

God and Country: Reviving the American Republic

KERRY L. MORGAN



© Copyright 2003, 2006 Kerry L. Morgan

Published by Lonang Institute
www.lonang.com

INTRODUCTION

What is the relationship between God and country? What can that discussion contribute to reviving our American republic? The framers of our nation articulated the relationship with precision. Declaring the United Colonies to be free and independent, they acknowledged the source of truth upon which free states could be established -- the laws of nature and nature's God. Reasoning from this basis, the framers wrote in 1776 that:

We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness.

Without the Creator's guidance, free and independent states could not be established. Without His vision, there could be no certainty that a new nation could eventually be forth in 1787 with the formation of the United States Constitution.

Reflecting back on the formation of our nation, President Abraham Lincoln observed the relationship between God and country. In reviving the republic he declared that we were "conceived in liberty, and dedicated to the proposition that all men are created equal." Like the framers, Lincoln realized that certain truths or propositions applied to men and nations without regard to age in which they lived, their location on the globe or the circumstances of history which surrounded them.

Today, we may also acknowledge the truths upon which the framers built the republic. They have been written down and preserved for us. History testifies that those same self-evident truths apply with equal force and validity to our generation and our nation. A review of the organic written documents which illuminate our heritage and reflect these truths leads to the sobering realization that these truths have provided a firm foundation for these United States, and will continue to do so if we adhere to them.

In our modern era, however, recollection about our founding has been largely speculative. It has lacked the integrity and concern which such a subject deserves. The problem is that the focus has concentrated on issues which fail to consider the self-evident truths upon which the United States was established. We have moved away from understanding the relationship between God and country and why that relationship is important in reviving our republic.

Modern thinking, both popular and academic has focused on several issues which, though important, are not determinative of where our nation has been or where we are going. These issues are worth exploring in some detail, but they are not as foundational as self-evident truths. These other issues include 1) "separation of church and state," 2) the personal religious convictions of the founding fathers, 3) the use of religious language in the Declaration of Independence and its absence in the Constitution, and 4) Israel's old Testament Theocracy.

SEPARATION OF CHURCH AND STATE

When the topic of God and country is raised in the home, at work, at the church or university, the conversation invariably turns to "separation of church and state." If there is one cultural high water phobia surrounding what God has to do with our country, it is the overstuffed notion of separation of church and state. While this may provide ample fodder for noisy discussion, it hardly characterizes or defines the boundaries circumscribing how God and country relate according to the framers. In short, the notion of "God and country" is the historical standard. It dwarfs "separation of church and state," both conceptually and practically. The phrase "separation of church and state" does not even appear in the Constitution. It was a phrase used in a private correspondence of Thomas Jefferson. Eventually it was picked up by the Supreme Court and repetitively declared to reflect the legal essence of any discussion on law and religion.

Furthermore, separation of church and state is not the place to begin a discussion about our origins for several reasons; most notably 1) the First Amendment came after the Declaration of Independence and Constitution were written; 2) separation of church and state is a judicial doctrine at best, interpreting what was previously written, (i.e., the First Amendment); 3) separation of church and state has come to reflect the worn out notion that God is only relevant to civil government in the limited area of religious liberty.

A profitable discussion of separation of church and state, however, cannot be entertained until the framers' express understanding of the relationship between God and country is examined. That relationship, embodied by the framers in the phrase "self-evident truths," is the first issue in any discussion about reviving the American republic. Those legal documents established the colonies as free and independent states. Later on the people became one nation. These documents must be examined prior to a discussion of the judicial doctrine of separation of church and state.

THE RELIGIOUS CONVICTIONS OF THE FRAMERS

The second issue which people discuss when God and country is raised, focuses on the personal religious convictions of the founding fathers. The argument is generally put forth that the founding fathers, who had religious convictions, held them privately. It is suggested that they did not permit their political and legal judgments to be influenced by religion. In those few instances where the framers had no religious scruples and were either atheists or deists, then it is hypocritically argued that they rightfully synthesized their religious beliefs with their political and legal beliefs to the extent that the early legal documents reflect an atheistic or deistic position.

While it is interesting to discuss the personal religious predilections of the founding fathers, their beliefs are not the controlling issue. The controlling issue is what did they do and say in establishing free and independent states, and later on in establishing a federal Constitution. While reflection about what was in their minds may be interesting, it cannot be known apart from what they said and did. Since what they said and did is objectively available for us to consider, then consider it we must.

History bears out the fact that the framers by and large believed in an active God and that His law controlled what they could and could not do through the civil government they were forming. Be that as it may, it is not the place to begin a discussion of God and country. Though it should and must be discussed, it comes downstream of examining the legal documents which the framers drafted.

