divine truths of the Gospel of Jesus Christ.<sup>134</sup>

There are countless other examples from congressional records that could similarly be cited to affirm that America's culture and institutions, including that of civil government, were shaped by Christianity.

## American Courts

The Christian presence so visible across America and throughout government was also openly acknowledged in the Judicial Branch. For example, in a unanimous decision in 1844, the US Supreme Court affirmed that America was "*a Christian country.*"<sup>135</sup> Then in 1892, after having reviewed scores of historical documents, the Court again delivered a unanimous ruling, declaring:

[N]o purpose of action against religion can be imputed to any legislation, state or national because this is a religious people....[T]his is a *Christian nation*.<sup>136</sup>

In 1931, the Court rearticulated the same message:

We are a *Christian people*...according to one another the equal right of religious freedom, and acknowledging with reverence the duty of obedience to the will of God.<sup>137</sup>

These “*Christian country*,” “*Christian nation*,” and “*Christian people*” declarations were subsequently cited by numerous lower federal courts for decades, including well into the modern era.<sup>138</sup> And because the Supreme Court viewed America as a Christian nation, it is not surprising that it regularly invoked Christian principles as the basis of its rulings on marriage,<sup>139</sup> citizenship,<sup>140</sup> foreign affairs,<sup>141</sup> domestic treaties,<sup>142</sup> and other issues.

(By the way, these decisions about America as a “Christian nation” were not issued because only Christians inhabited America, for such was never the case—not ever, not at any time. These decisions were rendered because the Court rightly recognized that Christianity had indeed shaped America’s institutions and formed the basis of its unique culture, and that those principles provided freedom and liberty for *all* citizens, regardless of whether or not they happened to be Christians. Thus, being a Christian nation did not exclude anyone from participation in or protection by American government.)

Significantly, state courts were just as forthright in their declarations on this subject as the federal courts had been. For example:

[O]ur laws and institutions must necessarily be based upon and embody the teachings of the Redeemer of mankind. It is impossible that it should be otherwise. And in this sense, and to this extent, our civilization and institutions are emphatically Christian.<sup>143</sup> **ILLINOIS SUPREME COURT, 1883**

Democracy is the outgrowth of Christianity. Although the constitutional decree of freedom of religion and worship embraces any faith...ours is a Christian nation.<sup>144</sup> **KENTUCKY COURT OF APPEALS, 1945**

Our great country is denominated a Christian nation....We imprint “In God We Trust” on our currency. Our state has even sometimes been referred to by cynics as being in the “Bible Belt.” It cannot be denied that much of the legislative philosophy of this state and nation has been inspired by the Golden Rule and the Sermon on the Mount and other portions of the Holy Scriptures.<sup>145</sup> **MISSISSIPPI SUPREME COURT, 1950**

[I]t is well settled and understood that ours is a Christian Nation, holding the Almighty God in dutiful reverence. It is so noted in our Declaration of Independence and in the constitution of every state of the Union. Since George Washington’s first presidential proclamation of Thanksgiving Day, each such annual proclamation reiterates the principles that we are such a Christian Nation....At public expenditure we engrave on our

coins, “In God We Trust” and print the same on currency. Our National Motto adopted by joint resolution of Congress is “In God We Trust.” Our National Anthem closes with these words “In God is Our Trust.”...[W]e consider the language used in our Declaration of Independence, and in our national Constitution, and in our Constitution of Oklahoma, wherein those documents recognize the existence of God, and that we are a Christian Nation and a Christian State.<sup>146</sup> **OKLAHOMA SUPREME COURT, 1959**

Numerous other courts made similarly succinct pronouncements.

The Declaration of Independence and the US Constitution were clearly founded upon Christian ideas of man and government. Our Founders were the first civil leaders to (as the Declaration of Independence announced) “*hold these truths*” and establish a nation upon them. Without Christianity, there never would have been the US Constitution that has caused America to become the longest on-going constitutional republic in the history of the world. As Noah Webster (father of the American dictionary and a key individual in the passage of the Constitution) affirmed:

The religion which has introduced civil liberty is the religion of Christ and His apostles, which enjoins humility, piety, and benevolence; which acknowledges in every person a brother, or a sister, and a citizen with equal rights. This is genuine Christianity, and to this we owe our free constitutions of government.<sup>147</sup> ■

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<sup>1</sup> Charles Hyneman and Donald Lutz, *American Political Writing during the Founding Era 1760-1805* (Indianapolis: Liberty Fund, 1983), see listing for “virtue” in the index.

<sup>2</sup> *The American Museum, or Repository of Ancient and Modern Fugitive Pieces, & c.* (Philadelphia: Matthew Carey, 1787), Vol. II, p. 191, “An Ordinance for the Government of the Territory of the United States Northwest of the River Ohio,” July 30, 1787, Article III.

<sup>3</sup> John Adams, *The Works of John Adams, Second President of the United States*, Charles Francis Adams, editor (Boston: Little, Brown and Company, 1850), Vol. IX p. 401, to Zabdiel Adams on June 21, 1776.

<sup>4</sup> John Adams, *The Works of John Adams, Second President of the United States*, Charles Francis Adams, editor (Boston: Little, Brown and Company, 1850), Vol. IX p. 636, to Benjamin Rush on August 28, 1811.

<sup>5</sup> John Adams, *The Works of John Adams, Second President of the United States* (Boston: Little, Brown and Co., 1854), Vol. IX, pp. 228-229, “A Letter to the Officers of the First Brigade of the Third Division of the Militia of Massachusetts, October 11, 1798.”

