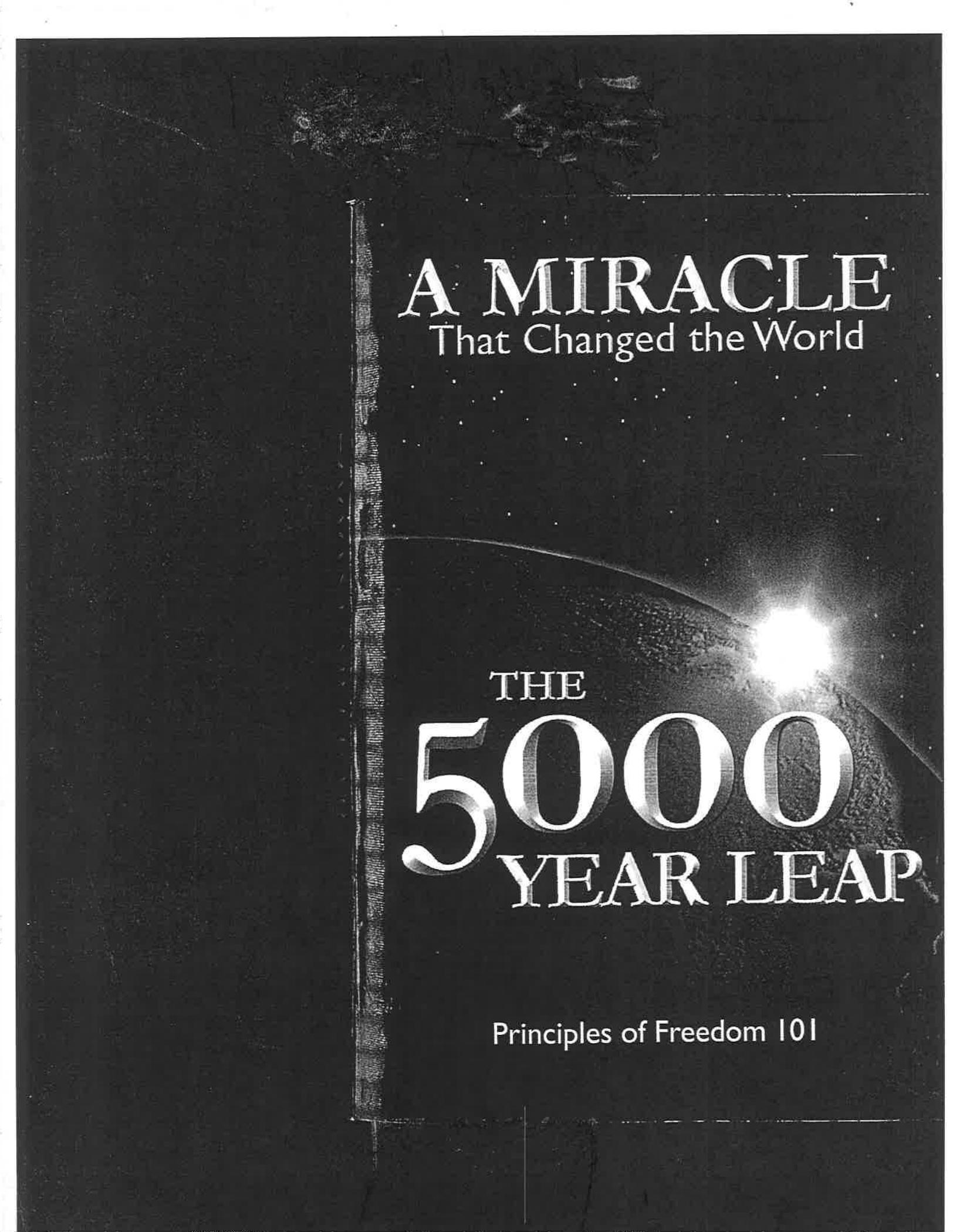


Exhibit B

Exhibit B



A MIRACLE
That Changed the World

THE
5000
YEAR LEAP

Principles of Freedom 101

The 5000 Year Leap: A Miracle That Changed the World
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Dedicated to

That generation of resolute Americans
whom we call the Founding Fathers.
They created the first free people
to survive as a nation in modern times.
They wrote a new kind of Constitution
which is now the oldest in existence.
They built a new kind of commonwealth
designed as a model for the whole human race.
They believed it was thoroughly possible
to create a new kind of civilization,
giving freedom, equality, and justice to all.
Their first design for a free-people nation
was to encompass all North America,
accommodating, as John Adams said,
two to three hundred million free men.
They created a new cultural climate
that gave wind to the human spirit.
They encouraged exploration to reveal
the scientific secrets of the universe.
They built a free-enterprise culture
to encourage industry and prosperity.
They gave humanity the needed ingredients
for a gigantic *5,000-year leap*.

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Foreword



The dusty old concrete block garage behind a home in Lehi, Utah, was one of those places where my life took a turn forever. A friendly neighbor had invited us to attend a series of lectures titled: The American Heritage and the Constitution. The dialog with the man went something like this:

Him: "This is a great class! You will really enjoy it!"

Me: "I'm too busy."

Him: "Every citizen should learn more about their heritage."

Me: "How much does it cost?"

Him: "Only \$35, BUT it includes thirty-three hours of class room instruction and two textbooks."

Me: "We can't possibly afford it."

Him: "I will pay the tuition for both you and your wife and will be over at a quarter to seven to pick you up."

It was July of 1974, as we walked beside our host down a worn gravel driveway, past the house, dandelions and cheat grass to the ancient garage out back. The home owner who had volunteered the floor space had moved the ping pong table to set up a few cold steel folding chairs on the bare, oil-stained and cracked concrete floor. It wasn't much of a classroom; no flashy visual aids, not even a dusty chalk board; hardly a setting for an earthshaking event. Our friend paid the fee and we were each given a copy of The Federalist Papers and a thick three ring binder with the title "Constitutional Study Course" on the front.

The introduction was brief and our speaker began to teach the lesson: "From its earliest beginnings, America was expected to be something great. And not just for Americans but for the whole human family." Our aged teacher went on: "Modern Americans seldom speak of it today, but originally this nation was considered the 'hope of the world'." With a brief rest pause mid-evening, the presenter spoke for three hours. That evening in the old block garage was a new experience. It was history taught at the "feel" level.

At the end of the first evening I went up to the old gentleman

The Challenge

While serving as the Deputy Director of the United States Commission on the Bi-centennial of the Constitution I had arranged for a kickoff dinner. During dinner I was asked a very pointed question by one of the judges. He pointed his finger at me and asked, "Well Ron, our Constitution is hanging on a string and what are you going to do about it?" All conversation stopped at our table and everyone looked at me expecting a profound answer. From experience I had learned to always answer such a question with another question: "What do you suggest I do?" With that the table came alive for the next hour. The bottom line seemed to be that we needed to awaken the population and then educate them on the greatness of our Constitution.

The cover selected for the reprinting of this book - a beautiful sun shining behind the earth - reminds me of an event that took place at the conclusion of the Constitutional Convention in 1787, that has applicability today:

"Whilst the last members were signing it Doctr. Franklin looking towards the Presidents Chair, at the back of which a rising sun happened to be painted, observed to a few members near him, that Painters had found it difficult to distinguish in their art a rising from a setting sun. I have, said he, often and often in the course of the Session, and the vicissitudes of my hopes and fears as to its issue, looked at that behind the President without being able to tell whether it was rising or setting. But now at length I have the happiness to know that it is a rising and not a setting Sun." (*The Records of the Federal Convention of 1787*, Max Farrand, Vol II, page 648, 191, Yale University Press)

Of course Benjamin Franklin had reference to whether or not our new nation would prove a success or failure. His observation was that it would be a rising sun - a success.

The Constitution Franklin and his friends gave to us resulted

in the greatest nation in history. With the adoption of our Constitution our nation became a nation based on law, the Constitution being the supreme law of the land. A quick review of our history as a nation certainly supports Franklin's observation that our nation represented a rising sun. Consider, for instance, that the United States represents approximately 5% of the world's population but has created more new wealth than all the rest of the world combined. Moreover, during this time period we have never suffered a famine, this in spite of the fact that even today famines continue to stalk the world over. Throughout the ages humans have gone hungry and many have starved, in spite of their fertile land and manpower to work it. "The ancient Assyrians, Persians, Egyptians, and Greeks were intelligent people, but in spite of their intelligence they were never able to get enough to eat. They often killed their babies because they couldn't feed them. The Roman Empire collapsed in famine." For more than a hundred years the United States has been the food basket of the world.

During the past two hundred years the United States has outdistanced the world in extending the benefits of inventions and discoveries to the vast majority of its people in such fields as medicine, housing, education, power-energy, transportation, space, aircraft, and agriculture. Furthermore, Americans have been responsible for more discoveries and inventions in science and elsewhere than any nation on earth. It's young men and women have fought in wars throughout the world in defense of freedom, asking nothing for their efforts and sacrificing their lives in return. The United States is always the first nation to provide relief and aid to other nations that have had natural calamities, sometimes even providing aid to our enemies. We have given more dollars in aid and relief than most of the world nations combined. In spite of our largess we are the target of the hate and envy of the rest of the world.

Of recent I have often wondered what Franklin would say if asked whether our present republic was in ascendancy or in decline?

schools for everybody, surgical miracles, medical cures for age-old diseases, entertainment at the touch of a switch, and instant news, twenty-four hours a day. That was the story.

Of course, all of this did not happen just in America, but it did flow out primarily from the swift current of freedom and prosperity which the American Founders turned loose into the spillways of human progress all over the world.

In 200 years, the human race had made a 5,000-year leap.

What About Progress in Reverse?

Unfortunately, every new generation of human beings seems to feel the instinctive and passionate necessity to reinvent the sociological wheel. The physical sciences capitalize on the lessons of the past, but the social sciences seldom do.

In political and social relations, a single generation will sometimes duplicate the same error half-a-dozen times. Too many human beings are doing it today.

They are muddling their lives with drugs, riots, revolutions, and terrorism; predatory wars; unnatural sexual practices; merry-go-round marriages; organized crime; neglected and sometimes brutalized children; plateau intoxication; debt-ridden prosperity; and all the other ingredients of insanity which have shattered twenty mighty civilizations in the past.

These elements of social decay can have a devastating impact on the highly technical and delicately interdependent civilization which freedom and prosperity have brought to mankind.

Time to Get Back to Basics

The goal of life is not really space travel, backyard swimming pools, glider planes, entertainment extravaganzas, big, fast cars, or thrill pills. What human beings are really seeking is individual happiness, self-realization.

Human happiness thrives only in a certain kind of environment. The prerequisites for that environment are being destroyed. Many millions of people do not understand what is happening to them. They just know they are not genuinely happy.

The answer to most of the problems is comparatively simple. Return to fundamentals. Get back to basics. Nothing in this life is ever going to be perfect, but it can be much more gratifying and a lot less dangerous if we can get back to the fundamentals that provided that amazing 5,000-year leap in the first place.

That is what this book is all about.

The 28 Great Ideas That Are Changing the World

There was hardly a single idea which the American Founding Fathers put into their formula that someone hadn't thought of before. However, the singularity of it all was the fact that in 1787, when the Constitution was being written, none of those ideas was being substantially practiced anywhere in the world. It was in America that the Founding Fathers assembled the 28 great ideas that produced the dynamic success formula which proved such a sensational blessing to modern man.

Now that many of those precious principles are fading into oblivion and scores of unnecessary problems have risen to plague humanity, it should be in America that the banner of human hope is raised again.

Of course, we should remind ourselves that it took the Founders 180 years (1607-1787) to put it all together, and they made numerous mistakes along the way. Nevertheless, when they finally put the new charter into operation, George Washington was able to write after only two years:

The United States enjoy a scene of prosperity and tranquility under the new government that could

hardly have been hoped for. (Letter to Catherine Macaulay Graham, 19 July 1791; John C. Fitzpatrick, *The Writings of George Washington*, 39 vols. [Washington: United States Government Printing Office, 1931-44], 31:316-17.)

The next day he wrote to David Humphreys:

Tranquility reigns among the people with that disposition towards the general government which is likely to preserve it... Our public credit stands on that [high] ground which three years ago it would have been considered as a species of madness to have foretold. (*Ibid.*, pp. 318-19.)

Not only did it change the United States, but within a few years it aroused the admiration of the whole world.

Experience proved these principles were sound. They are sound today. In our modern space-age of Third Encounters and Superman, the Founders' thinking may sound terribly old-fashioned and even pre-Victorian, but their principles have the advantage of an impressive track record of empirical proof that they are practical and true—eternally true. That is their primary credential.

Our purpose is to present the Founders' 28 great ideas in their original simplicity and mostly in their own words. After all, it is their story. They are the ones who made the fantastic 5,000-year leap possible.

Part I

The Founders' Monumental Task:

Structuring a Government with
all the Power in the People

10. Freedom is never looked upon as a viable solution to anything.
11. The long history of Ruler's Law is one of blood and terror, both anciently and in modern times. Under it the people are stratified into an aristocracy of the ruler's retinue while the lot of the common people is one of perpetual poverty, excessive taxation, stringent regulations, and a continuous existence of misery.

The Founders' Attraction to People's Law

In direct contrast to the harsh oppression of Ruler's Law, the Founders, particularly Jefferson, admired the institutes of freedom under People's Law as originally practiced among the Anglo-Saxons. As one authority on Jefferson points out:

Jefferson's great ambition at that time [1776] was to promote a renaissance of Anglo-Saxon primitive institutions on the new continent. Thus presented, the American Revolution was nothing but the reclamation of the Anglo-Saxon birthright of which the colonists had been deprived by a "long trend of abuses." Nor does it appear that there was anything in this theory which surprised or shocked his contemporaries; Adams apparently did not disapprove of it, and it would be easy to bring in many similar expressions of the same idea in documents of the time. (Gilbert Chinard, *Thomas Jefferson: The Apostle of Americanism*, 2nd ed. rev. [Ann Arbor, Mich.: The University of Michigan Press, 1975], pp. 86-87.)

Characteristics of Anglo-Saxon Common Law or People's Law

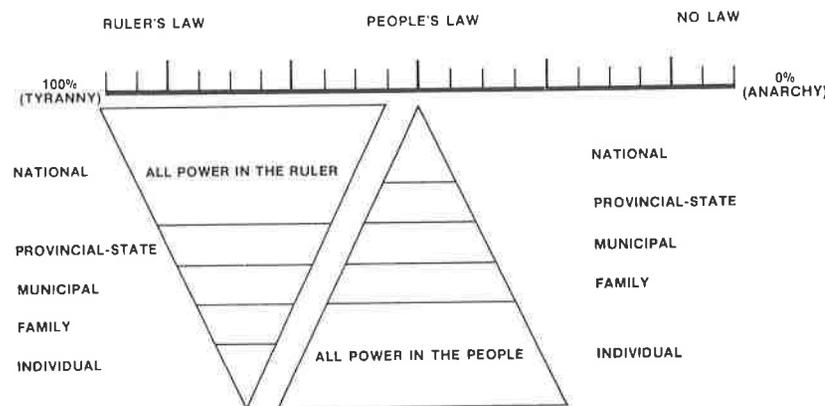
Here are the principal points of People's Law as practiced by the Anglo-Saxons (see Colin Rhys Lovell, *English Constitu-*

tional and Legal History [New York: Oxford University Press, 1962], pp. 3-50):

1. They considered themselves a commonwealth of freemen.
2. All decisions and the selection of leaders had to be with the consent of the people, preferably by full consensus, not just a majority.
3. The laws by which they were governed were considered natural laws given by divine dispensation, and were so well known by the people they did not have to be written down.
4. Power was dispersed among the people and never allowed to concentrate in any one person or group. Even in time of war, the authority granted to the leaders was temporary and the power of the people to remove them was direct and simple.
5. Primary responsibility for resolving problems rested first of all with the individual, then the family, then the tribe or community, then the region, and finally, the nation.
6. They were organized into small, manageable groups where every adult had a voice and a vote. They divided the people into units of ten families who elected a leader; then fifty families who elected a leader; then a hundred families who elected a leader; and then a thousand families who elected a leader.
7. They believed the rights of the individual were considered unalienable and could not be violated without risking the wrath of divine justice as well as civil retribution by the people's judges.

8. The system of justice was structured on the basis of severe punishment unless there was complete reparation to the person who had been wronged. There were only four "crimes" or offenses against the whole people. These were treason, by betraying their own people; cowardice, by refusing to fight or failing to fight courageously; desertion; and homosexuality. These were considered capital offenses. All other offenses required reparation to the person who had been wronged.
9. They always attempted to solve problems on the level where the problem originated. If this was impossible they went no higher than was absolutely necessary to get a remedy. Usually only the most complex problems involving the welfare of the whole people, or a large segment of the people, ever went to the leaders for solution.

The contrast between Ruler's Law (all power in the ruler) and People's Law (all power in the people) is graphically illustrated below. Note where the power base is located under each of these systems. Also compare the relationship between the individual and the rest of society under these two systems.



The Founders Note the Similarities Between Anglo-Saxon Common Law and the People's Law of Ancient Israel

As the Founders studied the record of the ancient Israelites they were intrigued by the fact that they also operated under a system of laws remarkably similar to those of the Anglo-Saxons. The two systems were similar both in precept and operational structure. In fact, the Reverend Thomas Hooker wrote the "Fundamental Orders of Connecticut" based on the principles recorded by Moses in the first chapter of Deuteronomy. These "Fundamental Orders" were adopted in 1639 and constituted the first written constitution in modern times. This constitutional charter operated so successfully that it was adopted by Rhode Island. When the English colonies were converted over to independent states, these were the only two states which had constitutional documents which readily adapted themselves to the new order of self-government. All of the other states had to write new constitutions.

Here are the principal characteristics of the People's Law in ancient Israel which were almost identical with those of the Anglo-Saxons:

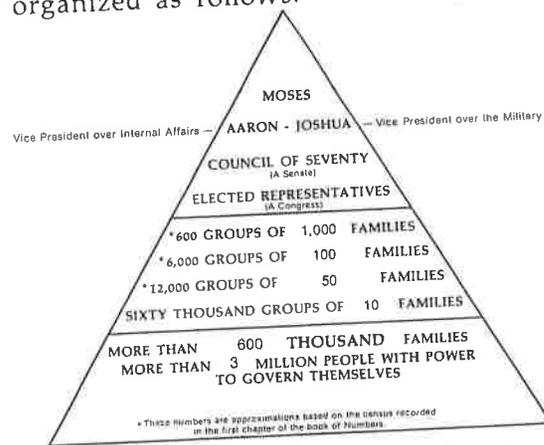
1. They were set up as a commonwealth of freemen. A basic tenet was: "Proclaim liberty throughout all the land unto all the inhabitants thereof." (Leviticus 25:10)

This inscription appears on the American Liberty Bell.