RELIGIOUS WORDS?

The third situation where a discussion may turn when God and Country is raised in conversation is on the use of religious words in the Constitution. Such a discussion, however, is based upon a false assumption. That is, it is based upon the assumption that if God has anything to do with constitutional government, that He is by definition confined to the use of religious words. Indeed, an examination of the Bible reveals that God specifically declares Himself to be the Creator of all reality, not merely religious phenomena. So God is not limited to the use of religious words.

Thus, when the conversation turns toward the Constitution and one's neighbor asks how God and country can be related since the Constitution doesn't even use religious words, we may confidently respond that God is not limited to religious words. More importantly, however, religious words are no place to begin a discussion of God and Country. Whether or not the Constitution uses religious words is not the issue.

AMERICA - NOT A NEW ISRAEL

Lastly, in some circles the conversation may turn toward Israel. Some believe that Israel, being God's chosen nation and receiving God's law, therefore serves as a model for all nations, including the United States. They argue that to the extent that the government of Ancient Israel is duplicated in the United States, the United States is a godly nation. Furthermore, it is noted that to the extent the laws contained in the Old Testament and modified in the New Testament are incorporated into our present civil government, then the relationship between "God & Country" takes on real significance.

This, however, is not the place to begin a discussion for several reasons. First, Israel's theocratic government is unique in all of history by God's choice and the people's consent. No other nation has yet had a personal invitation to be God's nation. Second, God established Israel from one man and his family, a parallel which is not found in America. Third, America is not a chosen nation by God as the people have never assented to His theocratic rule. Furthermore, America does not have the liberty to appropriate the promises of God with respect to Israel's Old Testament government. Fourth, Israel's statute and case law are dependent on their unique civil polity and government. They do not bind us. None of these four arguments provide a stable basis upon which to understand the relationship between God and country and its contribution to reviving the American republic.

The place to begin a discussion about God & Country, reviving our American Republic, and that republic's origins in a Judeo-Christian view of government lies first with an examination of the early charters and compacts.

MAYFLOWER COMPACT 1620

One of the more significant and well known compacts is the Mayflower Compact of 1620. That compact established a strong relationship between the idea of church covenanting and covenanting together to form a civil government. In his book, *The Foundations of American Constitutionalism*, Andrew McLaughlin identifies the various ideas which the Puritans based their civil covenant on. These included their belief in the Word of God as the higher law, the reflection of that higher law in writing, and government by consent according to that law.

The key language of the compact which reflects this view of government derived from a Judeo-Christian way of thinking indicates that "we whose names are underwritten, the loyal subjects of our dread sovereign Lord King James, by the grace of God, . . . having undertaken for the glory of God, and advancement of the Christian faith, and the honor of our King and our country, a voyage to plant the first colony in the northern parts of Virginia; do by these presents, solemnly and mutually in the presence of God and one another do covenant and combine ourselves together into a civil body politick, for our better ordering and preservation, and furtherance of the ends aforesaid." Having laid this foundation for civil government based on "covenanting and combining" themselves together in the presence of God, its signers then declared "and by virtue hereof do enact, constitute and frame, such just and equal laws, ordinances, acts, constitutions, and officers, from time to time as shall be thought most mete and convenient for the good of the colony; unto which we promise all due submission and obedience."

What is most important to note here is that the framers of this compact understood that there was a significant difference between a covenant and a constitution. In the former case of a covenant, they referred to it in order to combine themselves together into a civil body. A constitution, however, and laws which flowed from it did not combine them into a civil body, but instead organized that previously combined civil body in such a manner and in such a fashion as was "most mete and convenient for the general good of the colony."

Thus, the Mayflower Compact established one of the most fundamental principles derived from a Judeo-Christian view of government. It has set the American experience apart from all others. Covenanting together to form a civil body and then establishing written constitutions to govern that civil body according to higher law, was indeed a substantial step toward securing liberty or the general good of the colony.

FUNDAMENTAL ORDERS OF CONNECTICUT 1639

Another major compact which followed several years later was the Fundamental Orders of Connecticut. Established in 1639, the document reflected a significant step toward development of a written constitution. As an early constitution, therefore, it was not necessary that it express the higher law, though it did in some respect. Its significance lay in the fact that it seemed to order the form of government which would implement that higher law.

The Preamble is quite informative. It indicates that "for as much as it hath pleased the Almighty

God by the wise disposition of His divine prudence so to order and dispose of things . . . and well knowing where a people are gathered together the Word of God requires that to maintain the peace and union of such a people, there should be an orderly and decent government established according to God to order and dispose of the affairs of the people at all seasons as occasions shall require do therefore associate and conioyne ourselves to be as one public state or commonwealth."