<sup>6</sup> Samuel Adams, *The Writings of Samuel Adams*, Harry Alonzo Cushing, editor (New York: G. P. Putnam’s Sons, 1905), Vol. IV, p. 74, to John Trumbull on October 16, 1778.

<sup>7</sup> Samuel Adams, *The Writings of Samuel Adams*, Harry Alonzo Cushing, editor (New York: G. P. Putnam’s Sons, 1905), Vol. IV, p. 124, to James Warren on February 12, 1779.

<sup>8</sup> Charles C. Jones, *Biographical Sketches of the Delegates from Georgia to the Continental Congress* (Boston and New York: Houghton, Mifflin and Company, 1891), pp. 6-7.

<sup>9</sup> Bernard C. Steiner, *The Life and Correspondence of James McHenry* (Cleveland: The Burrows Brothers Company, 1907), p. 475, Charles Carroll to James McHenry on November 4, 1800.

<sup>10</sup> *The Independent Chronicle* (Boston: Nathaniel Willis) on November 4, 1780, Vol. XIII, p. 4, from John Hancock’s Inaugural Address as Governor of Massachusetts. See also Abram English Brown, *John Hancock, His Book* (Boston: Lee and Shepard Publishers, 1898), p. 269.

<sup>11</sup> Patrick Henry, *Life, Correspondence and Speeches*, William Wirt Henry (New York: Charles Scribner’s Sons, 1891), Vol. II, p. 592, to Archibald Blair on January 8, 1799.

<sup>12</sup> Gouverneur Morris, *A Diary of the French Revolution* (Boston: Houghton Mifflin Co., 1939), Vol. II, p. 172, April 29, 1791.

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<sup>13</sup> Gouverneur Morris, *A Diary of the French Revolution* (Boston: Houghton Mifflin Co., 1939), Vol. II, p. 452, to Lord George Gordon, June 28, 1792.

<sup>14</sup> Jared Sparks, *The Life of Gouverneur Morris* (Boston: Gray and Bowen, 1832), Vol. III, p. 483, from his “Notes on the Form of a Constitution for France.”

<sup>15</sup> *United States Oracle* (Portsmouth, NH), May 24, 1800. See also *The Documentary History of the Supreme Court of the United States, 1789-1800*, Maeva Marcus, editor (New York: Columbia University Press, 1988), Vol. III, p. 436.

<sup>16</sup> Benjamin Rush, *Essays, Literary, Moral and Philosophical* (Philadelphia: Thomas and Samuel Bradford, 1798), p. 8, “On the Mode of Education Proper in a Republic.”

<sup>17</sup> Thomas Jefferson, *The Writings of Thomas Jefferson*, Albert Ellery Bergh, editor (Washington, DC: The Thomas Jefferson Memorial Association, 1904), Vol. XII, p. 315, to James Fishback on September 27, 1809.

<sup>18</sup> Daniel Webster, *The Writings and Speeches of Daniel Webster Hitherto Uncollected* (Boston: Little, Brown, and Company, 1903), Vol. IV, pp. 657, to Professor Pease on June 15, 1852.

<sup>19</sup> George Washington, *The Writings of George Washington*, John C. Fitzpatrick, editor (Washington: U. S. Government Printing Office, 1936), Vol. XIII, p. 118, from General Orders, October 21, 1778.

<sup>20</sup> George Washington, *The Writings of George Washington*, Jared Sparks, editor (Boston: Ferdinand Andrews, 1838), Vol. XII, p. 245, to the Clergy of Different Denominations Residing in and Near the City of Philadelphia, on March 3, 1797.

<sup>21</sup> *Connecticut Courant*, June 7, 1802, p. 3.

<sup>22</sup> *Independent Chronicle* (Boston), February 22, 1787, Fisher Ames writing as Camillus. See also Fisher Ames, *The Works of Fisher Ames*, Seth Ames, editor (Indianapolis: Liberty Classics, 1983), Vol. I, p. 67.

<sup>23</sup> Daniel Webster, *Mr. Webster’s Address at the Laying of the Cornerstone of the Addition to the Capitol; July 4th, 1851* (Washington: Gideon and Co., 1851), p. 23.

<sup>24</sup> Daniel Webster, *A Discourse Delivered at Plymouth, December 22, 1820. In Commemoration of the First Settlement of New England* (Boston: Wells and Lilly, 1821), pp. 49-50.

<sup>25</sup> Noah Webster, *History of the United States* (New Haven: Durrie & Peck, 1832), p. 6.

<sup>26</sup> Noah Webster, *History of the United States* (New Haven: Durrie & Peck, 1832), p. 339, ¶ 53.

<sup>27</sup> *Proceedings of the Convention of the Delaware State Held at New-Castle on Tuesday the Twenty-Seventh of August, 1776* (Wilmington: Star Publishing, 1927; reprint of Wilmington: James Adams, 1776), pp.

<sup>28</sup> *The Constitutions of the Several Independent States of the America* (Boston: Norman and Bowen, 1785), pp. 99-100, Delaware, 1776, Article 22-

<sup>29</sup> Samuel Adams, *Life and Public Services of Samuel Adams* (Boston: Little, Brown, and Company, 1865), Vol. III, pp. 84-85.

<sup>30</sup> *Appleton’s Cyclopaedia of American Biography*, James Grant Wilson and John Fiske, editors (New York: D. Appleton and Company, 1888), s.v. “Nathaniel Gorham.”