Whenever the Israelites fell into the temptation to have slaves or bond-servants, they were reprimanded. Around 600 B.C., a divine reprimand was given through Jeremiah: "Ye have not hearkened unto me, in proclaiming liberty every one to his brother, and every man to his neighbor: behold, I proclaim a liberty for you, saith the Lord." (Jeremiah 34:17)

2. All the people were organized into small manageable units where the representative of each family had a voice and a vote. This organizing process was launched after Jethro, the father-in-law of Moses, saw him trying to govern the people under Ruler's Law. (See Exodus 18:13-26.)

When the structure was completed the Israelites were organized as follows:



3. There was specific emphasis on strong, local self-government.

Problems were solved to the greatest possible extent on the level where they originated.

The record says: "The hard causes they brought unto Moses, but every small matter they judged themselves." (Exodus 18:26)

4. The entire code of justice was based primarily on reparation to the victim rather than fines and punishment by the commonwealth. (Reference to this procedure will be found in Exodus, Chapters 21 and 22.) The one crime for which no "satisfaction" could be given was first-degree murder. The penalty was death. (See Numbers 35:31.)

5. Leaders were elected and new laws were approved by the common consent of the people. (See 2 Samuel 2:4; 1 Chr. 29:22; for the rejection of a leader, see 2 Chr. 10:16; for the approval of new laws, see Exodus 19:8.)
6. Accused persons were presumed to be innocent until proven guilty. Evidence had to be strong enough to remove any question of doubt as to guilt. Borderline cases were decided in favor of the accused and he was released. It was felt that if he were actually guilty, his punishment could be left to the judgment of God in the future life.

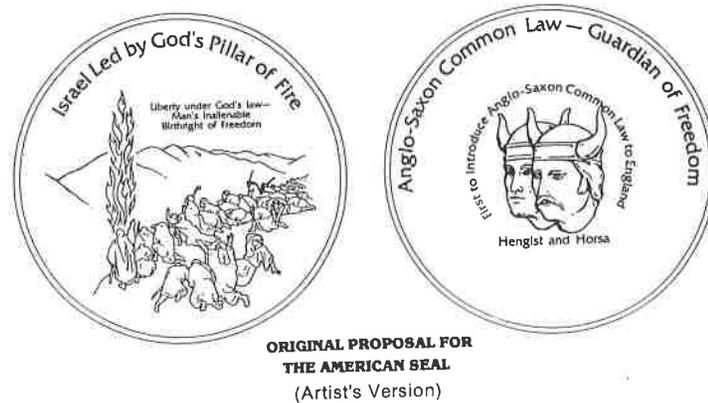
Memorializing These Two Examples of People's Law on the U.S. Seal

It was the original intent of the Founders to have both the ancient Israelites and the Anglo-Saxons represented on the official seal of the United States. The members of the committee were Thomas Jefferson, John Adams, and Benjamin Franklin.

They recommended that one side of the seal show the profiles of two Anglo-Saxons representing Hengist and Horsa. These brothers were the first Anglo-Saxons to bring their people to England around A.D. 450 and introduce the institutes of People's Law into the British Isles. On the other side of the seal this committee recommended that there be a portrayal of ancient Israel going through the wilderness led by God's pillar of fire. In this way the Founders hoped to memorialize the two ancient peoples who had practiced People's Law and from whom the Founders had acquired many of their basic ideas for their new commonwealth of freedom. (See Gilbert Chinard, *Thomas Jefferson: The Apostle of Americanism*, p. 86.)

As it turned out, all of this was a little complicated for a small seal, and therefore a more simple design was utilized.

However, here is a modern artist's rendition of the original seal as proposed by Jefferson, Adams, and Franklin.



Obviously, this is a segment of America's rich heritage of the past which has disappeared from most history books.

The Founders' Struggle to Establish People's Law in the Balanced Center

In the Federalist Papers, No. 9, Hamilton refers to the "sensations of horror and disgust" which arise when a person studies the histories of those nations that are always "in a state of perpetual vibration between the extremes of tyranny and anarchy." (*The Federalist Papers* [New York: Mentor Books, 1961], No. 9, p. 71.)

Washington also refers to the human struggle wherein "there is a natural and necessary progression, from the extreme of anarchy to the extreme of tyranny." (*Writings of George Washington*, 26:489.)

Franklin noted that "there is a natural inclination in mankind to kingly government." He said it gives people the illusion that somehow a king will establish "equality among citizens; and that they like." Franklin's great fear was that the states would succumb to this gravitational pull toward a

strong central government symbolized by a royal establishment. He said: "I am apprehensive, therefore—perhaps too apprehensive—that the Government of these States may in future times end in a monarchy. But this catastrophe, I think, may be long delayed, if in our proposed system we do not sow the seeds of contention, faction, and tumult, by making our posts of honor places of profit." (Albert Henry Smyth, ed., *The Writings of Benjamin Franklin*, 10 vols. [New York: The Macmillan Company, 1905-7], 9:593; modern spelling.)

The Founders' task was to somehow solve the enigma of the human tendency to rush headlong from anarchy to tyranny—the very thing which later happened in the French Revolution. How could the American people be constitutionally structured so that they would take a fixed position at the balanced center of the political spectrum and forever maintain a government "of the people, by the people, and for the people," which would not perish from the earth?

It took the Founding Fathers 180 years (1607 to 1787) to come up with their American formula. In fact, just eleven years before the famous Constitutional Convention at Philadelphia, the Founders wrote a constitution which almost caused them to lose the Revolutionary War. Their first attempt at constitutional writing was called "The Articles of Confederation."

The Founders' First Constitution Ends Up Too Close to Anarchy

The American Revolutionary War did not commence as a war for independence but was originally designed merely to protect the rights of the people from the arrogant oppression of a tyrannical king. Nevertheless, by the spring of 1776 it was becoming apparent that a complete separation was the only solution.

tions. In the Founders' roster of great political thinkers, Cicero was high on the list.

Dr. William Ebenstein of Princeton says:

The only Roman political writer who has exercised enduring influence throughout the ages is Cicero (106-43 B.C.)... Cicero studied law in Rome, and philosophy in Athens... He became the leading lawyer of his time and also rose to the highest office of state [Roman Consul].

... Yet his life was not free of sadness; only five years after he had held the highest office in Rome, the consulate, he found himself in exile for a year. ... Cicero nevertheless showed considerable personal courage in opposing the drift toward dictatorship based on popular support. Caesar was assassinated in 44 B.C., and a year later, in 43 B.C., Cicero was murdered by the henchmen of Antony, a member of the triumvirate set up after Caesar's death. (William Ebenstein, *Great Political Thinkers* [New York: Holt, Rinehart and Winston, 1963], pp. 122-23.)

So out of Cicero's maelstrom of turbulent experience with power politics, plus his intense study of all forms of political systems, he wrote his landmark books on the *Republic* and the *Laws*. In these writings Cicero projected the grandeur and promise of some future society based on Natural Law.

The American Founding Fathers obviously shared a profound appreciation of Cicero's dream because they envisioned just such a commonwealth of prosperity and justice for themselves and their posterity. They saw in Cicero's writings the necessary ingredients for their model society which they eventually hoped to build.

Cicero's Fundamental Principles

To Cicero, the building of a society on principles of Natural Law was nothing more nor less than recognizing and identifying the rules of "right conduct" with the laws of the Supreme Creator of the universe. History demonstrates that even in those nations sometimes described as "pagan" there were sharp, penetrating minds like Cicero's who reasoned their way through the labyrinths of natural phenomena to see behind the cosmic universe, as well as the unfolding of their own lives, the brilliant intelligence of a supreme Designer with an ongoing interest in both human and cosmic affairs.

Cicero's compelling honesty led him to conclude that once the reality of the Creator is clearly identified in the mind, the only intelligent approach to government, justice, and human relations is in terms of the laws which the Supreme Creator has already established. The Creator's order of things is called Natural Law.

A fundamental presupposition of Natural Law is that man's reasoning power is a special dispensation of the Creator and is closely akin to the rational or reasoning power of the Creator himself. In other words, man shares with his Creator this quality of utilizing a rational approach to solving problems, and the reasoning of the mind will generally lead to common-sense conclusions based on what Jefferson called "the laws of Nature and of Nature's God" (The Declaration of Independence).

Let us now examine the major precepts of Natural Law which so profoundly impressed the Founding Fathers.

Natural Law Is Eternal and Universal

First of all, Cicero defines Natural Law as "true law." Then he says:

True law is right reason in agreement with nature; it is of universal application, unchanging and everlasting; it summons to duty by its commands, and averts from wrongdoing by its prohibitions. . . . It is a sin to try to alter this law, nor is it allowable to repeal any part of it, and it is impossible to abolish it entirely. We cannot be freed from its obligations by senate or people, and we need not look outside ourselves for an expounder or interpreter of it. And there will not be different laws at Rome and at Athens, or different laws now and in the future, but one eternal and unchangeable law will be valid for all nations and all times, and there will be one master and ruler, that is God, over us all, for he is the author of this law, its promulgator, and its enforcing judge. Whoever is disobedient is fleeing from himself and denying his human nature, and by reason of this very fact he will suffer the worst punishment. (Quoted in Ebenstein, *Great Political Thinkers*, p. 133.)

In these few lines the student encounters concepts which were repeated by the American Founders a thousand times. The Law of Nature or Nature's God is eternal in its basic goodness; it is universal in its application. It is a code of "right reason" from the Creator himself. It cannot be altered. It cannot be repealed. It cannot be abandoned by legislators or the people themselves, even though they may pretend to do so. In Natural Law we are dealing with factors of absolute reality. It is basic in its principles, comprehensible to the human mind, and totally correct and morally right in its general operation.

To the Founding Fathers as well as to Blackstone, John Locke, Montesquieu, and Cicero, this was a monumental discovery.

The Divine Gift of Reason

To Cicero it was an obvious and remarkable thing that man had been endowed with a rich quality of mind that does not exist among other forms of life except in the most miniscule proportions. Between man and other creatures there is a gigantic gap insofar as mental processes are concerned. Cicero as well as the Founders viewed this as a special, divine endowment from the Creator. Cicero wrote:

The animal which we call man, endowed with foresight and quick intelligence, complex, keen, possessing memory, full of reason and prudence, has been given a certain distinguished status by the Supreme God who created him; for he is the only one among so many different kinds and varieties of living beings who has a share in reason and thought, while all the rest are deprived of it. But what is more divine, I will not say in man only, but in all heaven and earth, than reason? And reason, when it is full grown and perfected, is rightly called wisdom. Therefore, since there is nothing better than reason, and since it exists both in man and God, the first common possession of man and God is reason. But those who have reason in common must also have right reason in common. And since right reason is Law, we must believe that men have Law also in common with the gods. Further, those who share Law must also share Justice; and those who share these are to be regarded as members of the same commonwealth. If indeed they obey the same authorities and powers, this is true in a far greater degree; but as a matter of fact they do obey this celestial system, the divine mind, and the God of transcendent power. Hence we must now conceive of this whole universe as one commonwealth of

which both gods and men are members. (Ibid.)

No prophet of the Old Testament or the Gospel teachers of the New Testament ever said it any better.

The First Great Commandment

Cicero had comprehended the magnificence of the first great commandment to love, respect, and obey the all-wise Creator. He put this precept in proper perspective by saying that God's law is "right reason." When perfectly understood it is called "wisdom." When applied by government in regulating human relations it is called "justice." When people unite together in a covenant or compact under this law, they become a true "commonwealth," and since they intend to administer their affairs under God's law, they belong to his commonwealth.

Thus Cicero came to what Jews and Christians call the first great commandment.

It will be recalled that a lawyer tried to discredit Jesus by asking him, "Master, which is the great commandment in the Law?" Of course, there were hundreds of commandments, and the question was designed as a clever strategem to embarrass Jesus. But Jesus was not embarrassed. He simply replied: "Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind. This is the first and great commandment."

The lawyer was amazed by this astute and ready response from the Galilean carpenter. But Jesus was not through. He added: "And the second is like unto it. Thou shalt love thy neighbor as thyself. On these two commandments hang all the law and the prophets." (Matthew 22:36-40)

The astonished lawyer simply replied: "Well, Master, thou hast said the truth!"

Jesus had picked out what he considered to be the foremost commandment from Deuteronomy 6:4-5, and then

selected what he considered to be the second most important commandment clear over in Leviticus 19:18.

The Second Great Commandment

It is interesting that Cicero, without being either a Christian or a Jew, was able to discover the power and fundamental significance of obedience, not only to the first great commandment, but to the second one as well. His great mind instinctively led him to comprehend the beauty and felicity of what Jesus had identified as the second great commandment: "Thou shalt love thy neighbor as thyself."

Dr. William Ebenstein comments on this rather fascinating insight among Cicero's writings by saying:

There is another note, too, in Cicero that points forward, toward Christianity, rather than backward, to Plato and Aristotle: Cicero's consciousness of *love* as a mighty social bond. (*Great Political Thinkers*, p. 124.)

Cicero raises this point in connection with his discussion of Justice. He points out that Justice is impossible except under the principles of God's just law. . . .

For these virtues originate in our natural inclination to love our fellow-men, and this is the foundation of justice. (Ibid., p. 134.)

So to Cicero, the glue which holds a body of human beings together in the commonwealth of a just society is love— love of God; love of God's great law of Justice; and love of one's fellow-men which provides the desire to promote true justice among mankind.

All Mankind Can Be Taught God's Law or Virtue

Cicero projected throughout his writings a particularly optimistic view of the potential improvement of human beings by teaching them the elements of virtue through education. He wrote:

of a loving and concerned Creator. What promise of unprecedented grandeur awaited that future society which would undertake it! He wrote:

As one and the same Nature holds together and supports the universe, all of whose parts are in harmony with one another, so men are united in Nature; but by reason of their depravity they quarrel, not realizing that they are of one blood and subject to one and the same protecting power. If this fact were understood, surely man would live the life of the gods! (Ibid., p. 135.)

The American Founders believed this. They embraced the obvious necessity of building a highly moral and virtuous society. The Founders wanted to lift mankind from the common depravity and chicanery of past civilizations, and to lay the foundation for a new kind of civilization built on freedom for the individual and prosperity for the whole commonwealth. This is why they built their system on Natural Law.

Let us consider a few examples.

Examples of Natural Law

It may be surprising, even to Americans, to discover how much of their Constitution and their life-style is based on principles of Natural Law. For example:

The concept of UNALIENABLE RIGHTS is based on Natural Law. Twenty-two of these unalienable rights are listed on pages 125-26.

The concept of UNALIENABLE DUTIES is based on Natural Law. Twenty of these unalienable duties are listed on pages 134-35.

The concept of HABEAS CORPUS is based on Natural Law.

The concept of LIMITED GOVERNMENT is based on Natural Law.

The concept of SEPARATION OF POWERS is based on Natural Law.

The concept of CHECKS AND BALANCES to correct abuses by peaceful means is based on Natural Law.

The right of SELF-PRESERVATION is based on Natural Law.

The right to CONTRACT is based on Natural Law.

Laws protecting the FAMILY and the institution of MARRIAGE are all based on Natural Law.

The concept of JUSTICE BY REPARATION or paying for damages is based on Natural Law.

The right to BEAR ARMS is based on Natural Law.

The principle of NO TAXATION WITHOUT REPRESENTATION is based on Natural Law.

These few examples will illustrate how extensively the entire American constitutional system is grounded in Natural Law. In fact, Natural Law is the foundation and encompassing framework for everything we have come to call "People's Law."

This is precisely what Thomas Jefferson was talking about when he wrote in the Declaration of Independence: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are Life, Liberty and the Pursuit of Happiness."

These well-remembered phrases from America's initial charter of liberty are all primary pre-suppositions under the principles of Natural Law.

Now, having covered the highlights of the Founders' first fundamental precept, let us proceed to the second.

“...thou shalt provide out of all the people able men, such as fear God, men of truth, hating covetousness [unjust gain]; and place such over them, to be rulers...”

- Exodus 18:21

3rd

PRINCIPLE

The Most Promising Method of Securing a Virtuous and Morally Stable People is to Elect Virtuous Leaders.

Samuel Adams pointed out a sobering fact concerning our political survival as a free people when he said:

But neither the wisest constitution nor the wisest laws will secure the liberty and happiness of a people whose manners are universally corrupt. He therefore is the truest friend to the liberty of his country who tries most to promote its virtue, and who, so far as his power and influence extend, will not suffer a man to be chosen into any office of power and trust who is not a wise and virtuous man. (Wells, *Life of Samuel Adams*, 1:22.)

He then went on to say that public officials should NOT be chosen if they are lacking in experience, training, proven

the fundamental points in all sound religion. (Smyth, *Writings of Benjamin Franklin*, 10:84.)

The "Fundamental Points" to Be Taught in the Schools

The five points of fundamental religious belief expressed or implied in Franklin's statement are these:

1. There exists a Creator who made all things, and mankind should recognize and worship Him.
2. The Creator has revealed a moral code of behavior for happy living which distinguishes right from wrong.
3. The Creator holds mankind responsible for the way they treat each other.
4. All mankind live beyond this life.
5. In the next life mankind are judged for their conduct in this one.

All five of these tenets run through practically all of the Founders' writings. These are the beliefs which the Founders sometimes referred to as the "religion of America," and they felt these fundamentals were so important in providing "good government and the happiness of mankind" that they wanted them taught in the public schools along with morality and knowledge.

Statements of the Founders Concerning These Principles

Samuel Adams said that this group of basic beliefs which constitute "the religion of America is the religion of all mankind." (Wells, *Life of Samuel Adams*, 3:23.) In other words, these fundamental beliefs belong to all world faiths and could therefore be taught without being offensive to any "sect or denomination" as indicated in the Virginia bill for establishing elementary schools.

John Adams called these tenets the "general principles" on which the American civilization had been founded. (Letter to Jefferson cited in Bergh, *Writings of Thomas Jefferson*, 13:293.)

Thomas Jefferson called these basic beliefs the principles "in which God has united us all." (Ibid., 14:198.)

From these statements it is obvious how significantly the Founders looked upon the fundamental precepts of religion and morality as the cornerstones of a free government. This gives additional importance to the previously quoted warning of Washington when he said: "Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. . . . Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?" (*Basic American Documents*, pp. 108-9.)

Washington issued this solemn warning because in France, shortly before he wrote his Farewell Address (1796), the promoters of atheism and amorality had seized control and turned the French Revolution into a shocking blood bath of wild excesses and violence. Washington obviously never wanted anything like that to happen in the United States. Therefore he had said: "In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness [religion and morality]." (Ibid.)

Alexis de Tocqueville Discovers the Importance of Religion in America

When the French jurist, Alexis de Tocqueville, visited the United States in 1831, he became so impressed with what he saw that he went home and wrote one of the best definitive studies on the American culture and Constitutional system that had been published up to that time. His book was called

preachers, and all mix in society with perfect harmony. (Bergh, *Writings of Thomas Jefferson*, 15:404.)

One cannot help asking the modern Supreme Court: "Where is the wall of separation between church and state when the courthouse is approved for the common temple of all the religious sects of a village?"