In declaring the exact type of association which the residents of Connecticut sought, particularly Windsor, Hartford and Wethersfield, they continued and declared that they have entered into a "combination and confederation together, to maintain and preserve the liberty and purity of the Gospel of our Lord Jesus . . ." This is important. While the fundamental orders of Connecticut represented a significant step in the development of constitutions, it is important to note that this was not a true constitution but a confederation. It was adopted by the general court and did not depend upon the people for amendments. Indeed, it provided for no amendment mechanism by the people. Thus, with no amendment mechanism it would be difficult to conclude that government by the consent of the people was an integral part of this confederation.

Though the Mayflower Compact and the Fundamental Orders of Connecticut are two of many early charters and compacts, they are perhaps the most important. They clearly rely on the higher law of God which was not abandoned through our revolution. An express example of our dependence upon the higher law of God to form these United States came in the Declaration of Independence.

DECLARATION OF INDEPENDENCE - 1776

In 1776, the American colonies were searching history. They were looking for a historical precedent which could free them from arbitrary English government. In their search, they considered the "Declaration and Resolves" of the First Continental Congress (1774). This was one of the most important early resolutions of independence. Prior resolutions turned to the English Constitution and early colonial charters and compacts as noted. The First Continental Congress, however, asserted that "the immutable laws of nature" would be the basis upon which action could be taken to free ourselves from tyrannical government.

In considering "the immutable law of nature" and the early charters and compacts, the colonists were also aware that in 1648 the colony of Massachusetts published "The Book of the General Lawes and Libertyes concerning the Inhabitants of the Massachusetts." These laws reflected features of Biblical law, and the customs of the colonies. The Scriptures were explicitly referred to as the basis for many of the laws and decisions which were made.

The delegates were also aware of the Magna Carta. This document was written in 1215 and expressed and embodied certain liberties. These liberties were to be respected by the King. The Magna Carta served as a written document which even the King was bound to obey. He had no legitimate authority to rule in an arbitrary manner. Magna Carta emphasized the limits on the power of government, and secured individual rights.

The delegates, however, referred to none of these landmark documents as the basis upon which they

could free themselves from arbitrary English governmental rule. Each did have a common element or common source from which they derived their basis for existence. The delegates did not turn in the final analysis to the resolves of the First Congress, the Laws and Liberties of Massachusetts, or the Magna Carta. They turned to "the laws of nature and nature's God," in order to be Free and Independent states.

What are these "laws of nature and nature's God?" We are not left to guess work, opinion or speculation. In 1765, Sir William Blackstone published his most famous work, "Commentaries on the Laws of England." In that treatise, he observed that "The doctrines thus delivered we call the revealed or divine law, and they are to be found only in the Holy Scriptures. These precepts, when revealed, are found upon comparison to be really a part of the original law of nature..." And again he states, "Upon these two foundations, the law of nature and the law of revelation, depend all human laws; that is to say, no human laws should be suffered to contradict these." It was upon this explicit basis that the delegates built their case for freedom in 1776.

Eleven years later in 1787, the framers of the Constitution would again return to the laws of nature and of nature's God in ascertaining the fundamental way in which a federal government could be constructed in order to protect the rights which our Creator endowed us with -- unalienable rights, such as the right to life, liberty, and the pursuit of happiness. This is the purpose of the Declaration by the Representatives of the United States on July 4, 1776: to secure unalienable rights given by God to men on an equal basis. Our government is bound to secure those rights today as it was over 210 years ago.

The greatest lack of understanding today about God and country is this: that civil government is obliged to use its constitutionally limited and define powers in such a way so as to secure the God-given unalienable rights of all people on an equal basis. This is what is Christian about the United States that is worth defending and preserving. Other are important but secondary. And still others, such as the religious beliefs of the framers, the use of religious words, the repetition of Israel's laws and the historical non-separation of church and state, ought not cloud what is important.

Other publications by Kerry L. Morgan:

A Constitutional Presidency

First We Defend Law, Then We Defend Life: What the Pro-Life Movement Needs After Decades of Failure

God and Country: Reviving the American Republic

Judicial Supremacy: A Doctrine of, by, and for Tyrants

The Constitution and Federal Jurisdiction in American Education

The Federal Government is the Real Threat

The Laws of Nature & Nature's God: The True Foundation of American Law

The Unalienable Right of Government by Consent and the Independent Agency

Thirteen Essays: Exploring Communication and Journalism from a Biblical Perspective

Unalienable Rights, Equality and the Free Exercise of Religion

All these publications and more are available for free download at
<https://lonang.com/downloads/>