<sup>31</sup> *A Constitution or Frame of Government Agreed Upon by the Delegates of the People of the State of Massachusetts-Bay* (Boston: Benjamin Edes & Sons, 1780), p. 44, Chap. VI, Art. I.

<sup>32</sup> *The Constitution of the Commonwealth of Pennsylvania* (Philadelphia: Francis Bailey, 1784), pp. 32, 34.

<sup>33</sup> *The Constitutions of the Several Independent States of the America* (Boston: Norman and Bowen, 1785), p. 81, Pennsylvania, 1776, Article II, Section 10.

<sup>34</sup> See, for example, *The Constitutions of the Several Independent States of the America* (Boston: Norman and Bowen, 1785), p. 108, Maryland, 1776, Declaration of Rights, Section 35; p. 4, New Hampshire, 1783, Bill of Rights, Article I, Section 6; etc.

<sup>35</sup> Hezekiah Niles, *Principles and Acts of the Revolution in America* (Baltimore: William Ogden Niles, 1822), p. 198, debate on the bill for regulating the civil government of Massachusetts Bay, April 26, 1774.

<sup>36</sup> *Documents of the Assembly of the State of New-York, Sixty-First Session. 1838* (Albany: E. Crosswell, 1838), Vol. V, p. 1, “No. 262: Report of the committee on the judiciary on the petition of Joseph Frost, Joseph Sibley, and others, praying the repeal of the laws for the observance of the Sabbath & c.,” March 13, 1838.

<sup>37</sup> *Documents of the Assembly of the State of New-York, Sixty-First Session. 1838* (Albany: E. Crosswell, 1838), Vol. V, p. 6, “No. 262: Report of the committee on the judiciary on the petition of Joseph Frost, Joseph Sibley, and others, praying the repeal of the laws for the observance of the Sabbath & c.,” March 13, 1838.

<sup>38</sup> Gouverneur Morris, *An Oration Upon the Death of General Washington by Gouverneur Morris. Delivered at the Request of the Corporation of the City of New York, On the 31<sup>st</sup> day of December 1799* (New York: John Furman, 1800), p. 21. Evans #38002.



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<sup>39</sup> Gouverneur Morris, *An Oration Upon the Death of General Washington by Gouverneur Morris. Delivered at the Request of the Corporation of the City of New York, On the 31<sup>st</sup> day of December 1799* (New York: John Furman, 1800), p. 21. Evans #38002.

<sup>40</sup> Gouverneur Morris, *An Oration Upon the Death of General Washington by Gouverneur Morris. Delivered at the Request of the Corporation of the City of New York, On the 31<sup>st</sup> day of December 1799* (New York: John Furman, 1800), p. 21. Evans #38002.

<sup>41</sup> “The Changes in American Lifestyle: 1776 vs. 2005,” *Mineral Information Institute* (at: <https://mineralseducationcoalition.org/wp-content/uploads/minerals1776vstoday.pdf>), p. 1.

<sup>42</sup> James Madison, *The Papers of James Madison*, Henry D. Gilpin, editor (Washington: Langtree and O’Sullivan, 1840), Vol. II, pp. 984-985, Benjamin Franklin on June 28, 1787.

<sup>43</sup> James Madison, *The Papers of James Madison*, Henry D. Gilpin, editor (Washington: Langtree and O’Sullivan, 1840), Vol. II, p. 986, June 28, 1787.

<sup>44</sup> James Madison, *The Papers of James Madison*, Henry D. Gilpin, editor (Washington: Langtree and O’Sullivan, 1840), Vol. II, p. 986, June 28, 1787. Hamilton opposed the resolution, saying such an action at that time might communicate to the populace (who knew nothing of the events in the closed convention) they were having troubles and, hence, undermine the people’s support. Mr. Sherman from Connecticut pointed out they would have greater troubles if they neglected this important duty. It was also proposed to have a sermon preached on July 4th at the request of the convention. Dayton records the motion appointing a chaplain was seconded and carried. Madison records they did not vote on the issue. If this were so, it was because they had no funds to officially invite a chaplain, as pointed out by Delegate Williamson. (See James Madison, *The Papers of James Madison*, Henry D. Gilpin, editor (Washington: Langtree and O’Sullivan, 1840), Vol. II, p. 986, June 28, 1787.) However, chaplains were certainly obtained in some manner as they opened future daily sessions with prayer. (See Max Farrand, *The Records of the Federal Convention of 1787* (New Haven: Yale University Press, 1911), Vol. III, p. 472, from William Steele to Jonathan Steele, September 1825 recounting a conversation with Jonathan Dayton.)

<sup>45</sup> James Madison’s records for Monday, July 2, 1787 notes, “That time might be given to the Committee, and to such as chose to attend to the celebration on the anniversary of Independence, the Convention adjourned till Thursday.” (James Madison, *The Papers of James Madison*, Henry D. Gilpin, editor (Washington: Langtree and O’Sullivan, 1840), Vol. II, pp. 1023-1024.) George Washington’s notes on July 4, 1787, “and (the Convention having adjourned for that purpose), [he] went to hear an Oration on the anniversary of Independence.” (Worthington Chauncy Ford, *George Washington* (New York: Charles Scribner’s Sons, 1900), Vol. II, p. 132.)

<sup>46</sup> *The Massachusetts Centinel*, August 15, 1787, p. 1.