Of course, Jefferson would be the first to require some other arrangement if all of the churches could not be accommodated equally, but so long as they were operating equally and harmoniously together, it was looked upon as a commendable situation. The fact that they were utilizing a tax-supported public building was not even made an issue.

Religious Principles Undergird Good Government

What doctrines were Americans so anxious to teach one another in order that they might remain united and well governed? These religious precepts turned out to be the heart and soul of the entire American political philosophy. They were taken from the books of John Locke, Sir William Blackstone, and other great thinkers of the day, who took them directly from the Bible. Thus, religion and the American institutions of freedom were combined. In fact, the Founders had taken the five truths we have already identified as "religion" and had built the whole Constitutional framework on top of them. The sanctity of civil rights and property rights, as well as the obligation of citizens to support the Constitution in protecting their unalienable rights, were all based on these religious precepts. Therefore, having established the general principle that "without religion the government of a free people cannot be maintained," we now turn to the specific principles on which this general concept was based.



5th

PRINCIPLE

All Things Were Created by God,
Therefore upon Him All Mankind are
Equally Dependent, and to Him
They are Equally Responsible.

The Reality of a Divine Creator

The Founders vigorously affirm throughout their writings that the foundation of all reality is the existence of the Creator, who is the designer of all things in nature and the promulgator of all the laws which govern nature.

The Founders were in harmony with the thinking of John Locke as expressed in his famous *Essay Concerning Human Understanding*. In it Locke pointed out that it defies the most elementary aspects of reason and experience to presuppose that everything in existence developed as a result of fortuitous circumstance. The mind, for example, will not accept the proposition that the forces of nature, churning about among themselves, would ever produce a watch, or even a

lead pencil, let alone the marvelous intricacies of the human eye, the ear, or even the simplest of the organisms found in nature. All these are the product of intelligent design and high-precision engineering.

Locke felt that a person who calls himself an "atheist" is merely confessing that he has never dealt with the issue of the Creator's existence. Therefore, to Locke an atheist would be to that extent "irrational," and out of touch with reality; in fact, out of touch with *the* most important and fundamental reality.

How Can One Know There Is a God?

In his *Essay Concerning Human Understanding*, John Locke insisted that everyone can know there is a divine Creator. It is simply a case of thinking about it. (*Concerning Human Understanding*, Great Books of the Western World, vol. 35 [Chicago: Encyclopaedia Britannica, Inc., 1952], pp. 349-52.)

To begin with, each person knows that he exists. With Descartes each person can say, "*Cogito ergo sum.*" With God, each person can say, "I AM!"

Furthermore, each person knows that he is *something*. He also knows that a *something* could not be produced by a *nothing*. Therefore, whatever brought man and everything else into existence also had to be *something*.

It follows that this *something* which did all of this organizing and arranging would have to be all-knowing to the full extent required for such an organization and arrangement.

This *something* would therefore have to be superior to everything which had resulted from this effort. This element of superiority makes this *something* the ultimate "good" for all that has been organized and arranged. In the Anglo-Saxon language, the word for supreme or ultimate good is "God."

Getting to Know God

Man is capable of knowing many things about God, Locke said. The Creator must of necessity be a cogitative (reasoning or thinking) being, for man is a cogitative (reasoning) being. Certainly a non-cogitative being like a rock could never have produced a cogitative being like a man.

We may also know that the divine Creator has a sense of compassion and love, for he gave mankind these sublime qualities.

The Creator would also reflect a fine sense of right and wrong, and also a sense of indignation or even anger with those who violate the laws of "right" action. In other words, God has a strong sense of "justice." Remorse for wrong also arouses a sense of compassion in the Creator, just as it does in human beings whom he designed.

There are other attributes of man which human beings must necessarily share with their Creator if man is "made in the image of God." One would be a sense of humor. The Creator must also be a great artist on the visual plane. Everything the Creator organizes is in terms of beauty through color, form, and contrasts. Obviously, man can enjoy only to a finite degree the capacity of his Creator to appreciate the vast panorama of sensory satisfaction which we call "beauty."

So, as John Locke says, there are many things man can know about God. And because any thoughtful person can gain an appreciation and conviction of these many attributes of the Creator, Locke felt that an atheist has failed to apply his divine capacity for reason and observation.

The American Founding Fathers agreed with Locke. They considered the existence of the Creator as the most fundamental premise underlying ALL self-evident truth. It will be noted as we proceed through this study that every single

self-evident truth enunciated by the Founders is rooted in the presupposition of a divine Creator.

Concerning God's Revealed Law Distinguishing Right from Wrong

The Founders considered the whole foundation of a just society to be structured on the basis of God's revealed law. These laws constituted a moral code clearly distinguishing right from wrong. This concept was not new with the Founders. This was the entire foundation of all religious cultures world-wide. It was particularly emphasized in the Judeo-Christian structure of the English law. No authority on the subject was more widely read than William Blackstone (1723-1780). He established the classes for the first law school at Oxford in 1753. His lectures on the English law were published in 1765 and were as widely read in America as they were in England.

In his *Commentaries on the Laws of England*, Blackstone propounded the generally accepted idea that "when the Supreme Being formed the universe" he organized it and then "impressed certain principles upon that matter, from which it can never depart, and without which it would cease to be." (Blackstone, *Commentaries on the Laws of England*, ed. William Carey Jones, 2 vols. [San Francisco: Bancroft-Whitney Co., 1916], 1:52.)

He then went on to say that the will of God which is expressed in the orderly arrangement of the universe is called "the law of nature," and that there are laws for "human" nature just as surely as they exist for the rest of the universe. (Ibid., pp. 56-58.) He said the laws for human nature had been revealed by God, whereas the laws of the universe (natural law) must be learned through scientific investigation. (Ibid., p. 64.) Blackstone stated that "upon these two foundations, the law of nature and the law of

revelation, depend all human laws...." (Ibid., p. 65.)

As we shall see later, the attitude of the Founders toward God's law (both natural and revealed) gave early Americans a very high regard for the "law" as a social institution. They respected the sanctity of the law in the same way that it was honored among the Anglo-Saxons and by ancient Israel.

The Nearness of God

It is also important to note that the Founders did not look upon God as some mysterious teleological force operating automatically and indifferently in nature (as modern Deists claim), but they believed in a Creator who is both intelligent and benevolent and therefore anxious and able to respond to people's petitions when they are deserving of needed blessings and engaged in a good cause. Days of fasting and prayer were commonplace in early America. Most of the Founders continually petitioned God in fervent prayers, both public and private, and looked upon his divine intervention in their daily lives as a singular blessing. They were continually expressing gratitude to God as the nation survived one major crisis after another.

George Washington

George Washington was typical of the Founders in this respect. Charles Bracelen Flood discovered in his research that during the Revolutionary War there were at least sixty-seven desperate moments when Washington acknowledged that he would have suffered disaster had not the hand of God intervened in behalf of the struggle for independence. (*Rise and Fight Again* [New York: Dodd, Mead & Co., 1976], p. 377.)

After being elected President, Washington stressed these sentiments in his first inaugural address when he said:

No people can be bound to acknowledge and adore the invisible hand which conducts the affairs of men

more than the people of the United States. Every step, by which they have advanced to the character of an independent nation, seems to have been distinguished by some token of providential agency. (Fitzpatrick, *Writings of George Washington*, 30:292.)

James Madison

Madison was equally emphatic on this point when he contemplated the work of the Constitutional Convention and saw the guiding influence of God just as Washington had seen it on the battlefield. Said he:

The real wonder is that so many difficulties should have been surmounted . . . with a unanimity almost as unprecedented as it must have been unexpected. It is impossible for any man of candor to reflect on this circumstance without partaking of the astonishment. 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. (*Federalist Papers*, No. 37, pp. 230-31.)

"In God We Trust"

From all of this it will be seen that the Founders were not indulging in any idle gesture when they adopted the motto, "In God we trust." Neither was it a matter of superfluous formality when they required that all witnesses who testify in the courts or before Congressional hearings must take an oath and swear or affirm before God that they will tell the truth. As Washington pointed out in his Farewell Address: "Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice?" (Fitzpatrick, *Writings of George Washington*, 35:229.) In fact, it

was not at all uncommon, as Alexis de Tocqueville discovered, to look with the greatest precaution upon an individual who had no religious convictions. He wrote:

While I was in America, a witness who happened to be called at the Sessions of the county of Chester (state of New York) declared that he did not believe in the existence of God or in the immortality of the soul. The judge refused to admit the evidence, on the ground that the witness had destroyed beforehand all the confidence of the court in what he was about to say. (*Democracy in America*, 1:317.)

In a note de Tocqueville added:

The *New York Spectator* of August 23, 1831, related the fact in the following terms: "... The presiding judge remarked that he had not before been aware that there was a man living who did not believe in the existence of God; that this belief constituted the sanction [in law, that which gives binding force] of all testimony in a court of justice; and that he knew of no case in a Christian country where a witness had been permitted to testify without such belief." (Ibid.)

This now brings us to the next important principle enunciated by the Founders.

Minorities in any country consider themselves "outsiders" who want to become "insiders." As long as they are treated as outsiders they do not feel equal. The interesting part of it is that *every* ethnic group in the American society was once a minority. We are a nation of minorities!

There is no spot on the planet earth where so many different ethnic groups have been poured into the same milieu as in the United States. It was appropriate that America should be called the melting pot of the world.

Two things are especially notable about this. First of all, it is remarkable that the Founders were able to establish a society of freedom and opportunity which would attract so many millions of immigrants. Secondly, it is even more remarkable that within two or three generations nearly all of these millions of immigrants became first-class citizens.

As we noted above, newcomers to any nation are not considered first-class citizens immediately. Human nature does not allow it. In some countries "outsiders" are still treated with hostility after they have resided in those countries for three or four hundred years. In the United States, immigrants or outsiders can become insiders much more rapidly. Nevertheless, the transition is painful.

Crossing the Culture Gap

Being a minority, even in the United States, is painful because acceptance depends on "crossing the culture gap." This means learning the English language—with an American dialect more or less; attaining the general norm of education—which in America is fairly high; becoming economically independent—which often means getting out of the ghetto; and becoming recognized as a social asset to the community—which always takes time. Usually it requires far more time than the minority group can patiently endure.

But the impatience of a minority can be an advantage. It expedites their assimilation by motivating greater effort to gain acceptance. In the United States, as a result, many members of a minority group are assimilated in a single generation. Others must wait until the second generation, and a few are still struggling in the third. But these are the exceptions. They can't quite get across the culture gap. It is a fact of life in America, as everywhere else, that no ethnic group is going to be entirely comfortable or treated completely as equals in an adopted society until they have crossed the culture gap.

A Nation of Minorities

As mentioned above, there is not a single ethnic group in the United States but what has been treated at one time or another as a minority, or less than first-class citizens.

The story of minorities in the United States is a fascinating tale. Beginning with the French in the 1500s and the English in the 1600s (and the Dutch, Germans, Swedes, Scots, and Irish in between), it was one grand conglomerate of tension, discrimination, malice, and sometimes outright persecution. But the miracle of it all is the fact that they fought side by side for freedom in the Revolutionary War, and all of them could boast of descendants in the White House or the Congress as the years passed by. So all of this became America—a nation of minorities.

The Japanese and Chinese

One of the best examples of minority adjustment under adverse circumstances is the American saga of the Japanese and Chinese.

The treatment they received is an embarrassment to modern Americans. They were not only shabbily treated, but sometimes they were treated brutally. (In certain situations this happened to other minorities as well.) But practi-

cally none of the Japanese and Chinese went home. They became domestics, field workers, and truck farmers; they ran laundries, worked for a pittance on railroads, ate their simple fare, and slept on bare boards. Meanwhile, they sent their children to school and endured their mistreatment with patience. By 1940 the Chinese were virtually assimilated and the Japanese had almost made it. Then came the attack on Pearl Harbor.

Within weeks the vast Japanese population in California had been hauled off to concentration camps in the Rocky Mountains. J. Edgar Hoover knew there were practically no espionage agents among them. The few security risks had already been identified and incarcerated. He vigorously protested the Japanese evacuation and so did many others, but all to no avail.

The Japanese could have been very bitter, but to the ultimate embarrassment and chagrin of those who had engineered this fiasco, they loyally mobilized their sons and sent them into the American armed services as volunteers! Japanese-American regiments were among the most decorated in World War II. They went into the military ranks under suspicion and resentment, but they came out in hero roles. A few years later the entire State of California was represented in the Senate by a Japanese-American.

The Black Minority

But of all the minorities in America, the blacks have undertaken assimilation as first-class citizens under the greatest number of handicaps. Many early political leaders of the United States, including Abraham Lincoln, were fearful the blacks might never achieve complete adjustment because of the slavery culture in which the first few generations were raised.

Nevertheless, freedom and education brought a whole new horizon of hope to the blacks within three generations. Tens of thousands of them hurdled the culture gap, and soon the blacks in other countries saw their ethnic cousins in the United States enjoying a higher standard of living than blacks in any part of the world. In fact, by 1970 a black high school student in Alabama or Mississippi had a better opportunity to get a college education than a white student in England.

Providing equality for the blacks has never been approached with any degree of consensus. Some felt that with education and job opportunities the blacks could leap the culture gap just as other minorities had done. Others felt they should be made the beneficiaries of substantial government gratuities. Experience soon demonstrated, however, that government gratuities are as corrupting and debilitating to blacks as they are to the Indians or any other minorities. The blacks themselves asked for equal opportunity at the hiring hall. Thus, the trend began to shift in the direction which no doubt the Founders such as Washington, Jefferson, and Franklin would have strongly approved.

Violence Proves Counter-Productive

In the mid-sixties there were groups of Marxist agitators who moved in among the blacks to promote direct action by violence. One of these was Eldridge Cleaver, who had been trained in Marxist philosophy and tactics while serving a fifteen-year sentence in a California state penitentiary. In 1967 he became the Minister of Information for the Black Panthers. In his books, Eldridge Cleaver describes the rationale behind their philosophy of violence. It was to destroy the whole economic and social structure of the United States so that blacks could enjoy equal rights under an American Communist regime. The crescendo of violence

increased year after year. During the summer of 1968 over a hundred American cities were burning. But the burning was always in black ghettos. The idea was to put the blacks in direct confrontation with the police and state militia in order to solidify their apparent need to become a racial bloc for the coming revolution.

But the burning and fire-bombing backfired. The black population began to realize it was only the homes of blacks that were being burned. Other than police, it was primarily blacks that were being hurt in the melee of the riots. In the shoot-outs with the police, nineteen of the Black Panther leaders were killed. Eldridge Cleaver was wounded. He and his wife later fled to Cuba and then to other Communist countries.

The whole scenario of violence had proved tragically counter-productive. It temporarily jolted out of joint a broad spectrum of reforms which the blacks were really seeking and the rest of the nation was trying to provide.

A Dissident Returns

After nearly eight years as an exile in Communist and Socialist countries, Eldridge Cleaver asked to be allowed to return to the United States and pay whatever penalty was due on charges pending against him. He and his wife were no longer atheists. They were no longer Communists. Those bitter years behind the iron and bamboo curtains had dispelled all the propaganda concerning "equality" and "justice" under Communism. Cleaver told the press: "I would rather be in jail in America than free anywhere else." He then went on to say:

I was wrong and the Black Panthers were wrong... We [black Americans] are inside the system and I feel that the number one objective for Black America is to recognize that they have the

same equal rights under the Constitution as Ford or Rockefeller, even if we have no blue-chip stocks. But our membership in the United States is the supreme blue-chip stock and the one we have to exercise. (Laile Bartlett, "The Education of Eldridge Cleaver," *Reader's Digest*, Sept. 1976, pp. 65-72.)

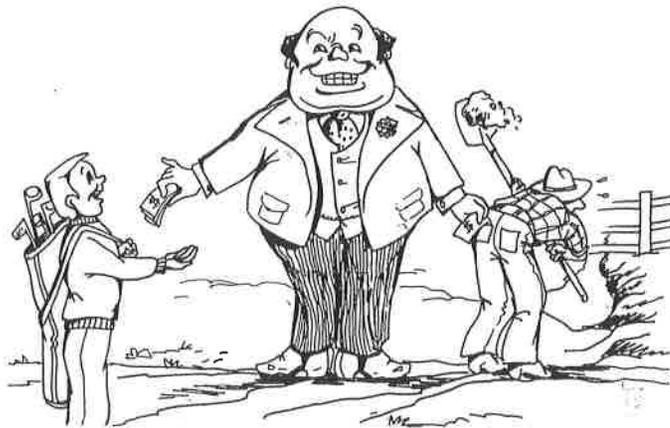
By 1981 Eldridge Cleaver had paid his final debt to society. No further charges were pending against him. Although he had been involved in a police shoot-out in Oakland, California, he had not been accused of causing any deaths. In fact, it was in the Oakland shoot-out that he was wounded. As he was released on parole, the judge required that he finish his obligation to society by putting in several hundred hours of public service at a California college.

Soon after that he began accepting speaking engagements before schools, churches, community gatherings, and even prison groups to describe his new and yet profound appreciation for America. He described the despondency which came over him when he found what a betrayal of human rights and human dignity Communism turned out to be. He described the long and strenuous intellectual struggle with his Marxist atheism before he recognized its fraudulent fallacies. He frankly and patiently dialogued with university students still struggling with similar philosophical problems. He assured them, as Locke had done, that a persistent pursuit of the truth would bring them to the threshold of reality, where the Creator could be recognized and thereafter have a place in their lives.

The Eldridge Cleaver story is simply the account of a prodigal American who found himself and returned home.

Constitutional Amendments to Insure Equal Rights

After the Constitution was adopted in 1789, Americans



Federal Government Transfer Payments

7th PRINCIPLE

The Proper Role of Government
is to Protect Equal Rights,
Not Provide Equal Things.

In Europe, during the days of the Founders, it was very popular to proclaim that the role of government was to take from the "haves" and give to the "have nots" so that all might be truly "equal." However, the American Founders perceived that this proposition contained a huge fallacy.

What Powers Can Be Assigned to Government

The Founders recognized that the people cannot delegate to their government the power to do anything except that which they have the lawful right to do themselves.

For example, every person is entitled to protection of his life and property. Therefore it is perfectly legitimate to delegate to the government the task of setting up a police force to protect the lives and property of all the people.

But suppose a kind-hearted man saw that one of his neighbors had two cars while another neighbor had none. What would happen if, in a spirit of benevolence, the kind man went over and took one of the cars from his prosperous neighbor and generously gave it to the neighbor in need? Obviously, he would be arrested for car theft. No matter how kind his intentions, he is guilty of flagrantly violating the natural rights of his prosperous neighbor, who is entitled to be protected in his property.

Of course, the two-car neighbor could donate a car to his poor neighbor, if he liked, but that is his decision and not the prerogative of the kind-hearted neighbor who wants to play Robin Hood.

How Governments Sometimes Commit "Legal" Crimes

But suppose the kind-hearted man decided to ask the mayor and city council to force the man with two cars to give one to his pedestrian neighbor. Does that make it any more legitimate? Obviously, this makes it even worse because if the mayor and city council do it in the name of the law, the man who has lost his car has not only lost the rights to his property, but (since it is the "law") he has lost all right to appeal for help in protecting his property.

The American Founders recognized that the moment the government is authorized to start leveling the material possessions of the rich in order to have an "equal distribution of goods," the government thereafter has the power to deprive ANY of the people of their "equal" rights to enjoy their lives, liberties, and property.

A Popular Fallacy

Those on the receiving end of the program may think this is very "just" to take from the "haves" and give to the "have

nots." They may say, "This is the way the government provides equal justice for all." But what happens when the government comes around and starts taking from those who count themselves "poor"? They immediately declare with indignation that they have "rights" in the property the government gave them. The government replies, "WE decide who has rights in things."

The power given to the government to take from the rich automatically cancelled out the principle of "guaranteed equal rights." It opened the floodgate for the government to meddle with everybody's rights, particularly property rights.

A Lesson from Communism

When the Communists seized power in Hungary, the peasants were delighted with the "justice" of having the large farms confiscated from their owners and given to the peasants. Later the Communist leaders seized three-fourths of the peasant land and took it back to set up government communal farms. Immediately the peasants howled in protest about their property "rights."

Those who protested too loudly or too long soon found that they not only lost their land, but also their liberty. If they continued to protest, they lost their lives.

Equal Rights Doctrine Protects the Freedom to Prosper

The American Founders took a different approach. Their policy was to guarantee the equal protection of all the people's rights and thus insure that all would have the freedom to prosper. There was to be no special penalty for getting rich. The French philosophers cried out in protest, "But then some of the people will become very rich!" "Indeed they will," the Founders might have responded—"the more the better."

operating as it does to the encouragement of idleness. We have followed your example, and begin now to see our error, and, I hope, shall reform it." (Smyth, *Writings of Benjamin Franklin*, 10:64.)

A survey of Franklin's views on counter-productive compassion might be summarized as follows:

1. Compassion which gives a drunk the means to increase his drunkenness is counter-productive. (Ibid., 5:538.)
2. Compassion which breeds debilitating dependency and weakness is counter-productive. (Ibid., 5:123.)
3. Compassion which blunts the desire or necessity to work for a living is counter-productive. (Ibid., 3:135-36.)
4. Compassion which smothers the instinct to strive and excel is counter-productive. (Ibid., 3:136-37.)

Nevertheless, the Founders recognized that it is a mandate of God to help the poor and underprivileged. It is interesting how they said this should be done.

The Founders' Formula for "Calculated" Compassion

Franklin wrote:

To relieve the misfortunes of our fellow creatures is concurring with the Deity; it is godlike; but, if we provide encouragement for laziness, and supports for folly, may we not be found fighting against the order of God and Nature, which perhaps has appointed want and misery as the proper punishments for, and cautions against, as well as necessary consequences of, idleness and extravagance? Whenever we attempt to amend the scheme of Providence, and to interfere with the government of the world, we had need be very circumspect, lest we do more harm than good. (Ibid., 3:135.)

Nearly all of the Founders seem to have acquired deep convictions that assisting those in need had to be done through means which might be called "calculated" compassion. Highlights from their writings suggest the following:

1. Do not help the needy completely. Merely help them to help themselves.
2. Give the poor the satisfaction of "earned achievement" instead of rewarding them without achievement.
3. Allow the poor to climb the "appreciation ladder"—from tents to cabins, cabins to cottages, cottages to comfortable houses.
4. Where emergency help is provided, do not prolong it to the point where it becomes habitual.
5. Strictly enforce the scale of "fixed responsibility." The first and foremost level of responsibility is with the individual himself; the second level is the family; then the church; next the community; finally the county, and, in a disaster or emergency, the state. Under no circumstances is the federal government to become involved in public welfare. The Founders felt it would corrupt the government and also the poor. No Constitutional authority exists for the federal government to participate in charity or welfare.

Motives of the Founders

By excluding the national government from intervening in the local affairs of the people, the Founders felt they were protecting the *unalienable rights* of the people from abuse by an over-aggressive government. But just what are "unalienable" rights? This brings us to our next principle.

by His order and about His business; they are His property. . . .

And, being furnished with like faculties, sharing all in one community of Nature, there cannot be supposed any such subordination among us that may authorize us to destroy one another. (*Second Essay Concerning Civil Government*, Great Books of the Western World, vol. 35 [Chicago: Encyclopaedia Britannica, Inc., 1952], p. 26, par. 6.)

When Is a Right Unalienable?

The substantive nature of those rights which are inherent in all mankind was described by William Blackstone in his *Commentaries on the Laws of England*:

Those rights, then, which God and nature have established, and are therefore called natural rights, such as are life and liberty, need not the aid of human laws to be more effectually invested in every man than they are; neither do they receive any additional strength when declared by the municipal laws to be inviolable. On the contrary, no human legislature has power to abridge or destroy them, unless the owner shall himself commit some act that amounts to a forfeiture. (*Commentaries*, 1:93.)

In other words, we may do something ourselves to forfeit the unalienable rights endowed by the Creator, but no one else can TAKE those rights from us without being subject to God's justice. This is what makes certain rights UNALIENABLE. They are inherent rights given to us by the Creator. That is why they are called *natural* rights.

We also have certain other rights called *vested* rights which are created by the community, state, or nation for our protection or well-being. However, these can be changed any time the lawmakers feel like it.

An example of a vested right would be the right to go hunting during certain seasons. Or the right to travel on the public highway. Notice that the government can change both of these "rights" or prohibit them altogether. The region could be declared off-limits for hunting. The highway could be closed.

But the government could not pass a law to destroy all babies under the age of two, or lock up everybody with blonde hair. In the one case it would be destroying the unalienable right to life, and in the other case it would be destroying the unalienable right to liberty. A person can lose his liberty through his own misbehavior, but not because he has blonde hair!

The Founders Did Not List All of the Unalienable Rights

When the Founders adopted the Declaration of Independence, they emphasized in phrases very similar to those of Blackstone that God has endowed all mankind "with certain unalienable rights, that AMONG these are life, liberty, and the pursuit of happiness."

Let us identify some of the unalienable or natural rights which the Founders knew existed but did not enumerate in the Declaration of Independence:

- The right of self-government.
- The right to bear arms for self-defense.
- The right to own, develop, and dispose of property.
- The right to make personal choices.
- The right of free conscience.
- The right to choose a profession.
- The right to choose a mate.
- The right to beget one's kind.
- The right to assemble.
- The right to petition.

est and most extensive sense. (Blackstone, *Commentaries on the Laws of England*, 1:219-20; emphasis added.)

State Constitutions

The protection of these rights was later carried over into the constitutions of the various states. Here is how the Constitution of Pennsylvania stated it:

Article 1, Section 1. All men are born equally free and independent, and have certain inherent and indefeasible rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property and reputation, and of pursuing their own happiness. (Quoted in Judson A. Crane, *Natural Law in the United States* [Pittsburgh: University of Pittsburgh], 6:144.)

All Rights Founded on the Protection of Life

Over a century ago, Frederic Bastiat, who was trying to preserve freedom in France, wrote that man's unalienable rights are actually those which relate to life itself and that the preservation of those rights is primarily a matter of self-preservation. He wrote:

We hold from God the gift which includes all others. This gift is life—physical, intellectual, and moral life.

But life cannot maintain itself alone. The Creator of life has entrusted us with the responsibility of preserving, developing, and perfecting it. In order that we may accomplish this, He has provided us with a collection of marvelous faculties. And He has put us in the midst of a variety of natural resources. By the application of our faculties to these natural resources we convert them into products, and use them. The process is necessary in order that life may run its appointed course.

Life, faculties, production—in other words, individuality, liberty, property—this is man. And in spite of the cunning of artful political leaders, these three gifts from God precede all human legislation, and are superior to it.

Life, liberty, and property do not exist because men have made laws. On the contrary, it was the fact that life, liberty, and property existed beforehand that caused men to make laws [for the protection of them] in the first place. (Frederic Bastiat, *The Law* [Irvington-on-Hudson, N.Y.: The Foundation for Economic Education, Inc., 1974], pp. 5-6.)

But on what basis are the unalienable rights of mankind to be protected? This brings us to the principle which is a corollary to the one we have just discussed.



9th PRINCIPLE

To Protect Man's Rights, God has Revealed
Certain Principles of Divine Law.

Rights, though endowed by God as unalienable prerogatives, could not remain unalienable unless they were protected as enforceable rights under a code of divinely proclaimed law.

William Blackstone pointed out that the Creator is not only omnipotent (all-powerful),

... but as He is also a Being of infinite *wisdom*, He has laid down only such laws as were founded in those relations of justice, that existed in the nature of things.... These are the eternal, immutable laws of good and evil, to which the Creator Himself in all His dispensations conforms; and which He has enabled human reason to discover, so far as they are necessary for the conduct of human actions. Such,

among others, are these principles: that we should live honestly, should hurt nobody, and should render to everyone his due. (Blackstone, *Commentaries on the Laws of England*, 1:59-60.)

Sound Principles of Law All Based on God's Law

Blackstone also said it was necessary for God to disclose these laws to man by direct revelation.

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, as they tend in all their consequences to man's felicity. (Ibid., 1:64.)

An analysis of the essential elements of God's code of divine law reveals that it is designed to promote, preserve, and protect man's unalienable rights.

This divine pattern of law for human happiness requires a recognition of God's supremacy over all things; that man is specifically forbidden to attribute God's power to false gods; that the name of God is to be held in reverence, and every oath taken in the name of God is to be carried out with the utmost fidelity, otherwise the name of God would be taken in vain; that there is also a requirement that one day each week be set aside for the study of God's law; that it is also to be a day of worship and the personal renewing of one's commitment to obey God's law for happy living; that there are also requirements to strengthen family ties by children honoring parents and parents maintaining the sanctity of their marriage and not committing adultery after marriage; that human life is also to be kept sacred; that he who wilfully and wantonly takes the life of another must forfeit his own; that a person shall not lie; that a person shall not steal; that every person must be willing to work for the things he

desires from life and not covet and scheme to get the things which belong to his neighbor.

These principles will be immediately recognized as the famous Ten Commandments. There are many additional laws set forth in the Bible which clarify and define these principles. (For a complete codification of these laws, see W. Cleon Skousen, *The Third Thousand Years* [Salt Lake City: Bookcraft, Inc., 1964], pp. 651-82.)

Divine Law Endows Mankind with Unalienable Duties as Well as Unalienable Rights

In recent years the universal emphasis on "rights" has seriously obscured the unalienable duties which are imposed upon mankind by divine law. As Thomas Jefferson said, man "has no natural right in opposition to his social duties." (Bergh, *Writings of Thomas Jefferson*, 16:282.)

There are two kinds of duties—public and private. Public duties relate to public morality and are usually supported by local or state ordinances which can be enforced by the police power of the state. Private duties are those which exist between the individual and his Creator. These are called principles of private morality. The only enforcement agency is the self-discipline of the individual himself. William Blackstone was referring to public and private morality when he said:

Let a man therefore be ever so abandoned in his principles, or vicious in his practice, provided he keeps his wickedness to himself, and does not offend against the rules of public decency, he is out of the reach of human laws. But if he makes his vices public, though they be such as seem principally to affect himself (as drunkenness, or the like), they then become by the bad example they set, of pernicious

effects to society; and therefore it is then the business of human laws to correct them. . . . *Public* sobriety is a relative duty [relative to other people], and therefore enjoined by our laws; *private* sobriety is an absolute duty, which, whether it be performed or not, human tribunals can never know; and therefore they can never enforce it by any civil sanction. (Blackstone, *Commentaries on the Laws of England*, 1:208.)

In a sense we could say that our unalienable duties, both public and private, are an inherent part of Natural Law. They constitute a responsibility imposed on each individual to respect the absolute rights or unalienable rights of others.

Examples of Public and Private Duties

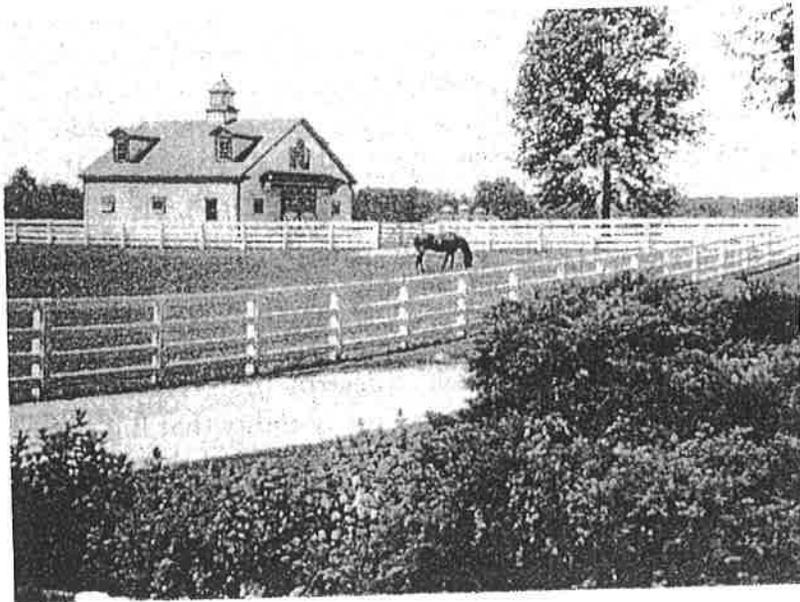
Here are some of the more important responsibilities which the Creator has imposed on every human being of normal mental capacity:

1. The duty to honor the supremacy of the Creator and his laws. (As Blackstone states, the Creator's law is the supreme law of the world: "This law of nature, being coeval with mankind and dictated by God himself, is of course superior in obligation to any other. It is binding over all the globe in all countries, and at all times; no human laws are of any validity, if contrary to this. . . ." [Ibid., Introduction, sec. 2, par. 39.]
2. The duty not to take the life of another except in self-defense.
3. The duty not to steal or destroy the property of another.
4. The duty to be honest in all transactions with others.
5. The duty of children to honor and obey their parents and elders.

6. The duty of parents and elders to protect, teach, feed, clothe, and provide shelter for children.
7. The duty to support law and order and keep the peace.
8. The duty not to contrive through a covetous heart to despoil another.
9. The duty to provide insofar as possible for the needs of the helpless—the sick, the crippled, the injured, the poverty-stricken.
10. The duty to honorably perform contracts and covenants both with God and man.
11. The duty to be temperate.
12. The duty to become economically self-sufficient.
13. The duty not to trespass on the property or privacy of another.
14. The duty to maintain the integrity of the family structure.
15. The duty to perpetuate the race.
16. The duty not to promote or participate in the vices which destroy personal and community life.
17. The duty to perform civic responsibilities—vote, assist public officials, serve in official capacities when called upon, stay informed on public issues, volunteer where needed.
18. The duty *not* to aid or abet those involved in criminal or anti-social activities.
19. The duty to support personal and public standards of common decency.
20. The duty to follow rules of moral rectitude.

The Creator's Superior Law of Criminal Justice

The Creator revealed a divine law of criminal justice which is far superior to any kind being generally followed in the world today. This is a most important element of God's



14th

PRINCIPLE

Life and Liberty are Secure Only so
Long as the Right to Property is Secure.

Under English common law, a most unique significance was attached to the unalienable right of possessing, developing, and disposing of property. Land and the products of the earth were considered a gift of God which were to be cultivated, beautified, and brought under dominion. As the Psalmist had written:

... even the heavens are the Lord's: but the earth
hath he given to the children of men. (Psalm 115:16.)

Mankind Given the Earth "In Common"

John Locke pointed out that the human family originally received the planet earth as a common gift and that mankind was given the capacity and responsibility to improve it. Said he:

God, who hath given the world to men in common, hath also given them reason to make use of it to the best advantage of life and convenience. (*Second Essay Concerning Civil Government*, p. 30, par. 25.)

Development of the Earth Mostly by Private Endeavor

Then Locke pointed out that man received the commandment from his Creator to "subdue" the earth and "have dominion" over it (Genesis 1:28).

But because dominion means control, and control requires exclusiveness, private rights in property became an inescapable necessity or an inherent aspect of subduing the earth and bringing it under dominion.

It is obvious that if there were no such thing as "ownership" in property, which means legally protected exclusiveness, there would be no subduing or extensive development of the resources of the earth. Without private "rights" in developed or improved property, it would be perfectly lawful for a lazy, covetous neighbor to move in as soon as the improvements were completed and take possession of the fruits of his industrious neighbor. And even the covetous neighbor would not be secure, because someone stronger than he could take it away from him.

Without Property Rights, Four Things Would Occur

Note that if property rights did not exist, four things would occur which would completely frustrate the Creator's command to multiply and replenish the earth and subdue it and bring it under dominion:

1. One experience like the above would tend to completely destroy the incentive of an industrious person to develop and improve any more property.
2. The industrious individual would also be deprived of the fruits of his labor.

3. Marauding bands would even be tempted to go about the country confiscating by force and violence the good things which others had frugally and painstakingly provided.
4. Mankind would be impelled to remain on a bare-subsistence level of hand-to-mouth survival because the accumulation of anything would invite attack.

A Person's Property Is a Projection of Life Itself

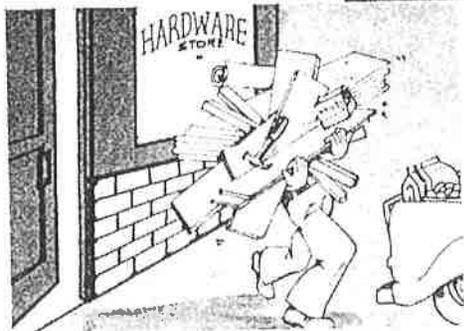
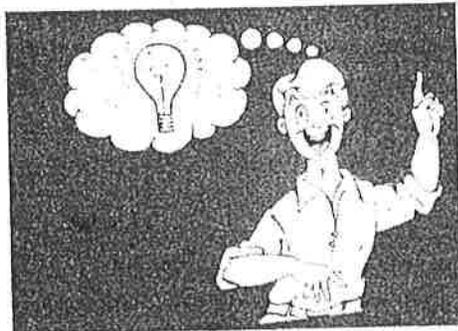
Another interesting point made by Locke is the fact that all property is an extension of a person's life, energy, and ingenuity. Therefore, to destroy or confiscate such property is, in reality, an attack on the essence of life itself.

The person who has worked to cultivate a farm, obtained food by hunting, carved a beautiful statue, or secured a wage by his labor, has projected his very being—the very essence of his life—into that labor. This is why Locke maintained that a threat to that property is a threat to the essence of life itself. Here is his reasoning:

Though the earth and all inferior creatures be common [as the gift from God] to all men, yet every man has a "property" in his own "person." This, nobody has any right to but himself. The "labour" of his body and the "work" of his hands, we may say, are properly his. Whatsoever, then, he removes out of the state that Nature hath provided and left it in, he hath mixed his labour with it, and joined to it something that is his own, and thereby makes it his property....