<sup>47</sup> See *The North American Review* (Boston: Ticknor and Fields, January 1867), Vol. 104, p. 249: “Mr. [J. Arthur] Partridge... “the American government and Constitution is the most precious possession which the world holds, or which the future can inherit.” This is true—true because the American system is the political expression of Christian ideas.”; Daniel Webster, *An Anniversary Address, Delivered Before the Federal Gentlemen of Concord and Its Vicinity, July 4th, 1806* (Concord, NH: George Hough, 1806), p. 6: “We live under the only government that ever existed, which was formed by the deliberate consultations of the people. Miracles do not cluster. That which has happened but once in six thousand years, cannot be expected to happen often. Such a government, once destroyed, would have a void to be filled, perhaps for centuries, with evolution and tumult, riot and despotism.”

<sup>48</sup> Calvin Coolidge, *The Autobiography of Calvin Coolidge* (Honolulu: University Press of the Pacific, 2004; originally printed in 1929), p. 40.

<sup>49</sup> James M. Beck, *The Constitution of the United States, 1787-1927*, Edwin L. Miller, C. C. Barnes, editors (New York: George H. Doran Company, 1927), p. viii, a letter from the White House by Calvin Coolidge, December 12, 1924.

<sup>50</sup> John Eidsmoe, *Christianity and the Constitution* (Grand Rapids, MI: Baker Books, 1987), p. 352, n. 15.

<sup>51</sup> *The Debates in the Several Conventions, on the Adoption of the Federal Constitution*, Jonathan Elliot, editor (Washington, DC: 1836), Vol. II, p. 2-3, Massachusetts Convention, January 10, 1788; Vol. IV, p. 1, North Carolina Convention, July 21, 1788; Mark David Hall, *Roger Sherman and the Creation of the American Republic* (Oxford University Press, 2013), p. 118-119, n75.

<sup>52</sup> George Washington, *The Papers of George Washington*, Dorothy Twohig, editor (Charlottesville: University Press of Virginia, 1997), Vol. 6, pp. 104-105, from Benjamin Lincoln on February 9, 1788.

<sup>53</sup> George Bancroft, *History of the United States of America* (New York: D. Appleton and Company, 1882), Vol. VI, p. 420, address by Christopher Gadsden originally reported in the *Pennsylvania Packet*, June 14, 1788.

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<sup>54</sup> George Bancroft, *History of the United States of America* (New York: D. Appleton and Company, 1882), Vol. VI, p. 414, George Washington to Marquis de la Fayette on May 28, 1788.

<sup>55</sup> George Bancroft, *History of the Formation of the Constitution of the United States of America* (New York: D. Appleton and Company, 1882), Vol. II, p. 257, address by William Samuel Johnson originally reported in the *Pennsylvania Packet*, January 24, 1788.

<sup>56</sup> *Essays on the Constitution of the United States, Published During its Discussion by the People, 1787-1788*, Paul Leicester Ford, editor (Brooklyn: Historical Printing Co. 1892), p. 288, Caesar to Mr. Childs, October 17, 1787, originally printed in *The Daily Advertiser*. (This was written under his pseudonym Ceasar.)

<sup>57</sup> Alexander Hamilton, John Jay, & James Madison, *The Federalist on the New Constitution; Written in 1788* (Philadelphia: Benjamin Warner, 1818), p. 194, James Madison, Federalist #37.

<sup>58</sup> Benjamin Franklin, *The Works of Benjamin Franklin*, Jared Sparks, editor (Boston: Hilliard, Gray, and Company, 1840), Vol. V, p. 162, from "A Comparison of the Conduct of the Ancient Jews and of the Anti-Federalists in the United States of America," no date.

<sup>59</sup> George Washington, *The Writings of George Washington*, Jared Sparks, editor (Boston: Russell, Odiorne, and Metcalf, 1835), Vol. IX, p. 317, to Marquis de Lafayette on February 7, 1788.

<sup>60</sup> Benjamin Rush, *Letters of Benjamin Rush*, L. H. Butterfield, editor (Princeton, New Jersey: American Philosophical Society, 1951), Vol. I, p. 475, to Elias Boudinot on July 9, 1788.

<sup>61</sup> Isaac Kramnick and R. Laurence Moore, *The Godless Constitution* (New York: W.W. Norton & Company, 1996) p. 179.

<sup>62</sup> Donald S. Lutz, "The Relative Influence of European Writers on Late Eighteenth Century American Political Thought," *American Political Science Review*, Vol. 78, Issue 1, March 1984, p. 191.

<sup>63</sup> Donald S. Lutz, "The Relative Influence of European Writers on Late Eighteenth Century American Political Thought," *American Political Science Review*, Vol. 78, Issue 1, March 1984, pp. 192-193. See also Donald Lutz, *The Origins of American Constitutionalism* (Baton Rouge: Louisiana State University Press, 1988), pp. 141-142.

<sup>64</sup> *Gulf, Colorado and Santa Fe Railway Company v. Ellis*, 165 U. S. 150, 160 (1897).

<sup>65</sup> John Quincy Adams, *The Jubilee of the Constitution. A Discourse Delivered at the Request of the New York Historical Society, in the City of New York, On Tuesday the 30<sup>th</sup> of April, 1839; Being the Fiftieth Anniversary of the Inauguration of George Washington as President of the United States, on Thursday, the 30<sup>th</sup> of April, 1789* (New York: Samuel Colman, 1839), p. 54.

<sup>66</sup> *Ex parte Newman*, 9 Cal. 502, 509 (1858).