He that is nourished by the acorns he picked up under an oak, or the apples he gathered from the trees in the wood, has certainly appropriated them to himself. Nobody can deny but the nourishment is his. I ask, then, when did they begin to be his? When

Freedom to
TRY

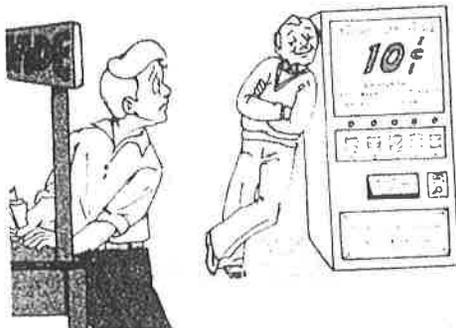


Freedom to
BUY

Freedom to
SELL



Freedom to
FAIL



15th PRINCIPLE

The Highest Level of Prosperity Occurs
when there is a Free-market Economy and
a Minimum of Government Regulations.

The Founders were fascinated with the possibility of setting up a political and social structure based on natural law, but what about economics? Were there natural laws for the marketplace?

A tome of five books on the subject was published just in the nick of time which gave them the answer. It came out in 1776 and was called *The Wealth of Nations*. It was written by a college professor in Scotland named Adam Smith.

This brilliant work is not easy reading, but it became the watershed between mercantilism and the doctrines of free-market economics. It fit into the thinking and experiences of the Founders like a hand in a glove. Thomas Jefferson wrote: "In political economy, I think Smith's *Wealth of Nations*

the best book extant." (Bergh, *Writings of Thomas Jefferson*, 8:31.)

Adam Smith's Free-enterprise Economics Tried First in America

Other writers in Europe, such as the Physiocrats in France, were advocating a free-market economy, but nowhere on earth were these principles being practiced by any nation of size or consequence. Therefore, the United States was the first people to undertake the structuring of a whole national economy on the basis of natural law and the free-market concept described by Adam Smith. Among other things, this formula called for the following:

1. Specialized production—let each person or corporation of persons do what they do best.
2. Exchange of goods takes place in a free-market environment without governmental interference in production, prices, or wages.
3. The free market provides the needs of the people on the basis of supply and demand, with no government-imposed monopolies.
4. Prices are regulated by competition on the basis of supply and demand.
5. Profits are looked upon as the means by which production of goods and services is made worthwhile.
6. Competition is looked upon as the means by which quality is improved, quantity is increased, and prices are reduced.

The Four Laws of Economic Freedom

Prosperity also depends on a climate of wholesome stimulation protected by law. Reduced to its simplest formula, there are four laws of economic freedom which a nation must maintain if its people are to prosper at the maximum level. These are:

1. The Freedom to try.
2. The Freedom to buy.
3. The Freedom to sell.
4. The Freedom to fail.

By 1905 the United States had become the richest industrial nation in the world. With only 5 percent of the earth's continental land area and merely 6 percent of the world's population, the American people were producing over half of almost everything—clothes, food, houses, transportation, communications, even luxuries. It was a great tribute to Adam Smith.

The Role of Government in Economics

The Founding Fathers agreed with Adam Smith that the greatest threat to economic prosperity is the arbitrary intervention of the government into the economic affairs of private business and the buying public. Historically, this has usually involved fixing prices, fixing wages, controlling production, controlling distribution, granting monopolies, or subsidizing certain products.

Nevertheless, there are four areas of legitimate responsibility which properly belong to government. These involve the policing responsibilities of government to prevent:

1. **ILLEGAL FORCE** in the market place to compel purchase or sale of products.
2. **FRAUD** in misrepresenting the quality, location, or ownership of the item being sold or bought.
3. **MONOPOLY** which eliminates competition and results in restraint of trade.
4. **DEBAUCHERY** of the cultural standards and moral fiber of society by commercial exploitation of vice—pornography, obscenity, drugs, liquor, prostitution, or commercial gambling.

I cannot recommend to your notice measures for the fulfillment of our duties to the rest of the world, without again pressing upon you the necessity of placing ourselves in a condition of complete defense, and of exacting from them the fulfillment of their duties toward us. (Ibid., 33:165.)

Washington could already see the predatory monarchs of Europe planning to slice up the United States and divide it among them unless the people alerted themselves to the exigencies of the day. The British still had their troops stationed along the northern border of U.S. territory. The Spanish had definite aspirations to make a thrust into the Mississippi heartland. From Washington's point of view, all was not well in America's happy valley. Therefore he told the Congress:

There is a rank due to the United States among nations, which will be withheld, if not absolutely lost, by the reputation of weakness. If we desire to avoid insult, we must be able to repel it; if we desire to secure peace, one of the most powerful instruments of our rising prosperity, it must be known that we are at all times ready for war. (Ibid.)

A Duty to the Creator to Preserve Freedom and Unalienable Rights

Samuel Adams emphasized the moral responsibility of Americans to preserve the heritage of freedom and unalienable rights with which the Creator had endowed them. Once these blessings have been vouchsafed to a human being, Sam Adams felt it was a wicked and unnatural thing to allow those great fruits of liberty to languish by neglect or apathy. When individuals combine into a society, they bring all of their natural rights with them. Under no circumstances must these be allowed to dwindle away. Said he:

It is the greatest absurdity to suppose it [would be] in the power of one, or any number of men, at the entering into society, to renounce their essential natural rights, or the means of preserving those rights; when the grand end of civil government, from the very nature of its institution, is for the support, protection, and defense of those very rights; the principal of which . . . are life, liberty, and property. If men, through fear, fraud, or mistake, should in terms renounce or give up any essential natural right, the eternal law of reason and the grand end of society would absolutely vacate such renunciation. The right to freedom being the gift of God Almighty, it is not in the power of man to alienate this gift and voluntarily become a slave. (Quoted in Wells, *Life of Samuel Adams*, 1:504.)

The American Inheritance

Thus the Founders passed on to their posterity a policy of peace through strength. They were peace-loving, but not pacifists. They called for a rugged kind of strength bolted to a broad base. They saw the foundation for their security in a bustling, prosperous economy with a high standard of public morality; and they saw the necessity for a level of preparedness which discouraged attack from potential enemies by creating a rate of risk so high that the waging of war against this nation would be an obviously unprofitable undertaking.

As Samuel Adams wrote to a sympathetic friend in England:

It is the business of America to take care of herself; her situation, as you justly observe, depends upon her own virtue. (Ibid., p. 376.)



"Friendship with all... alliances with none."
(Thomas Jefferson)

25th

PRINCIPLE

"Peace, Commerce, and Honest
Friendship with All Nations—
Entangling Alliances with None."

These are the words of Thomas Jefferson, given in his first inaugural address. (Bergh, *Writings of Thomas Jefferson*, 3:321.)

As the United States emerged on the world scene in the eighteenth century, American leaders took a united and fixed position against entangling alliances with any foreign powers unless an attack against the United States made such alliances temporarily necessary.

This was the Founders' doctrine of "separatism." This was far different from the modern term of "isolationism." The latter term implies a complete seclusion from other nations, as though the United States were to be detached and somehow incubated in isolation from other nations.

There never was a nation that did a more unstatesmanlike thing than we did to enter the war. We came out without establishing a single principle for which we entered. . . .

The one compelling duty of America is to put its own house in shape, and to stand upon an economic system that will make its natural resources available to the intelligence, industry and use of the people. When we do that the way to world redemption from the folly of present chaos will stand out in our country so clearly, honestly and usefully that we shall be copied wherever peoples do their own thinking. (Charles A. Lindbergh, Sr., *The Economic Pinch* [1923; reprint ed., Hawthorne, Cal.: Omni Publications, 1976], pp. 233-35.)

Visualizing America as a World Peacemaker

As World War II broke out in Europe during September 1939, there was widespread hope among Americans that the United States could somehow resist the temptation to become involved. Highly perceptive leaders who had served in Washington and knew the tragic consequences of "internationalism" as a basic foreign policy raised warning voices against participation in another world war. One of these was a former Under-Secretary of State and former ambassador to Mexico. As a prominent writer on Constitutional issues, he consistently reflected the views of the Founders. In 1939 he gave a speech urging American leaders to recognize the role of America as a great world peacemaker. Said he:

America, multi-raced and multi-nationed, is by tradition, by geography, by citizenry, by natural sympathy, and by material interest, the great neutral nation of the earth. God so designed it. Drawn from

all races, creeds, and nations, our sympathies run to every oppressed people. Our feelings engaged on opposite sides of great differences, will in their natural course, if held in due and proper restraint, neutralize the one [with] the other. Directed in right channels, this great body of feeling for the one side or the other will ripen into sympathy and love for all misguided and misled fellowmen who suffer in any cause, and this sympathy and love will run out to all humanity in its woe. . . .

One of the great tragedies of the war [World War II] now starting is that every people now engaged in it have been led into it without their fully knowing just where they are bound. The people themselves are largely innocent of this slaughter. . . . As the great neutral of the earth, America may play a far greater part in this war. . . . It is our solemn duty to play a better part than we can do by participating in the butchery. . . .

. . . having in mind our position as the great world neutral, and remembering that the people of these warring nations have been led into this conflict largely unwittingly, and therefore are largely blameless, we should announce our unalterable opposition to any plan to starve these innocent peoples involved in this conflict—the women, the children, the sick, the aged, and the infirm—and declare that when actual and bonafide mass starvation shall come to any of them, no matter who they are, we shall do all that we properly may do to see that they are furnished with food. . . .

If we shall rebuild our lost moral power and influence by measures such as these which will demonstrate our love for humanity, our justice, our

fairmindedness . . . we shall then be where . . . we can offer mediation between the two belligerents.

America, the great neutral, will thus become the Peacemaker of the world, which is her manifest destiny if she lives the law of peace. (Quoted in the *Freemen Digest*, October 1978, pp. 2-3.)

A New Role for America?

Since the former Under-Secretary of State, J. Reuben Clark, Jr., gave this speech, the United States has been involved in three major wars, including the holocaust of World War II. Looking back, one cannot help wondering how much happier, more peaceful, and more prosperous the world would be if the United States had been following a policy of "separatism" as the world's great peacemaker instead of "internationalism" as the world's great policeman.



26th

PRINCIPLE

The Core Unit Which Determines
the Strength of Any Society is the Family;
Therefore, the Government Should
Foster and Protect Its Integrity.

The family-centered culture which developed in America was not the austere pattern developed in England or the profligate pattern which characterized France. Alexis de Tocqueville compared the American family with that of Europe in the following words:

There is certainly no country in the world where the tie of marriage is more respected than in America, or where conjugal happiness is more highly or worthily appreciated. In Europe almost all the disturbances of society arise from the irregularities of domestic life. To despise the natural bonds and legitimate pleasure of home is to contract a taste for excesses, a restlessness of heart, and fluctuating

desires. Agitated by the tumultuous passions that frequently disturb his dwelling, the European is galled by the obedience which the legislative powers of the state exact. But when the American retires from the turmoil of public life to the bosom of his family, he finds in it the image of order and of peace. There his pleasures are simple and natural, his joys are innocent and calm; and as he finds that an orderly life is the surest path to happiness, he accustoms himself easily to moderate his opinions as well as his tastes. While the European endeavors to forget his domestic troubles by agitating society, the American derives from his own home that love of order which he afterwards carries with him into public affairs. (De Tocqueville, *Democracy in America*, 1:315.)

Equality of Men and Women Under God's Law

The American Founders felt that the legal, moral, and social relationships between husband and wife were clearly established by Bible law under what Dr. H. Carlton Marlow has described as "differential" equality. (H. Carlton Marlow and Harrison M. Davis, *The American Search for Woman* [Santa Barbara, Cal.: Clio Books, 1976], chap. 5.)

The husband and wife each have their specific rights appropriate to their role in life, and otherwise share all rights in common. The role of the man is "to protect and provide." The woman's role is to strengthen the family solidarity in the home and provide a wholesome environment for her husband and children. For the purpose of order, the man was given the decision-making responsibilities for the family; and therefore when he voted in political elections, he not only cast a ballot for himself, but also for his wife and children.

In theory, God's law made man first in governing his

family, but as between himself and his wife he was merely first among equals. The Apostle Paul pointed out in his epistle to the Corinthians:

Neither is the man without the woman, neither the woman without the man, in the Lord. (1 Corinthians 11:11.)

"Father" and "Mother" Treated Equally in Scripture

John Locke wrote his *Second Essay Concerning Civil Government* just as the colonies were becoming established, and his thinking was reflected in the family life-style of the American colonies more than in England itself. He stressed the equal responsibility of mother and father in rearing the children. He stated that the term "paternal authority"

...seems so to place the power of parents over their children wholly in the father, as if the mother had no share in it; whereas if we consult reason or revelation, we shall find she has an equal title, which may give one reason to ask whether this might not be more properly called parental power? For whatever obligation Nature and the right of generation lays on children, it must certainly bind them equally to both the concurrent causes of it. And accordingly we see the positive law of God everywhere joins them together without distinction, when it commands the obedience of children: "Honor thy father and thy mother" (Exod. 20:12); "Whosoever curseth his father or his mother" (Lev. 20:9); "Ye shall fear every man his mother and his father" (Lev. 19:3); "Children, obey your parents" (Eph. 6:1), etc., is the style of the Old and New Testament. (*Second Essay Concerning Civil Government*, p. 36, par. 52.)

The Early New England Family

There is no doubt that the family life-style of early Amer-

The power, then, that parents have over their children arises from that duty which is incumbent on them, to take care of their offspring during the imperfect state of childhood. To inform the mind, and govern the actions of their yet ignorant nonage, till reason shall take its place and ease them of that trouble, is what the children want, and the parents are bound to [provide]. (*Second Essay Concerning Civil Government*, p. 37, par. 58.)

What a Mature Adult Should Know

Locke then went on to point out that once a person has grown to adulthood and learned from experience and maturity the proper use of his reason, he should be capable of applying the revealed laws of God to his daily life.

When he has acquired that state [of maturity], he is presumed to know how far that law is to be his guide, and how far he may make use of his freedom, and so comes to have it; till then, somebody else must guide him, who is presumed to know how far the law allows a liberty. If such a state of reason, such an age of discretion made him free, the same shall make his son free too. Is a man under the law of England? What made him free of that law—that is, to have the liberty to dispose of his actions and possessions, according to his own will, within the permission of that law? A capacity of knowing that law, which is supposed, by that law, at the age of twenty-one, and in some cases sooner. If this made the father free, it shall make the son free too. Till then, we see the law allows the son to have no will, but he is to be guided by the will of his father or guardian, who is to understand for him. . . . But after that [age of maturity is obtained] the father and son are equally

free, as much as tutor and pupil after nonage, equally subjects of the same law together, without any dominion left in the father over the life, liberty, or estate of his son. (*Ibid.*, p. 37, par. 59.)

Responsibility of Children to Parents

Locke said that the reciprocal responsibility of children to honor and obey their parents is equally specific:

As He [God] hath laid on them [the parents] an obligation to nourish, preserve, and bring up their offspring, so He has laid on the children a perpetual obligation of honoring their parents, which, containing in it an inward esteem and reverence to be shown by all outward expressions, ties up the child from anything that may ever injure or affront, disturb or endanger the happiness or life of those from whom he received his [life], and engages him in all actions of defense, relief, assistance, and comfort of those by whose means he entered into being and has been made capable of any enjoyments of life. *From this obligation no state, no freedom, can absolve children.* (*Ibid.*, p. 39, par. 66; emphasis added.)

The State Must Not Interfere with Legitimate Family Relations

The same permanence attaches to the responsibility which parents have for minor children. As Locke said:

The subjection of a minor places in the father a temporary government which terminates with the minority of the child. . . . The nourishment and education of their children [during their minority] is a charge so incumbent on parents for their children's good, *that nothing can absolve them from taking care of it.* (*Ibid.*, p. 39, par. 67; emphasis added.)

It will be appreciated that the strength and stability of the family is of such vital importance to the culture that any action by the government to debilitate or cause dislocation in the normal trilateral structure of the family becomes, not merely a threat to the family involved, but a menace to the very foundations of society itself.

had undergone sufficient experience with debt to see its corrosive and debilitating effect, which tends to corrupt both individuals and nations.

In the case of the individual, excessive debt greatly curtails the freedom of the debtor. It benumbs his spirit. He often feels hesitant to seek a new location or change a profession. He passes up financial opportunities which a free man might risk. Heavy debt introduces an element of taint into a man's search for happiness. There seems to be a perpetual burden every waking hour. There is a sense of being perpetually threatened as he rides the razor's edge of potential disaster.

There is also the sense of waste—much like the man who has to make payments on a dead horse. It is money spent for pleasures or even needs that are long since past. It often means sleepless nights, recoiling under the burden of a grinding weight which is constantly increasing with every tick of the clock, and often at usurious rates.

The Founders' Attitude Toward Debt

The Founding Fathers belonged to an age when debt was recognized for the ugly spectre that it really is. They considered frugality a virtue, and even when an emergency compelled them to borrow, they believed in borrowing frugally and paying back promptly. Nearly everyone finds it to his advantage or absolute necessity to borrow on occasion. Debt becomes the only available means—a necessary evil. Nevertheless, the Founders wanted the nature of debt to be recognized for what it is: *evil*, because it is a form of bondage.

As Thomas Jefferson wrote:

The maxim of buying nothing without the money in our pockets to pay for it would make our country one of the happiest on earth. Experience during the

war proved this; and I think every man will remember that, under all the privations it obliged him to submit to during that period, he slept sounder and awoke happier than he can do now. (Ford, *Writings of Thomas Jefferson*, 4:414.)

Debts from Splurge Spending

The Founders felt that the worst kind of debt is that which results from "splurge" borrowing—going into debt to enjoy the temporary luxury of extravagantly living "beyond one's means." They knew the seductive snare which this possibility presents to the person who is watching other people do it. The English author William Makepeace Thackeray reflected those feelings when he wrote these words in *Vanity Fair*: "How well those live who are comfortably and thoroughly in debt: how they deny themselves nothing; how jolly and easy they are in their minds." (*Vanity Fair*, 2 vols. in 1 [New York: Thomas Y. Crowell Company, 1893], 1:208.)

But, of course, all the reveling and apparitions of debt-financed prosperity disappear like a morning mist when it comes time to pay. Extravagant living, waste, and hazardous borrowing against the future can reduce the best of us to bankruptcy, abject poverty, and even gnawing hunger from lack of the most basic necessities of life. Universal human experience verifies the bitter reality of the parable of the prodigal son, who "would fain have filled his belly with the husks that the swine did eat" (Luke 15:16).

The kind of frugality for which the Founders were famous was rooted in the conviction that debt should be abhorred like a plague. They perceived excessive indebtedness as a form of cultural disease.

Benjamin Franklin on Splurge Spending

One of the Founders who made his fortune through fru-

Exhibit C

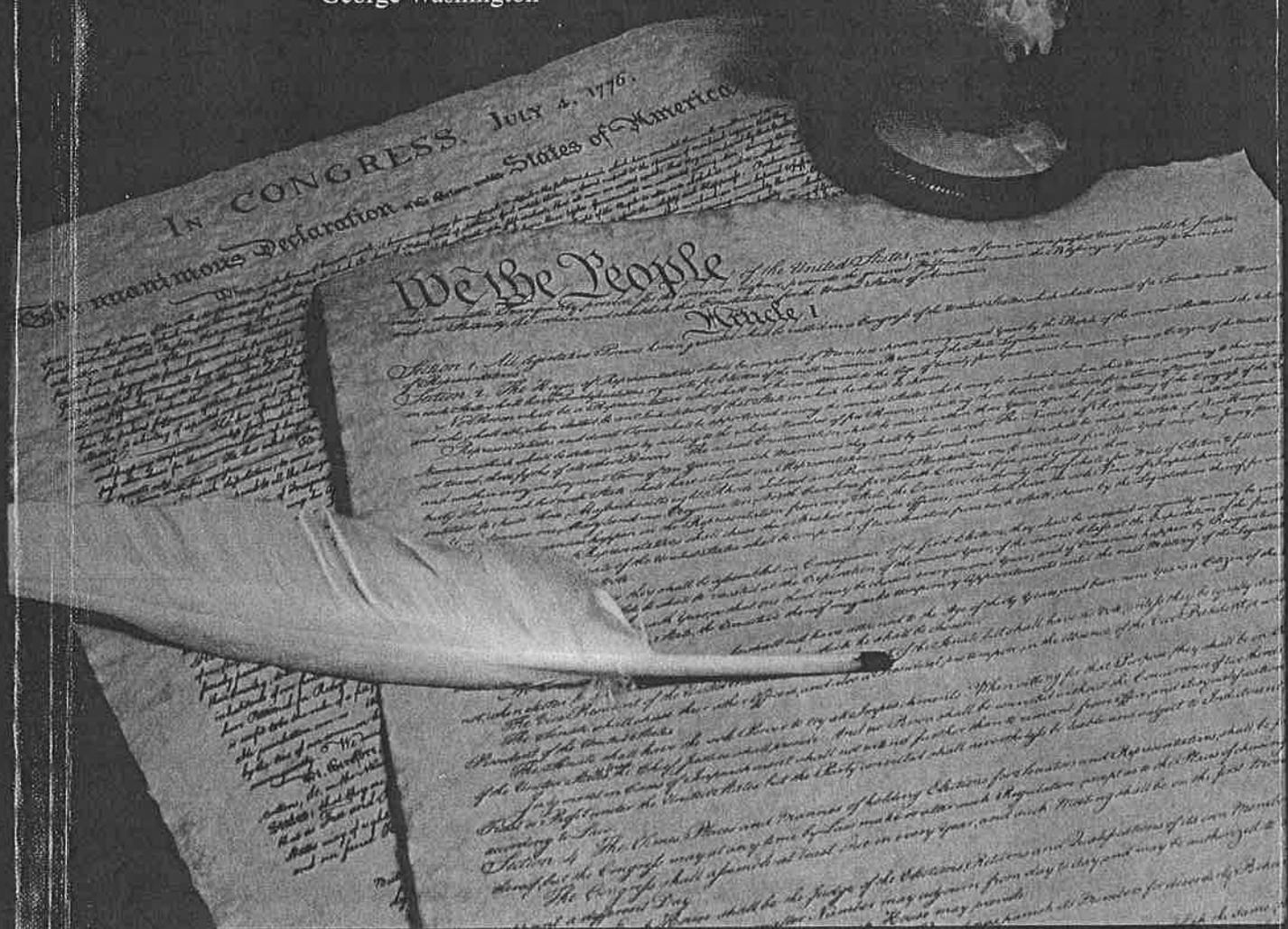
Exhibit C

THE MAKING OF AMERICA

THE SUBSTANCE AND MEANING OF THE CONSTITUTION

The power under the Constitution will always be in the People.

— George Washington



Including a Clause by Clause Explanation by the Founding Fathers

of the "ancient principles" which were the "wisest and most perfect ever yet devised by the wit of man."⁹

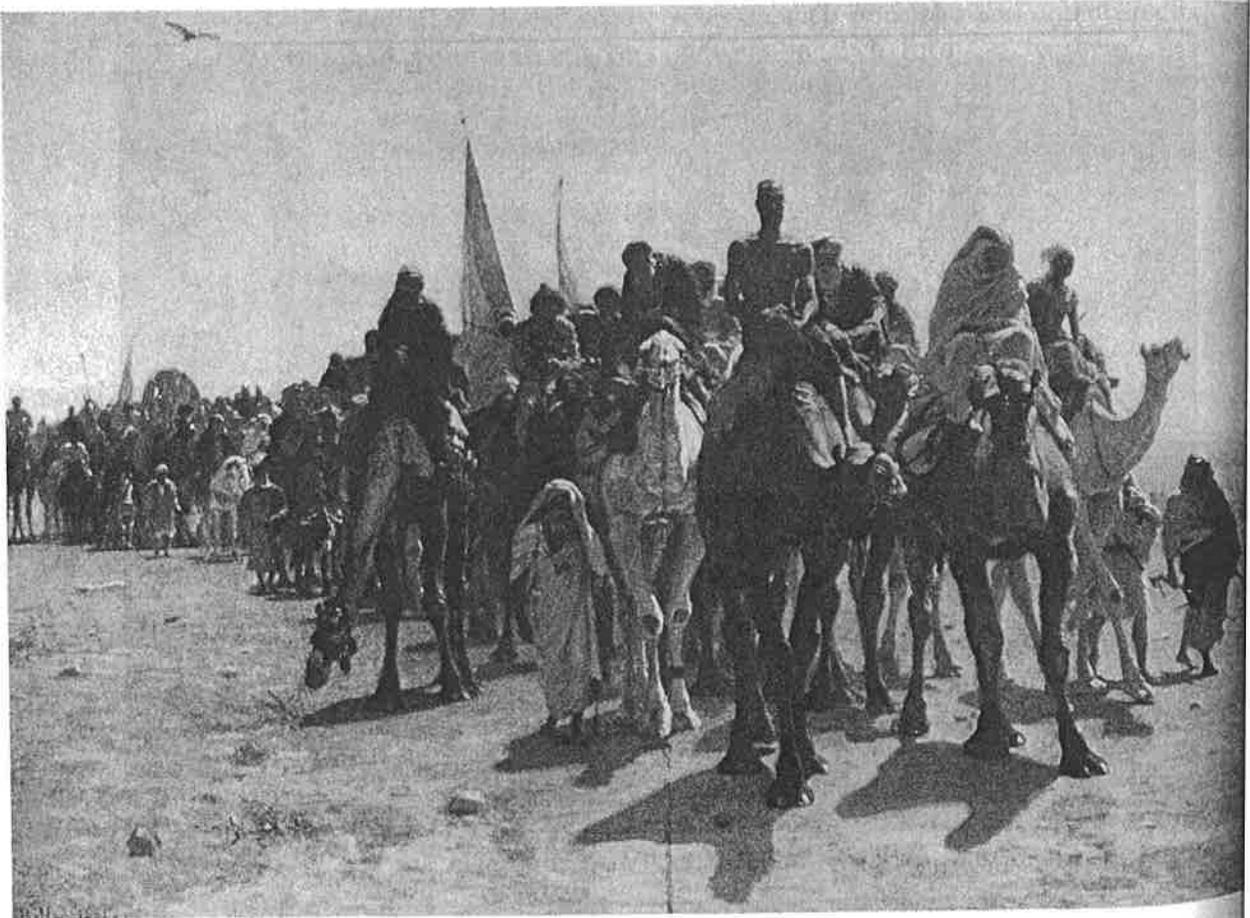
Jefferson was quoted as stating that it was from the Anglo-Saxons that "we claim the honor of being descended and whose political principles and form of government we have assumed."¹⁰

A brief study of each of these ancient peoples is profitable in acquiring a deeper appreciation of the source of their great ideas and the pattern which eventually evolved into the Constitution of the United States.

First, let us turn briefly to the history of ancient Israel.

What Fascinated the Founders About Ancient Israel

According to chronologists, the Israelites came out of Egypt between 1490 and 1290 B.C. They were led by Moses, a man of great notoriety in their day because he had spent forty years in the palace of the Pharaoh, and Josephus states that he was being groomed to succeed the Pharaoh on the throne. However, an incident occurred involving Moses in the death of an Egyptian taskmaster, forcing him to flee to the area of the Aqaba Gulf where he met Jethro, a spiritual leader of the Midianites. Moses married the daughter of Jethro and served him as a



When the Israelites fled Egypt, Moses established their government under a form of People's Law.

shepherd for the next forty years. It was at the age of eighty that Moses received his mandate to lead the Israelites out of Egypt. Only after a strenuous journey and several near disasters was he able to bring this multitude to the lower part of the Sinai Peninsula along the Horeb range.

At this point Jethro came to visit Moses to see how he was governing such a large body of people. The hosts of Israel were no small tribal migration. The census in the Book of Numbers gives the number of Israelites capable of serving in the army as 600,000. Counting those who were older and younger, plus the women (who would be at least as many as the men), it is estimated that the Israelites could have numbered at least three million.

The problem with Moses was that he had never been taught to govern a large population except by Ruler's Law. In fact, he had been trained in Ruler's Law at Pharaoh's palace for upwards of forty years. Consequently, when Jethro watched Moses trying to handle the problems of all

these people alone, he was astonished.

Below is a graphic illustration of what Moses was trying to accomplish by himself.

Moses Learns How to Organize the Israelites Under People's Law

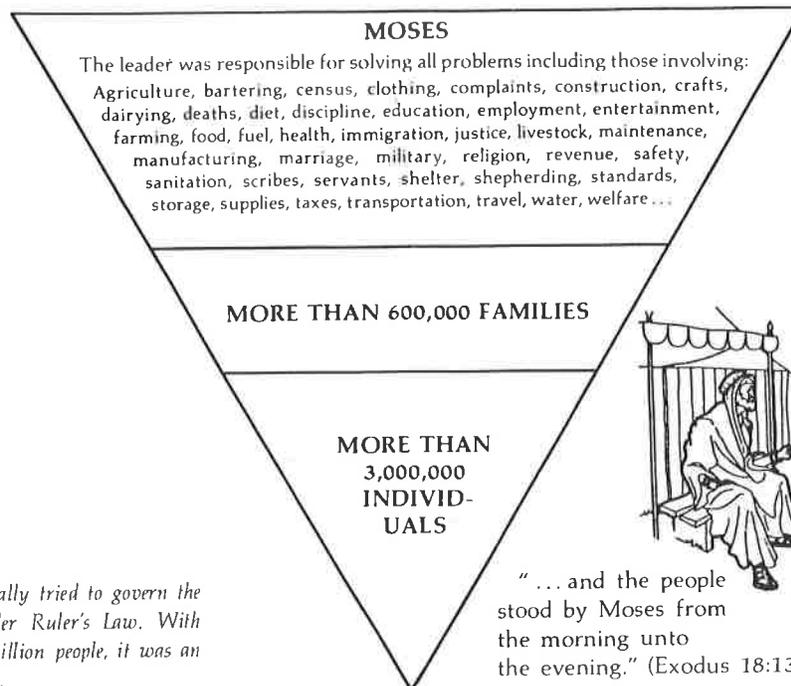
Jethro patiently watched Moses struggle all day long wrestling with a thousand bits of trivia and then retire to his tent at night in total exhaustion.

"And when [Jethro] saw all that he did to the people, he said, What is this thing that thou doest to the people? Why sittest thou thyself alone, and all the people stand by thee, from morning unto even?"

"And Moses said unto his father-in-law ... they come unto me and I judge between one and another...."

Of course, all of this had the highest motivation and the best possible intentions, but it did not please the aged Jethro at all. He therefore said to Moses:

"The thing that thou doest is not good. Thou wilt surely wear away, both thou,



Moses originally tried to govern the Israelites under Ruler's Law. With some three million people, it was an awesome task.

"... and the people stood by Moses from the morning unto the evening." (Exodus 18:13)

and this people that is with thee: for this thing is too heavy for thee: thou art not able to perform it thyself alone.

"Hearken now unto my voice, and I will give thee counsel."¹¹

Moses later describes what he was instructed to have the people do. He went before the people and said:

"How can I myself alone bear your cumbrance, and your burden, and your strife?

"Take you wise men, and understanding, and known among your tribes, and I will make them rulers over you."¹²

Notice that the people themselves were to "take" or choose from among them those who were best known for their wisdom and understanding, and bring them to Moses for final certification or ratification as rulers and judges.

A Model of Representative Government

As we shall see in a moment, what Moses actually did was to divide the people (consisting of around 600,000 families) into groups of ten families each. Each of these groups containing ten families elected its leader. This first step alone gave Moses 60,000 newly elected leaders to assist him. But that was only the beginning. These groups were combined together in groups of fifty families and they once more elected a leader for each of these groups. This gave Moses another 12,000 elected leaders to help him. The next step was to combine the above groups into combinations of a hundred families. These larger groups also elected leaders, which gave Moses 6,000 more leaders to help him. Finally all of these combinations were put together in groups of a thousand families. When these last groups had each elected a leader, it gave Moses 600 more leaders of top caliber to help govern the people.

Now add all of these leaders together and we see what People's Law did to give the Israelites efficient and practical government. Instead of trying to rule over the people alone, Moses suddenly found himself with 78,600 elected leaders to help him administer the affairs of the people.

After the people had chosen from among their tribal families those in whom they had the most confidence, Moses confirms that he had arranged the people as we have described above. Said he:

"So I took the chief of your tribes, wise men, and known, and made them heads over you, captains over thousands, and captains over hundreds, and captains over fifties, and captains over tens, and officers among your tribes."¹³



Moses remained the religious and secular leader of the Israelites—but the people elected some 78,600 additional leaders to assist him.

dated August 13, 1776, when he wrote:

"Are we not better for what we have hitherto abolished of the feudal system: Has not every restitution of the ancient Saxon laws had happy effects? Is it not better now that we return at once into that happy system of our ancestors, *the wisest and most perfect ever yet devised by the wit of man*, as it stood before the eighth century?"²⁵

Some Interesting Aspects of the Anglo-Saxon Culture

Many have thought the Ynglings, or Anglo-Saxons, included a branch of the ancient Israelites because they came from the territory of the Black Sea (where the Ten Tribes disappeared), and because they preserved the same unique institutes of government as those which were given to the Israelites at Mount Sinai. But whether related or not, there is certainly irrefutable evidence of a cross-fertilization of laws and cultural values between these two peoples.²⁶

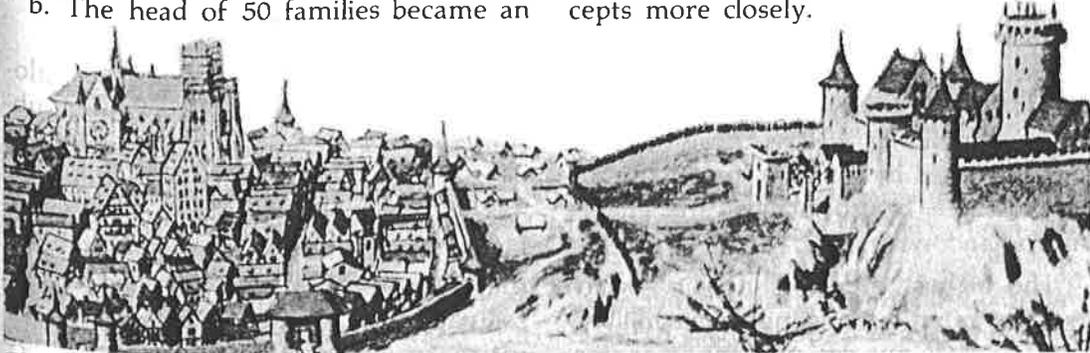
Here are some examples:

1. The Anglo-Saxons considered themselves a commonwealth of freemen.
2. They organized themselves into units identical to those of the Israelites.
 - a. The head of 10 families was called a tithing-man.
 - b. The head of 50 families became an

obscure office but may have been a vil-man, or head of the village.

- c. The head of 100 families was called the hundred man.
- d. The head of 1,000 families was called the eolderman, later shortened to earl. The territory occupied by 1,000 families was called a shire, and the administrative assistant to the earl was called the "shire reef." We pronounce it sheriff.
3. All laws, as well as the election of leaders, had to be by the common consent of the people.
4. Authority granted to a chieftain in time of war was extremely limited and was taken away from him as soon as the emergency had passed.
5. Their system of justice was based on payment of damages to the victim rather than calling it a crime against the whole people.

When law books of both England and colonial America were crammed with bad procedures, unjust practices, and cruel punishments, the statutes of the Anglo-Saxons came to the Founders like a breath of fresh air. Here were "ancient principles" which could be employed to the advantage of the Founders as they developed their new success formula. To better appreciate the perspective, we will pause to examine the Anglo Saxon precepts more closely.



The Anglo-Saxons organized themselves into units identical to those of the Israelites.

Exhibit D

Exhibit D

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Exhibit E

Exhibit E



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The Law of Nature and of Nature's God

February 1, 2015 Earl Taylor · 0 Comments · 264 Total Views



Do you know how many new laws you're expected to obey in 2015?

Whatever the number, when we combine all lawmaking activities at the federal, state, and local levels, we can see that every U.S. citizen is bound by literally hundreds of new government mandates each year. As business owners and others can attest, it's becoming increasingly difficult and expensive to comply with these constantly changing legal requirements—or even to keep track of them all!

To Be Just, the Law Must Be Limited

Sadly, this is the very situation our Founding Fathers warned us against. In 1788 James Madison wrote: "It will be of little avail to the people that the laws are made by men of their own choice if the laws be so voluminous that they cannot be read, or so incoherent that they cannot be understood; if they... undergo such incessant changes that no man, who knows what the law is today, can guess what it will be tomorrow. Law is defined to be a rule of action; but how can that be a rule, which is little known, and less fixed?"

Since law is force, it should be restricted to the one purpose for which individuals may legitimately use force—to protect our natural rights. As Thomas Jefferson put it, the law should "restrain men from injuring one another" but "leave them otherwise free to regulate their own pursuits."

Therefore, whenever a new bill comes before a legislative body, each member ought to ask himself.. "Do I have the right to use force against my neighbor to achieve this goal? Would I be willing to forcibly take his property, lock him in jail, or (in some cases) put him to death for failing to obey this law?" If a legislator isn't certain it would be just to do so, he should vote against the bill.

Natural Law: The Basis of Proper Government

America's founders knew that the only reliable basis on which to found a government was on a foundation that never changes. They called it "the laws of nature and of nature's God."

What is Natural Law?

First of all, Cicero defines Natural Law as "true law." Then he says:

"True law is right reason in agreement with nature; it is of universal application, unchanging and everlasting; it summons to duty by its commands, and averts from wrongdoing by its prohibitions.... It is a sin to try to alter this law, nor is it allowable to repeal any part of it, and it is impossible to abolish entirely. We cannot be freed from its obligations by senate or people, and we need not look outside ourselves for an expounder or interpreter of it. And there will not be different laws at Rome and Athens, or different laws now and in the future, but one eternal and unchangeable law will be valid for all nations and all times, and there will be one master and ruler, that is God, over us all, for he is the author of this law, its promulgator, and its enforcing judge. Whoever is disobedient is fleeing from himself and denying his human nature, and by reason of this very fact he will suffer the worst punishment."