<sup>67</sup> *City Council of Charleston v. S. A. Benjamin*, 2 Strob. 508, 518-521 (Sup. Ct. S.C. 1846)

<sup>68</sup> *The Reports of Committees of the Senate of the United States For the Second Session of the Thirty-Second Congress, 1852-53* (Washington: Robert Armstrong, 1853), pp. 3, "Rep. Com. No. 376," January 21, 1853.

<sup>69</sup> James Madison, *The Writings of James Madison*, Gaillard Hunt, editor (New York: G.P. Putnam's Sons, 1904), Vol. V, p. 30, to Thomas Jefferson on October 24, 1787.

<sup>70</sup> John Adams, *The Works of John Adams*, Charles Francis Adams, editor (Boston: Little, Brown and Company, 1854), Vol. IX, p. 229, to the Officers of the First Brigade of the Third Division of the Militia of Massachusetts on October 11, 1798.

<sup>71</sup> John Witherspoon, *The Works of John Witherspoon* (Edinburgh: J. Ogle, 1815), Vol. VII, p. 139, from his "Lectures on Moral Philosophy," Lecture 16 on Oaths and Vows.

<sup>72</sup> Jonathan Elliot, *The Debates in the Several State Conventions on the Adoption of the Federal Constitution* (Washington: Printed for the Editor, 1836), Vol. II, p. 202, Oliver Wolcott on January 9, 1788.

<sup>73</sup> Jonathan Elliot, *The Debates in the Several State Conventions on the Adoption of the Federal Constitution* (Washington: Printed for the Editor, 1836), Vol. IV, p. 196, James Iredell on July 30, 1788.

<sup>74</sup> George Washington, , *Address of George Washington, President of the United States, and Late Commander in Chief of the American Army, to the People of the United States, Preparatory to His Declination* (Baltimore: Christopher Jackson, 1796), p. 23.

<sup>75</sup> *Reports of the Proceedings and Debates of the Convention of 1821, Assembled for the Purpose of Amending The Constitution of the State of New York* (Albany: E. and E. Hosford, 1821), p. 575, Rufus King, October 30, 1821.

<sup>76</sup> Noah Webster. *Letters to a Young Gentleman Commencing His Education* (New Haven: S. Converse, 1823), pp. 18-19, Letter 1. See also a similar comment in Noah Webster, *History of the United States* (New Haven: Durrie & Peck, 1832), pp. 336-337, ¶ 49, although the Scripture citation in this work is closer to 2 Samuel 23:3 than Exodus 18:21.

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<sup>77</sup> John Witherspoon, *The Works of John Witherspoon* (Edinburgh: J. Ogle, 1804), Vol. V, pp. 266-267, from “A Sermon Delivered at a Public Thanksgiving after Peace”; and a handwritten manuscript of Dr. Benjamin Rush in the private collection of David Barton. In that work, Dr. Rush lists several headings, and under the heading, verses that he believed pertained to that subject. Under the heading, “Government” in his manuscript, Dr. Rush lists Exodus 18:21 as an applicable verse.

<sup>78</sup> John Adams, *A Defence of the Constitutions of Government of the United States of America* (London: C. Dilly, 1788), Vol. III, p. 289.

<sup>79</sup> George Washington, *Address of George Washington, President of the United States, and Late Commander in Chief of the American Army, to the People of the United States, Preparatory to His Declination* (Baltimore: Christopher Jackson, 1796), p. 13.

<sup>80</sup> Alexander Hamilton, John Jay, & James Madison, *The Federalist on the New Constitution; Written in 1788* (Philadelphia: Benjamin Warner, 1818), p. 85, Federalist #16 by Alexander Hamilton.

<sup>81</sup> Alexander Hamilton, John Jay, & James Madison, *The Federalist on the New Constitution; Written in 1788* (Philadelphia: Benjamin Warner, 1818), p. 281, Federalist #51 by James Madison.

<sup>82</sup> See *The Founders Bible* (Newbury Park, CA: Shiloh Road, 2017), articles relating to Deuteronomy 15:11 (p. 311) and Deuteronomy 24 (p. 337).

<sup>83</sup> For George Washington’s unanimous vote, see: *Journal of the First Session of the Senate of the United States of America, Begun and Held at the City of New York, March 4, 1789* (Washington: Gales & Seaton, 1820), Vol. 1, p. 8, Senate vote of April 6, 1789, and p. 9, John Langdon’s letter to George Washington on April 6, 1789.

<sup>84</sup> Significantly, many of the US Senators at the first Inauguration had been delegates to the Constitutional Convention that framed the Constitution including William Samuel Johnson, Oliver Ellsworth, George Read, Richard Bassett, William Few, Caleb Strong, John Langdon, William Paterson, Robert Morris, and Pierce Butler; and many members of the House had been delegates to the Constitutional Convention, including Roger Sherman, Abraham Baldwin, Daniel Carroll, Elbridge Gerry, Nicholas Gilman, Hugh Williamson, George Clymer, Thomas Fitzsimmons, and James Madison.

<sup>85</sup> *The Daily Advertiser*, New York, Thursday, April 23, 1789, p. 2.

<sup>86</sup> *Laws of the State of New York* (New York: Thomas Greenleaf, 1798), p. 21, “Chap. XXV: An Act to dispense with the usual mode of administering oaths, in favor of persons having conscientious scruples respecting the same, Passed 1<sup>st</sup> of April, 1778”; and James Parker, *Conductor Generalis: Or the Office, Duty and Authority of the Justices of the Peace* (New York: John Patterson, 1788), pp. 302-304, “Of oaths in general.”

<sup>87</sup> Clarence W. Bowen, *The History of the Centennial Celebration of the Inauguration of George Washington* (New York, D. Appleton & Co., 1892), p. 52, Illustration.

<sup>88</sup> *Gazette of the United States* (May 9-13, 1789), p. 3, “Extract of a letter from New-York, May 3.” See also [\*The American Museum: Or Repository of Ancient and Modern Fugitive Pieces, & c. Prose and Poetical\*](#) (Philadelphia: Matthew Carey, 1789), Vol. V, p. 505.

<sup>89</sup> *The Debates and Proceedings in the Congress of the United States*, Joseph Gales, editor (Washington: Gales & Seaton, 1834), Vol. I, p. 27. See also George Washington, *Messages and Papers of the Presidents*, James D. Richardson, editor (Washington, D.C.: 1899), Vol. 1, pp. 44-45, April 30, 1789, Inaugural Address.

<sup>90</sup> *The Debates and Proceedings in the Congress of the United States*, Joseph Gales, editor (Washington: Gales & Seaton, 1834), Vol. I, pp. 27-29, April 30, 1789.

<sup>91</sup> *The Debates and Proceedings in the Congress of the United States*, Joseph Gales, editor (Washington: Gales & Seaton, 1834), Vol. I, pp. 27-29, April 30, 1789.

<sup>92</sup> *The Debates and Proceedings in the Congress of the United States*, Joseph Gales, editor (Washington: Gales & Seaton, 1834), Vol. I, p. 25, April 27, 1789.

<sup>93</sup> *The Debates and Proceedings in the Congress of the United States*, Joseph Gales, editor (Washington: Gales & Seaton, 1834), Vol. I, p. 241, April 29, 1789.

<sup>94</sup> *The Debates and Proceedings in the Congress of the United States*, Joseph Gales, editor (Washington: Gales & Seaton, 1834), Vol. I, p. 29, April 30, 1789.

<sup>95</sup> *The Constitutions of the United States of America With the Latest Amendments* (Philadelphia: Robert Campbell, 1800), p. 272, “An Act to Provide for the Government of the Territory Northwest of the River Ohio,” August 7, 1789.

<sup>96</sup> *United States Code Annotated* (St. Paul: West Publishing Co., 1987), “The Organic Laws of the United States of America,” p. 1. This work lists America’s four fundamental laws as the Articles of Confederation, the Declaration of Independence, the Constitution, and the Northwest Ordinance.

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<sup>97</sup> *The American Museum, or Repository of Ancient and Modern Fugitive Pieces, & c.* (Philadelphia: Matthew Carey, 1787), Vol. II, p. 190, “An Ordinance for the Government of the Territory of the United States Northwest of the River Ohio,” July 30, 1787.

<sup>98</sup> *The American Museum, or Repository of Ancient and Modern Fugitive Pieces, & c.* (Philadelphia: Matthew Carey, 1787), Vol. II, p. 191, “An Ordinance for the Government of the Territory of the United States Northwest of the River Ohio,” July 30, 1787, Article III.

<sup>99</sup> *The Constitutions of the United States of America With the Latest Amendments* (New York: Evert Duygkinck, 1820), p. 409, Mississippi, 1817, Article 6, §16; House of Representatives, Mis. Doc. No. 44, 35th Congress, 2nd Session, February 2, 1859, pp. 3-4, Article 1, §7, of the Kansas Constitution; *The Constitution of North Carolina* (Raleigh: Rufus L. Edmisten, 1989), p. 42, Article 9, §1; *Constitution of the State of Nebraska* (Lincoln: Allen J. Beermann, 1992), pp. 1-2, Article 1, §4; *Page’s Ohio Revised Code Annotated* (Cincinnati: Anderson Publishing Co., 1994), p. 24, Article 1, §7; *The Constitution of Michigan*, Article VII, §1; and so forth.

<sup>100</sup> “Breakfast in Washington,” *Time Magazine*, February 15, 1954 (at: <http://www.time.com/time/magazine/article/0,9171,936197,00.html>).

<sup>101</sup> *The Debates and Proceedings in the Congress of the United States*, Joseph Gales, editor (Washington: Gales and Seaton, 1834) Vol. I, pp. 949-950, September 25, 1789.

<sup>102</sup> *The Debates and Proceedings in the Congress of the United States*, Joseph Gales, editor (Washington: Gales and Seaton, 1834) Vol. I, pp. 949-950, September 25, 1789.

<sup>103</sup> *The Providence Gazette and Country Journal* (Providence: October 17, 1789), p. 1. George Washington, “A Proclamation,” issued on October 3, 1789, observance date November 26, 1789.

<sup>104</sup> George Washington, *Address of George Washington, President of the United States, and Late Commander in Chief of the American Army, to the People of the United States, Preparatory to His Declination* (Baltimore: Christopher Jackson, 1796), pp. 22-23.

<sup>105</sup> John Witherspoon, *The Works of John Witherspoon* (Philadelphia: William Woodward), Vol. III, p. 42, from “The Dominion of Providence Over the Passions of Men,” May 17, 1776.

<sup>106</sup> Joseph Story, *Commentaries on the Constitution of the United States* (Boston: Hilliard, Gray, and Company, 1833), Vol. III, pp. 726, 726, §1868 & §1871.