It can also be defined as "the rules of moral conduct implanted by nature in the human mind, forming the proper basis for and being superior to all written laws; the will of God revealed to man through his conscience."

Natural law was central to American thought even before the Revolution. For example, here's what Massachusetts patriot James Otis wrote in 1764 to oppose an unjust revenue act passed by the British Parliament: "The supreme power in a state is jus dicere [to declare the law only: jus dare [to give the law, strictly speaking, belongs alone to God.... There must be in every instance a higher authority, [namely,] God. Should an act of Parliament be against any of His natural laws, which are immutably true, their declaration would be contrary to eternal truth, equity, and justice, and consequently void."

When the U.S. Constitution was completed, its framers looked upon it as an expression of this higher law. According to Madison, it was a product of “the transcendent law of nature.” Alexander Hamilton called it “a fundamental law” and concluded that “no legislative act... contrary to the Constitution can be valid.”

Who Taught the Founders About This?

Where did the Founders learn about natural law? In their historical and political studies, it was a familiar thread that ran through the Greek and Roman philosophers (such as Aristotle, Demosthenes, Seneca, and especially Cicero); the Anglo-Saxon tradition of common law; and many of the European and English political philosophers (such as Sir Edward Coke, John Locke, Baron Charles de Montesquieu, and Sir William Blackstone).

This passage from Blackstone is representative of what they encountered in their reading:

“Man, considered as a creature, must necessarily be subject to the laws of his Creator.... These are the eternal, immutable laws of good and evil, to which the Creator Himself in all His dispensations conforms; and which He has enabled human reason to discover, so far as they are necessary for the conduct of human actions. Such, among others, are these principles: that we should live honestly, should hurt nobody, and should render to everyone his due.... This law of nature... is binding over all the globe, in all countries and at all times; no human laws are of any validity if contrary to this.”

The Bible and Natural Law

But the most ancient and most influential source from which the Founders drew their understanding of natural law was the Holy Bible, which they had studied from their childhood. “I will give thee... a law,” the Lord declared to Moses, and He inscribed it on stone tablets to govern the house of Israel. When they vowed to obey this law, God accepted their covenant and promised that if they remained faithful He would make them “high above all nations ... an holy people unto the Lord.”

The Israelites were forbidden to alter the words received by Moses, for “the law of the Lord is perfect.” “Great peace have they which love [the] law,” their leaders taught.

“He that keepeth the law, happy is he.” The lord also revealed to the prophet Jeremiah that in the last days He would “make a new covenant with the house of Israel,... I will put my law in their inward parts, and write it in their hearts; and will be their God, and they shall be my people.”

In the New Testament, Jesus proclaimed that the two greatest commandments are to “love the Lord thy God with all thy heart” and to “love thy neighbor as thyself,” and that “on these two commandments hang all the law and the prophets.” The Apostle James spoke of Christ’s gospel as “the perfect law of liberty.”

Biblical teachings had a powerful impact on America’s founders. In fact, between the years 1760 and 1805, the Bible was the most frequently cited source in American political writings. John Adams, who regarded politics as “the divine science,” once said: “Suppose a nation... should take the Bible

for their only law book, and every member should regulate his conduct by the precepts there exhibited. What a paradise would this region be!"

America Was Built on Natural Law

As our forefathers sought to build "one nation under God," they purposely established their legal codes on the foundation of natural law. They believed that societies should be governed, as Jefferson put it, by "the moral law to which man has been subjected by his Creator, and of which his feelings, or conscience as it is sometimes called, are the evidence with which his Creator has furnished him. The moral duties which exist between individual and individual in a state of nature accompany them into a state of society,... their Maker not having released them from those duties on their forming themselves into a nation."

Throughout the first century of US. history, natural law was upheld as a key principle of government by the American people and their leader—not only by Presidents and the Congress, but also by the Supreme Court.

In the view of the Court, its members were to decide cases by exercising "that understanding which Providence has bestowed upon them." Since the laws they adjudicated were based on "the preexisting and higher authority of the laws of nature," they relied less on judicial precedent than on "eternal justice as it comes from intelligence and to guide the conscience of the Court."

So What Happened in the Twentieth Century?

In the 1900s, however, the Court began to depart from the original American philosophy. By 1947, Justice Hugo Black (following the earlier reasoning of Justice Oliver Wendell Holmes) was urging that "the 'natural law' formula ... should be abandoned"; he even argued that it was "a violation of our Constitution!" The other branches of the federal government have also succumbed to this new line of thinking.

Today, the United States has all but severed its connection to "the laws of nature and of nature's God." We've sold our birthright for a "mess of pottage," and we now find ourselves harvesting the fruits of that decision. In the recent words of Fifth Circuit Court of Appeals Judge Edith H. Jones, our country has plunged into a profound moral crisis "because we have lost the sense of a God who takes interest in what we do." As a result, she says, we have come to tolerate violence, immorality, and the disintegration of our families—and "are only now beginning to reap the whirlwind consequences" of these evils.

We are reminded of this sober admonition from the Old Testament: "Hear the word of the Lord, ye children of Israel: for the Lord hath a controversy with the inhabitants of the land, because there is no truth, nor mercy, nor knowledge of God in the land.... My people are destroyed for lack of knowledge: because thou hast rejected knowledge, I will also reject thee, ... seeing thou hast forgotten the law of thy God, I will also forget thy children." (Hosea 4:1, 6)

We Must Return to the "Freedom and Unity" Formula

More than ever before, America needs moral, God-fearing statesmen who have the knowledge, integrity, and determination to lead us back to the inspired principles on which this nation was founded. Among the most important of these is natural law. Only by adhering to this law, which is the will of our Creator revealed through the scriptures and through the conscience of every person, can our society enjoy lasting peace, stability, and happiness.

In modern times, many people have accepted the notion that all "truth" is relative and thus every opinion is equally valid, even in life's most crucial issues. Such a philosophy inevitably tends toward confusion, corruption, and social discord. But absolute, eternal truth—the very substance of natural law—provides a sure standard for consensus by which we can "form a more perfect union" without violating the free will of any citizen.

In fact, we may say that revealed truth is the very center of America's original "freedom and unity" formula. Thomas Jefferson pointed out that the divine truths implanted in us by heaven are "those principles ... in which God has united us all." Ironically, they not only unify us but also liberate us, as our Savior assured His disciples. "Ye shall know the truth," He said, "and the truth shall make you free."

Sincerely,

Earl Taylor, Jr.

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America's Dependence on and Accountability to the Creator

July 15, 2015 Earl Taylor · 0 Comments · 2737 Total Views



With regard to the principles of all sound religion which we discussed in the last principle of liberty, the Founders were in harmony with the thinking of John Locke as expressed in his famous Essay Concerning Human Understanding. In it Locke pointed out that it defies the most elementary aspects of reason and experience to presuppose that everything in existence developed as a result of an accident or chance of nature. The mind, for example, will not accept the proposition that the forces of nature, churning about among themselves, would ever produce a watch, or even a lead pencil, let alone the marvelous intricacies of the human eye, the ear, or even the simplest of the organisms found in nature. All these are the product of intelligent design and high-precision engineering. Locke felt that a person who calls himself an “atheist” is merely confessing that he has never dealt with the issue of the Creator’s existence. Therefore, to Locke an atheist would be to that

extent “irrational,” and out of touch with reality; in fact, out of touch with the most important and fundamental reality.

Those of us who teach the Founders’ formula for freedom in America are sometimes asked the question: “If, as you claim, the Founders really believed in God, why doesn’t the Constitution spell out that belief clearly or at least mention God?” The answer to that question would surprise some Americans.

Indeed it was the very fact that the Founders were so religious and held religious freedom to be, next to life itself, the most precious of all of man’s unalienable rights that they wanted to keep the ever-tempting power of the federal government far away from this most valuable right. They had both experience and knowledge from studies of what happens to a people in a nation when its government meddles in the subject of religion and they wanted no part of it. To them religion was very personal and any regulation of it had to be very close to the people so that any abuse could be easily and efficiently dealt with and corrected in order to ensure the maximum freedom to believe according to the dictates of one’s conscience.

They Excluded the Federal Government out of Belief not Unbelief

With regard to the subject of religion in the powers of Congress there is not one iota of delegated authority mentioned. To emphasize the Founders position on this they soon adopted the First Amendment prohibition on Congress with respect to anything dealing with religion. Once again, it was not out of unbelief in God that this prohibition took place but, quite to the contrary, out of their overwhelming desire to protect their precious freedom to believe in God as they chose. Justice Joseph Story explained it this way:

“In some of the states, Episcopalians constituted the predominant sect; in others, Presbyterians; in others, Congregationalists; in others, Quakers; and in others again, there was a close numerical rivalry among contending sects. It was impossible that there should not arise perpetual strife and perpetual jealousy on the subject of ecclesiastical ascendancy, if the national government were left free to create a religious establishment. The only security was in extirpating the power. But this alone would have been an imperfect security, if it had not been followed up by a declaration of the right of the free exercise of religion, and a prohibition (as we have seen) of all religious tests. Thus, the whole power over the subject of religion is left exclusively to the state governments, to be acted upon according to their own sense of justice, and the state constitutions.” (Joseph Story, Commentaries on the Constitution of the United States, 3rd ed., 2 vols. Little, Brown and Company, Boston, 1858, 2:666-667, art. 1879)

In the Kentucky Resolutions, Thomas Jefferson also made it clear that not only Congress but also the federal judicial system was likewise prohibited from intermeddling with religious matters within the states. He wrote:

*“Special provision has been made by one of the amendments to the Constitution, which expressly declares that ‘Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof ...’, thereby guarding in the same sentence, and under the same words, the freedom of religion, of speech, and of the press, insomuch that whatever violates either throws down the sanctuary which covers the others; and that libels, falsehood, and defamation, equally with heresy and false religions, are withheld from the cognizance of federal tribunals.” (Mortimer J. Adler et al., eds., *The Annals of America*, 18 vols., *Encyclopedia Britannica, Inc., Chicago, 1968, 4:63*)*

The Founders Actively Participated in Local and State Government

But the Founders did not just leave it to the states to protect the freedom of religion, they took an active part in local governments. Of the 55 delegates to the Constitutional Convention of 1787, and of those participating in the Ratification Conventions in the states, nearly all had been strong participants in local and state government: Governors, state legislators, court magistrates, etc. They knew the value of keeping government close to the people, and the more sensitive and delicate a given unalienable right was, the closer to the people it needed to be for protection from abuse. So it was natural to carefully enumerate the few powers given to the national government and to provide powerful checks on the use of them. Hence, as James Madison explained:

“The powers delegated... to the federal government are few and defined. Those which are to remain in the state governments are numerous and indefinite.”

Because the Founders believed that state and local government can more precisely reflect the feelings and heart-felt beliefs of the people in those states, the drafters of the state constitutions felt uninhibited to express themselves. It is from these documents that we can get a more accurate idea of the Founders dependence on, and accountability to, the Creator.

Universal Recognition of Almighty God in State Constitutions

Nearly all of the fifty states recognize God in the Preambles or the Declaration of Rights of their state constitutions in one or more of the following phrases:

- › “invoking the favor and guidance of Almighty God”
- › “endowed by their Creator with certain inalienable rights”
- › “grateful to God and to those who founded our nation and pioneered this great land”
- › “grateful to Almighty God for our liberties”
- › “grateful to Almighty God for the privilege of choosing our own form of government; for our civil and religious liberty”
- › “with profound reverence for the Supreme Ruler of the Universe” “acknowledging with gratitude, the good providence of God, in having permitted them to enjoy a free government”
- › “Through Divine goodness, all men have by nature the rights of worshiping and serving their Creator according to the dictates of their consciences”

- › “being grateful to Almighty God for our constitutional liberty”
- › “relying upon the protection and guidance of Almighty God”
- › “grateful for Divine Guidance”
- › “grateful to Almighty God for the civil, political and religious liberty which He has permitted us to enjoy and seeking His blessing upon our endeavors”
- › “grateful to ALMIGHTY GOD for the free exercise of the right to choose our own form of government”
- › “grateful to the Supreme Being for the blessings hitherto enjoyed, and feeling our dependence on Him for a continuation of those blessings”
- › “acknowledging with grateful hearts the goodness of the Sovereign Ruler of the Universe in affording us an opportunity, so favorable to the design; and, imploring God’s aid and direction in its accomplishment”
- › “acknowledging, with grateful hearts, the goodness of the great Legislator of the universe, in affording us, in the course of His providence, an opportunity, deliberately and peaceably, without fraud, violence or surprise, of entering into an original, explicit, and solemn compact with each other; and of forming a new constitution of civil government, for ourselves and posterity; and devoutly imploring His direction in so interesting a design”
- › “grateful to Almighty God, and invoking His blessing on our work”
- › “with profound reverence for the Supreme Ruler of the Universe, and grateful for His goodness”
- › “grateful to God for the quiet beauty of our state, the grandeur of our mountains, the vastness of our rolling plains”
- › “grateful to Almighty God for the civil and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure and transmit the same unimpaired to succeeding generations”
- › “grateful to Almighty God, the Sovereign Ruler of Nations, for the preservation of the American Union and the existence of our civil, political and religious liberties, and acknowledging our dependence upon Him for the continuance of those blessings to us and our posterity”
- › “grateful to Almighty God for the blessings of civil and religious liberty, and humbly invoking His guidance”
- › “grateful to Almighty God for the civil and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure and to transmit the same, unimpaired, to succeeding generations”
- › “Since through Divine Providence we enjoy the blessings of civil, political and religious liberty....”

Oath Taking – A Recognition of Man’s Duty to God

Nearly every state requires public officials to take an oath upon entering their term of service. To the Founders, oath taking was very special. They knew one does not take an oath to people. The oath is taken to God, hence, in nearly every state constitution the words “so help me God” are required at the end of the oath.

Furthermore, some state constitutions deny elective office to anyone who does not believe in God, recognizing the situation that if a person who doesn’t belief in the existence of God is required to take an oath to God, it would be meaningless and of no binding effect upon the man’s conscience. Some states constitutions also forbid a non-believer from giving testimony in court, realizing that his oath to God “to tell the truth, the whole truth, and nothing but the truth” would have no binding effect. In other words his testimony could not be relied upon for the truth. The following words are examples found in some state constitutions. Note that, to the Founders, these words were not in conflict with the prohibition of a religious test found in Article VI of the U. S. Constitution which was meant only to prohibit a sectarian or denominational test.

It is also interesting to note that many states were adopting constitutions at a time when modern anti-Creator theories were being perpetrated from the likes of Karl Marx and Charles Darwin. It seems the authors of state constitutions wanted it clearly known that they, with America's Founders, knew the source of their freedoms and liberties and that all public officials must have a belief in a Supreme Being to whom they feel accountable. Hear their words in their state constitutions:

- "No person who denies the being of a God shall hold any office in the civil departments of this State, nor be competent to testify as a witness in any Court."
- "The manner of administering an oath or affirmation shall be such as is most consistent with the conscience of the deponent, and shall be esteemed by the General Assembly the most solemn appeal to God."
- "That no religious test ought ever to be required as a qualification for any office of profit or trust in this State, other than a declaration of belief in the existence of God"
- "The following persons shall be disqualified for office: First, any person who shall deny the being of Almighty God."
- "No person who acknowledges the being of a God and a future state of rewards and punishments shall, on account of his religious sentiments, be disqualified to hold any office or place of trust or profit under this Commonwealth."

"In God We Trust"

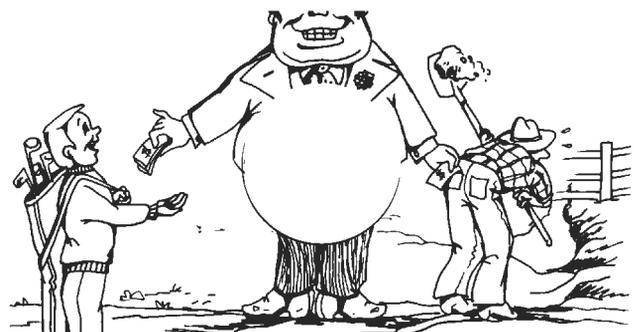
Even though the phrase "In God We Trust" was later officially adopted by Congress as the nation's motto, original histories of the United States are filled with accounts affirming the Founders' belief that all things were created by God and that upon Him are all mankind equally dependent and to Him they are equally responsible.

***Sincerely,
Earl Taylor, Jr.***

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US Constitution & the Bible

January 1, 2014 Earl Taylor • 0 Comments • 173 Total Views



Parallel Concepts between the U.S. Constitution & the Bible

Our last three monthly newsletters have shown the amazing correlation between Biblical concepts and the Principles of Liberty established by the Founders for freedom, prosperity, and peace, and how they were reflected in the Declaration of Independence.

This month we will show how many of those same concepts are also reflected in our structure of government as established by the Constitution of the United States. These reflections should not surprise the honest student of American History. Scholarly studies have shown that the Bible was the most quoted source, by far, in all the Founders' speeches and writings.

The reverence which the Founders showed toward Biblical concepts in both the Old and New Testaments was reflected by John Adams when he said:

“Suppose a nation in some distant Region should take the Bible for their only law Book, and every member should regulate his conduct by the precepts there exhibited! Every member would be obliged in conscience, to temperance, frugality, and industry; to justice, kindness, and charity towards his fellow men; and to piety, love, and reverence toward Almighty God.... What a Utopia, what a Paradise would this region be.”

When reading the Biblical law of government as proclaimed by Moses, it must be remembered that ancient Israel was a unitary republic of one nationality and one faith. The American Founders knew they must establish a government for a pluralistic society. It was John Adams who took these same functions of government from the Old Testament record (Isaiah 33:22) and, following the advice of Polybius and Montesquieu, pushed for a separation of powers into three branches.

Rather than attempt to explain these scriptural passages in our words, we prefer to let them stand on their own. As the student of history studies these references and tries to understand the spirit in which they were given, he will, no doubt, come to see that same spirit in the ideas of the Founders as they structured the American nation. No other source gave to the Founders the ingredients they sought for the establishment of a free people better than the Bible. No writings of ancient philosophers, which the Founders also studied, established the pathway to freedom so powerfully as did the Bible.

As these scriptures are read, it is hoped that insights will distill upon the reader as they did upon the Founders. It will soon become apparent to the honest seeker of truth that, as George Washington testified many times, the Hand of Providence was in this work.

From the Preamble to the United States Constitution:

“We the People...”

Exodus 24:3 – And Moses came and told the people all the words of the LORD, and all the judgments: and all the people answered with one voice, and said, All the words which the LORD hath said will we do.

Deuteronomy 31:12-13 – Gather the people together, men, and women, and children, and thy stranger that is within thy gates, that they may hear, and that they may learn, and fear the

LORD your God, and observe to do all the words of this law: And that their children, which have not known anything, may hear, and learn to fear the LORD your God, as long as ye live in the land whither ye go over Jordan to possess it.