<sup>107</sup> Joseph Story, *Commentaries on the Constitution of the United States* (Boston: Hilliard, Gray, and Company, 1833), Vol. III, p. 731, §1873.

<sup>108</sup> *Official Letters of the Governors of the State of Virginia*, H. R. McIlwaine, editor (Richmond: Virginia State Library, 1928), Vol. II, p. 65, Thomas Jefferson, “Proclamation,” November 11, 1779.

<sup>109</sup> *Debates and Proceedings in the Congress of the United States* (Washington, D. C.: Gales and Seaton, 1851), 6th Cong., p. 797, December 4, 1800.

<sup>110</sup> Bishop Claggett’s letter of February 18, 1801, attests that while Vice-President, Jefferson attended church services in the House. Available in the Maryland Diocesan Archives.

<sup>111</sup> Margaret Smith, *The First Forty Years of Washington Society* (New York: Charles Scribner’s Sons, 1906), p. 13.

<sup>112</sup> Rev. Manasseh Cutler, *Life, Journal, and Correspondence of Rev. Manasseh Cutler*, William Parker Cutler and Julia Perkins Cutler, editors (Cincinnati: Colin Robert Clarke & Co., 1888), Vol. II, p. 119, to Joseph Torrey on January 3, 1803.

<sup>113</sup> Margaret Smith, *The First Forty Years of Washington Society* (New York: Charles Scribner’s Sons, 1906), p. 13.

<sup>114</sup> Margaret Smith, *The First Forty Years of Washington Society* (New York: Charles Scribner’s Sons, 1906), p. 13.

<sup>115</sup> See, for example, Rev. Manasseh Cutler, *Life, Journal, and Correspondence*, William Parker Cutler and Julia Perkins Cutler, editors (Cincinnati: Colin Robert Clarke & Co., 1888), Vol. II, p. 119, to Dr. Joseph Torrey on January 3, 1803.

<sup>116</sup> Rev. Manasseh Cutler, *Life, Journal, and Correspondence of Rev. Manasseh Cutler*, William Parker Cutler and Julia Perkins Cutler, editors (Cincinnati: Colin Robert Clarke & Co., 1888), Vol. II, p. 119, to Joseph Torrey on January 3, 1803.

<sup>117</sup> Rev. Manasseh Cutler, *Life, Journal, and Correspondence of Rev. Manasseh Cutler*, William Parker Cutler and Julia Perkins Cutler, editors (Cincinnati: Colin Robert Clarke & Co., 1888), Vol. II, p. 114, diary entry for December 26, 1802.



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<sup>118</sup> James Hutson, *Religion and the Founding of the American Republic* (Washington, D. C.: Library of Congress, 1998), p. 89.

<sup>119</sup> Margaret Smith, *The First Forty Years of Washington Society* (New York: Charles Scribner's Sons, 1906), p. 14.

<sup>120</sup> Margaret Smith, *The First Forty Years of Washington Society* (New York: Charles Scribner's Sons, 1906), p. 16.

<sup>121</sup> John Quincy Adams, *Memoirs of John Quincy Adams*, Charles Francis Adams, editor (Philadelphia: J. B. Lippincott & Co., 1874), Vol. I, p. 265, diary entry for October 23, 1803; and Vol. I, p. 268, diary entry for October 30, 1803; *National Intelligencer*, December 9, 1820, p. 3. See also James Hutson, *Religion and the Founding of the American Republic* (Washington, D. C.: Library of Congress, 1998), p. 89.

<sup>122</sup> James Hutson, *Religion and the Founding of the American Republic* (Washington, D. C.: Library of Congress, 1998), p. 91.

<sup>123</sup> James Hutson, *Religion and the Founding of the American Republic* (Washington, D. C.: Library of Congress, 1998), p. 96, quoting from a handwritten history in possession of the Library of Congress, "Washington Parish, Washington City," by Rev. Ethan Allen.

<sup>124</sup> *Records of the Columbia Historical Society* (Washington, D. C.: Columbia Historical Society, 1897), Vol. 1, pp. 122-123, 127, from the report by Mr. Henry Ould on February 10, 1813. See also *National Intelligencer*, March 20, 1817, p. 2.

<sup>125</sup> *The Debates and Proceedings in the Congress of the United States* (Washington: Gales and Seaton, 1851), 7th Cong., 2nd Sess., p. 1602, "An Act to Revive and Continue in Force An Act in Addition to an Act, Entitled, 'An Act in Addition to an Act Regulating the Grants of Land Appropriated for Military Services, and for the Society of the United Brethren for Propagating the Gospel Among the Heathen,' and for Other Purposes," March 3, 1803.

<sup>126</sup> *American State Papers: Documents, Legislative and Executive of the Congress of the United States*, Walter Lowrie and Matthew St. Claire Clarke, editors (Washington, D. C.: Gales and Seaton, 1832), Vol. IV, p. 687, "The Kaskaskia and Other Tribes," October 31, 1803.

<sup>127</sup> *The Public Statutes at Large of the United States of America*, Richard Peters, editor (Boston: Charles C. Little and James Brown, 1845), Vol. II, pp. 271-272, "An Act Granting Further Time for Locating Military Land Warrants, and for Other Purposes," March 19, 1804.

<sup>128</sup> See, for example, Thomas Jefferson, *The Writings of Thomas Jefferson*, Andrew A. Lipscomb, editor (Washington, D. C.: The Thomas Jefferson Memorial Association, 1904), Vol. XVI, p. 289, to Thomas, Ellicot, and Others on November 13, 1807.

<sup>129</sup> Thomas Jefferson, *The Writings of Thomas Jefferson*, Andrew A. Lipscomb, editor (Washington, D. C.: The Thomas Jefferson Memorial Association, 1904), Vol. XIX, pp. 449-450, "A Meeting of the Visitors of the University of Virginia on Monday the 4th of October, 1824."

<sup>130</sup> Thomas Jefferson, *Memoir, Correspondence, and Miscellanies*, Thomas Jefferson Randolph, editor (Charlottesville: F. Carr and Co., 1829), Vol. IV, p. 358, to Doctor Thomas Cooper on November 2, 1822.

<sup>131</sup> See information about all the painting in the US Capitol Rotunda from *Architect of the Capitol* (at: <https://www.aoc.gov/artwork/type/historic-rotunda-paintings>). These paintings include: "Landing of Columbus," *Architect of the Capitol* (at: <https://www.aoc.gov/art/historic-rotunda-paintings/landing-columbus>), showing some of the members of Columbus' landing party kneeling in prayer; "Discovery of the Mississippi by De Soto," *Architect of the Capitol* (at: <https://www.aoc.gov/art/historic-rotunda-paintings/discovery-mississippi-by-de-soto>), depicting "a monk pray[ing] as men set a newly constructed crucifix in the ground"; "Baptism of Pocahontas," *Architect of the Capitol* (at: <https://www.aoc.gov/art/historic-rotunda-paintings/baptism-pocahontas>), showing Pocahontas kneeling as the minister rests his hand on the "baptismal font"; "Embarkation of the Pilgrims," *Architect of the Capitol* (at: <https://www.aoc.gov/art/historic-rotunda-paintings/embarkation-pilgrims>), "The group appears solemn and contemplative of what they are about to undertake as they pray for Divine protection through their voyage."

<sup>132</sup> *Reports of Committees of the House of Representatives Made During the First Session of the Thirty-Third Congress* (Washington: A. O. P. Nicholson, 1854), pp. 6, 8, "Rep. No. 124," March 27, 1854.

<sup>133</sup> *The Reports of Committees of the Senate of the United States for the Second Session of the Thirty-Second Congress, 1852-53* (Washington: Robert Armstrong, 1853), p. 3, "Rep. Com. No. 376," January 21, 1853.

<sup>134</sup> *Journal of the House of Representatives of the United States: Being the First Session of the Thirty-Fourth Congress* (Washington: Cornelius Wendell, 1855), p. 354, January 23, 1856.

<sup>135</sup> *Vidal v. Girard's Executors*, 43 U. S. 126, 198 (1844).

<sup>136</sup> *Church of the Holy Trinity v. U. S.*, 143 U. S. 457, 465, 471 (1892).

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<sup>137</sup> *United States v. Macintosh*, 283 U. S. 605, 625 (1931).

<sup>138</sup> See for example, *Warren v. United States*, 177 F.2d 596 (10<sup>th</sup> Cir. Ct. of App., 1949); *United States v. Girouard*, 149 F.2d 760 (1<sup>st</sup> Cir. Ct. of App., 1945); *Steiner v. Darby*, 88 Cal. App. 2d 481 (1948); *Vogel v. County of Los Angeles*, 68 Cal. 2d 18 (Ca. Sup. Ct., 1967); and many others.

<sup>139</sup> See, for example, *Davis v. Beason*, 133 U. S. 333, 341-344, 348 n (1890); *The Church of Jesus Christ of Latter-Day Saints v. United States*, 136 U. S. 1, 49 (1890); and many others.

<sup>140</sup> See, for example, *U. S. v. Macintosh*, 283 U. S. 605, 625 (1931); and many others.

<sup>141</sup> See, for example, *Ross v. McIntyre*, 140 U. S. 453, 463 (1891); *Kinsella v. Krueger*, 351 U. S. 470 (1956); *Reid v. Covert*, 354 U. S. 1 (1957); and many others.

<sup>142</sup> See, for example, *Beecher v. Wetherby*, 95 U. S. 517, 525 (1877); *Lone Wolf v. Hitchcock*, 187 U. S. 553, 565 (1903); *Yankton Sioux Tribe of Indians v. U. S.*, 272 U. S. 351 (1926); *U. S. v. Choctaw Nation*, 179 U. S. 494 (1900); *Atlantic & P R Co v. Mingus*, 165 U. S. 413 (1897); *Missouri, Kansas & Texas Railway Company v. Roberts*, 152 U. S. 114 (1894); *Buttz v. Northern Pac. R. Co.*, 119 U. S. 55 (1886); *Tee-Hit-Ton Indians v. United States*, 348 U. S. 272 (1955); and many others.

<sup>143</sup> *Richmond v. Moore*, 107 Ill. 429 (Ill. Sup. Ct., 1883).

<sup>144</sup> *Mordecai F. Ham Evangelistic Ass'n v. Matthews*, 30 Ky. 402, 189 S.W. 2d. 524 (Ky. Ct. of Ap., 1945).

<sup>145</sup> *Paramount-Richards Theatres v. City of Hattiesburg*, 210 Miss. 271 (Miss. Sup. Ct., 1950).

<sup>146</sup> *Town of Pryor v. Williamson*, 374 P.2d 204, 207 (Ok. Sup. Ct. 1959).

<sup>147</sup> Noah Webster, *History of the United States* (New Haven: Durrie & Peck, 1832), p. 300.