1 Samuel 8:10-18 – And Samuel told all the words of the LORD unto the people that asked of him a king. And he said, This will be the manner of the king that shall reign over you: He will take your sons, and appoint them for himself, for his chariots, and to be his horsemen; and some shall run before his chariots. And he will appoint him captains over thousands, and captains over fifties; and will set them to ear his ground, and to reap his harvest, and to make his instruments of war, and instruments of his chariots. And he will take your daughters to be confectionaries, and to be cooks, and to be bakers. And he will take your fields, and your vineyards, and your oliveyards, even the best of them, and give them to his servants. And he will take the tenth of your seed, and of your vineyards, and give to his officers, and to his servants. And he will take your menservants, and your maidservants, and your goodliest young men, and your asses, and put them to his work. He will take the tenth of your sheep: and ye shall be his servants. And ye shall cry out in that day because of your king which ye shall have chosen you; and the LORD will not hear you in that day.

“In order to form a more perfect union...”

Genesis 2:24 – Therefore shall a man leave his father and his mother, and shall cleave unto his wife: and they shall be one flesh.

Matthew 19:6 – What therefore God hath joined together, let not man put asunder.

Psalms 133:1 BEHOLD, how good and how pleasant it is for brethren to dwell together in unity!

“Establish justice...”

Psalms 82:3 – Defend the poor and fatherless: do justice to the afflicted and needy.

Proverbs 1:3 – To receive the instruction of wisdom, justice, and judgment, and equity;

Proverbs 21:3 – To do justice and judgment is more acceptable to the LORD than sacrifice.

Ezekiel 45:9 – Thus saith the Lord GOD; Let it suffice you, O princes of Israel: remove violence and spoil, and execute judgment and justice, take away your exactions from my people, saith the Lord GOD.

Acts 10:34 – Then Peter opened his mouth, and said, Of a truth I perceive that God is no respecter of persons:

“Ensure domestic tranquility...”

Leviticus 26:6 – And I will give peace in the land, and ye shall lie down, and none shall make you afraid: and I will rid evil beasts out of the land, neither shall the sword go through your land.

“Promote the general welfare...”

1 Chronicles 22:13 – Then shalt thou prosper, if thou takest heed to fulfil the statutes and judgments which the LORD charged Moses with concerning Israel: be strong, and of good courage; dread not, nor be dismayed.

Joshua 1:8 – This book of the law shall not depart out of thy mouth; but thou shalt meditate therein day and night, that thou mayest observe to do according to all that is written therein: for then thou shalt make thy way prosperous, and then thou shalt have good success.

Proverbs 31:20 – She stretcheth out her hand to the poor; yea, she reacheth forth her hands to the needy.

“Provide for the common defense...”

Hebrews 11:32- 34 – And what shall I more say? for the time would fail me to tell of Gedeon, and of Barak, and of Samson, and of Jephthae; of David also, and Samuel, and of the prophets: Who through faith subdued kingdoms, wrought righteousness, obtained promises, stopped the mouths of lions, Quenched the violence of fire, escaped the edge of the sword, out of weakness were made strong, waxed valiant in fight, turned to flight the armies of the aliens.

Luke 14:31-32 – Or what king, going to make war against another king, sitteth not down first, and consulteth whether he be able with ten thousand to meet him that cometh against him with twenty thousand? Or else, while the other is yet a great way off, he sendeth an ambassador, and desireth conditions of peace.

“Secure the blessings of liberty to ourselves and our posterity...”

Genesis 45:7 – And God sent me before you to preserve you a posterity in the earth, and to save your lives by a great deliverance.

Daniel 2:44 – 45 – And in the days of these kings shall the God of heaven set up a kingdom, which shall never be destroyed: and the kingdom shall not be left to other people, but it shall break in pieces and consume all these kingdoms, and it shall stand for ever. Forasmuch as thou sawest that the stone was cut out of the mountain without hands, and that it brake in pieces the iron, the brass, the clay, the silver, and the gold; the great God hath made known to the king what shall come to pass hereafter: and the dream is certain, and the interpretation thereof sure.

Galatians 5:1 – STAND fast therefore in the liberty wherewith Christ hath made us free, and be not entangled again with the yoke of bondage.

Article I of the United States Constitution**“All legislative power shall be vested in a Congress of the United States...”**

Exodus 19:7-8 – And Moses came and called for the elders of the people, and laid before their faces all these words which the LORD commanded him. And all the people answered together,

and said, All that the LORD hath spoken we will do. And Moses returned the words of the people unto the LORD.

1 Samuel 8:10-18 – And Samuel told all the words of the LORD unto the people that asked of him a king. And he said, This will be the manner of the king that shall reign over you: He will take your sons, and appoint them for himself, for his chariots, and to be his horsemen; and some shall run before his chariots. And he will appoint him captains over thousands, and captains over fifties; and will set them to ear his ground, and to reap his harvest, and to make his instruments of war, and instruments of his chariots. And he will take your daughters to be confectionaries, and to be cooks, and to be bakers. And he will take your fields, and your vineyards, and your oliveyards, even the best of them, and give them to his servants. And he will take the tenth of your seed, and of your vineyards, and give to his officers, and to his servants. And he will take your menservants, and your maidservants, and your goodliest young men, and your asses, and put them to his work. He will take the tenth of your sheep: and ye shall be his servants. And ye shall cry out in that day because of your king which ye shall have chosen you; and the LORD will not hear you in that day.

“...which shall consist of a Senate...”

Numbers 11:16-17 – And the LORD said unto Moses, Gather unto me seventy men of the elders of Israel, whom thou knowest to be the elders of the people, and officers over them; and bring them unto the tabernacle of the congregation, that they may stand there with thee. And I will come down and talk with thee there: and I will take of the spirit which is upon thee, and will put it upon them; and they shall bear the burden of the people with thee, that thou bear it not thyself alone.

“...and a House of Representatives.”

Deuteronomy 1:12-16 – How can I myself alone bear your cumbrance, and your burden, and your strife? Take you wise men, and understanding, and known among your tribes, and I will make them rulers over you. And ye answered me, and said, The thing which thou hast spoken is good for us to do. So I took the chief of your tribes, wise men, and known, and made them heads over you, captains over thousands, and captains over hundreds, and captains over fifties, and captains over tens, and officers among your tribes. And I charged your judges at that time, saying, Hear the causes between your brethren, and judge righteously between every man and his brother, and the stranger that is with him.

Article I, Section 8
“The Congress shall have the power to...”

“... lay and collect taxes...but all...shall be uniform throughout the United States;”

Leviticus 27:30-33 – And all the tithes of the land, whether of the seed of the land, or of the fruit of the tree, is the LORD's: it is holy unto the LORD. And if a man will at all redeem ought of his tithes, he shall add thereto the fifth part thereof. And concerning the tithes of the herd, or of the flock, even of whatsoever passeth under the rod, the tenth shall be holy unto the LORD. He shall

not search whether it be good or bad, neither shall he change it: and if he change it at all, then both it and the change thereof shall be holy; it shall not be redeemed.

Malachi 3:8-10 – Will a man rob God? Yet ye have robbed me. But ye say, Wherein have we robbed thee? In tithes and offerings. Ye are cursed with a curse: for ye have robbed me, even this whole nation. Bring ye all the tithes into the storehouse, that there may be meat in mine house, and prove me now herewith, saith the LORD of hosts, if I will not open you the windows of heaven, and pour you out a blessing, that there shall not be room enough to receive it.

“...to coin money...and fix the standard of weights and measures;”

Leviticus 19:35-36 – Ye shall do no unrighteousness in judgment, in meteyard, in weight, or in measure. Just balances, just weights, a just ephah, and a just hin, shall ye have: I am the LORD your God, which brought you out of the land of Egypt.

More to come next month. Just a reminder:

Psalms 19:7 – The law of the LORD is perfect, converting the soul: the testimony of the LORD is sure, making wise the simple.

Sincerely,

Earl Taylor, Jr.

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US Constitution & the Bible (Continued)

December 9, 2014 Earl Taylor · 0 Comments · 103 Total Views



Parallel Concepts between the U.S. Constitution & the Bible (Continued)

As we continue to show some biblical concepts that were reflected in the Constitution of the United States, we quote again from John Adams:

“Suppose a nation in some distant Region should take the Bible for their only law Book, and every member should regulate his conduct by the precepts there exhibited! Every member would be obliged in conscience, to temperance, frugality, and industry; to justice, kindness, and charity towards his fellow men; and to piety, love, and reverence toward Almighty God.... What a Utopia, what a Paradise would this region be.”

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Article I, Section 3 “The Senate of the United States shall be composed of two Senators from each state...”

Numbers 11:16

And the LORD said unto Moses, Gather unto me seventy men of the elders of Israel, whom thou knowest to be the elders of the people, and officers over them; and bring them unto the tabernacle of the congregation, that they may stand there with thee.

Article I, Section 7 “If any bill shall not be returned by the President within ten days (Sundays excepted)...”

Exodus 20:8 – 11

Remember the sabbath day, to keep it holy. Six days shalt thou labour, and do all thy work: But the seventh day is the sabbath of the LORD thy God: in it thou shalt not do any work, thou, nor thy son, nor thy daughter, thy manservant, nor thy maidservant, nor thy cattle, nor thy stranger that is within thy gates: For in six days the LORD made heaven and earth, the sea, and all that in them is, and rested the seventh day: wherefore the LORD blessed the sabbath day, and hallowed it.

Article I, Section 8 – “The Congress shall have the power...”

“To constitute tribunals inferior to the supreme court;”

Exodus 18:22 – 26

“And let them judge the people at all seasons: and it shall be, that every great matter they shall bring unto thee, but every small matter they shall judge: so shall it be easier for thyself, and they shall bear the burden with thee. If thou shalt do this thing, and God command thee so, then thou shalt be able to endure, and all this people shall also go to their place in peace. So Moses hearkened to the voice of his father in law, and did all that he had said. And Moses chose able men out of all Israel, and made them heads over the people, rulers of thousands, rulers of hundreds, rulers of fifties, and rulers of tens. And they judged the people at all seasons: the hard causes they brought unto Moses, but every small matter they judged themselves.”

“To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;”

Deuteronomy 4:6 – 8

“Keep therefore and do them; for this is your wisdom and your understanding in the sight of the nations, which shall hear all these statutes, and say, Surely this great nation is a wise and understanding people. For what nation is there so great, who hath God so nigh unto them, as the LORD our God is in all things that we call upon him for? And what nation is there so great, that hath statutes and judgments so righteous as all this law, which I set before you this day?”

“To provide for calling forth the militia;...To provide for organizing, arming, and disciplining the militia,”

Proverbs 24:6

For by wise counsel thou shalt make thy war: and in multitude of counsellors there is safety.

Exodus 1:10

Come on, let us deal wisely with them; lest they multiply, and it come to pass, that, when there falleth out any war, they join also unto our enemies, and fight against us, and so get them up out of the land.

Exodus 14:14

The LORD shall fight for you, and ye shall hold your peace.

Deuteronomy 1:42

And the LORD said unto me, Say unto them, Go not up, neither fight; for I am not among you; lest ye be smitten before your enemies.

Article I, Section 10: “No state shall enter into any treaty, alliance, or confederation;”

1 Kings 8:53

“For thou didst separate them from among all the people of the earth, to be thine inheritance, as thou spakest by the hand of Moses thy servant, when thou broughtest our fathers out of Egypt, O Lord GOD.”

Article II, Section 1: “No person except a natural born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President”

Deuteronomy 1:13

“Take you wise men, and understanding, and known among your tribes, and I will make them rulers over you.”

Article III, Section 1: “The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior”

Deuteronomy 16:18 – 19

“Judges and officers shalt thou make thee in all thy gates, which the LORD thy God giveth thee, throughout thy tribes: and they shall judge the people with just judgment. Thou shalt not wrest judgment; thou shalt not respect persons, neither take a gift: for a gift doth blind the eyes of the wise, and pervert the words of the righteous.”

Article IV, Section 4: “The United States shall guarantee to every state in this Union a republican form of government”

Deuteronomy 1:15

“So I took the chief of your tribes, wise men, and known, and made them heads over you, captains over thousands, and captains over hundreds, and captains over fifties, and captains over tens, and officers among your tribes.”

Article VI, Section 1: “All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against the United States”

2 Corinthians 8:20 – 21

“Avoiding this, that no man should blame us in this abundance which is administered by us: Providing for honest things, not only in the sight of the Lord, but also in the sight of men.”

Article VI, Section 3: “The Senators and Representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation to support this Constitution;”

Numbers 30:2

“If a man vow a vow unto the LORD, or swear an oath to bind his soul with a bond; he shall not break his word, he shall do according to all that proceedeth out of his mouth.”

After Article VII: "...the seventeenth day of September in the year of our Lord one thousand seven hundred and eighty-seven,"

Isaiah 61:2

"To proclaim the acceptable year of the LORD, and the day of vengeance of our God; to comfort all that mourn;"

First Amendment: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof;"

1 Corinthians 10:29

"Conscience, I say, not thine own, but of the other: for why is my liberty judged of another man's conscience?"

Fifth Amendment: "...nor be deprived of life, liberty, or property, without due process of law;"

John 7:50 – 51

"Nicodemus saith unto them, (he that came to Jesus by night, being one of them,) Doth our law judge any man, before it hear him, and know what he doeth?"

Thirteenth Amendment: "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

Galatians 5:1

"STAND fast therefore in the liberty wherewith Christ hath made us free, and be not entangled again with the yoke of bondage."

Eighteenth Amendment: "The manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited."

Numbers 6:3

"He shall separate himself from wine and strong drink, and shall drink no vinegar of wine, or vinegar of strong drink, neither shall he drink any liquor of grapes, nor eat moist grapes, or dried."

In this and last month's newsletter, we have quoted 28 provisions of the Constitution, each with one or more biblical scriptures that seem to express a parallel concept. There are probably others you may be able to find. In the study of world governments, it may be truly said that outside of the government of Ancient Israel itself, there is perhaps no government that has so many similar institutes to the Bible as does the Constitution of the Unites States of America.

Truly, it must be concluded, with John Adams and other Founders, that:

Psalms 19:7

“The law of the LORD is perfect, converting the soul: the testimony of the LORD is sure, making wise the simple.”

Sincerely,

Earl Taylor, Jr.

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Marriage and Family: The Stabilizing Foundation of Civilizations



July 1, 2014 Earl Taylor · 0 Comments · 116 Total Views

Marriage and Family: The Stabilizing Foundation of Civilizations

Having taught high school senior Government classes for nearly twenty years, it is apparent that the modern philosophies which are attempting to redefine marriage are having an effect on some of our rising generation. Having not experienced married life yet, they have not yet felt the happiness and joy from the first purpose of marriage – procreation and posterity. So going through the bodily changes and feelings of teen-age years, they are left to sort out attractive worldly sophistries they are constantly exposed to which ask, “What is wrong with loving whomever you want?” or “Don’t we all have the same civil rights to associate with or marry whomever we want?” or “Why should someone’s morality be forced onto someone else?” or “Why should the government set any rules for marriage? This is my private business?” Unless our young people are taught the historical human, moral, religious, social, and psychological reasons and foundations for the institution of marriage in any stable civilization, they can be swept up in the present whirlwind of confusing and nation-destroying movement which is marching headlong to redefine marriage and family.

America’s Founders knew the importance of marriage and family

Thomas Jefferson reflected his belief that the traditional family is the only source of lasting happiness when he wrote: “By a law of our nature, we cannot be happy without the endearing connections of a family.”

Benjamin Franklin urged a young friend to marry rather than take a mistress by writing:

“Marriage is the proper remedy. It is the most natural state of man, and therefore the state in which you are most likely to find solid happiness. Your reasons against entering into it at present appear to me not well founded. The circumstantial advantages you have in view by postponing it are not only uncertain, but they are small in comparison with that of the thing itself, the being *married* and *settled* [emphasis by Franklin]. It is the man and woman united that make the complete human being... Together they are more likely to succeed in the world... If you get a prudent, healthy wife, your industry in your profession, with her good economy, will be a fortune sufficient.”

John Locke had already noticed that the law of God concerning marriage, families, and the equal status of husband and wife was given in scripture. He said the oft used phrase “paternal authority”:

“... seems so to place the power of parents over their children wholly in the father, as if the mother had no share in it; whereas if we consult reason or revelation, we shall find she has an equal title, which may give one reason to ask whether this might not be more properly called parental power? For whatever obligation Nature and the right of generation lays on children, it must certainly bind them equally to both the concurrent causes of it. And accordingly we see the positive law of God everywhere joins them together without distinction, when it commands the obedience of children: ‘Honor thy father and thy mother’ (Exodus 20:12); ‘Whosoever curseth his father or his mother’ (Leviticus 20:9); ‘Ye shall fear every man his mother and his father’ (Leviticus 19:3); ‘Children, obey your parents’ (Ephesians 6:1), etc., is the style of the Old and New Testament.”

In the 1830s, Alexis De Tocqueville concluded that one of the main reasons American culture was so stable and free of the turmoil found in Europe was because of strong family life:

“There is certainly no country in the world where the tie of marriage is more respected than in America, or where conjugal happiness is more highly or worthily appreciated. In Europe almost all the disturbances of society arise from

the irregularities of domestic life... But when the American retires from the turmoil of public life to the bosom of his family, he finds in it the image of order and of peace. There his pleasures are simple and natural, his joys are innocent and calm; and as he finds that an orderly life is the surest path to happiness, he accustoms himself easily to moderate his opinions as well as his tastes. While the European endeavors to forget his domestic troubles by agitating society, the American derives from his own home that love of order which he afterwards carries with him into public affairs.”

The attempt to redefine marriage

In the introduction to their recent, timely book entitled, *What is Marriage?*, authors Sherif Girgis, Ryan T. Anderson, and Robert P. George, (*What Is Marriage? Man and Woman: A Defense*, 2012, Encounter Books), identify the current debates as not directly about homosexuality, but about the attempt to redefine marriage. They label the two views of marriage as the traditional or conjugal view and the revisionist view:

“The conjugal view of marriage has long informed the law—along with the literature, art, philosophy, religion, and social practice—of our civilization. It is a vision of marriage as a bodily as well as an emotional and spiritual bond, distinguished thus by its comprehensiveness, which is, like all love, effusive: flowing out into the wide sharing of family life and ahead to lifelong fidelity. In marriage, so understood, the world rests its hope and finds ultimate renewal.

“A second, revisionist view has informed the marriage policy reforms of the last several decades. It is a vision of marriage as, in essence, a loving emotional bond, one distinguished by its intensity—a bond that needn’t point beyond the partners, in which fidelity is ultimately subject to one’s own desires. In marriage, so understood, partners seek emotional fulfillment, and remain as long as they find it.

“Our essential claims may be put succinctly. There is a distinct form of personal union and corresponding way of life, historically called marriage, whose basic features do not depend on the preferences of individuals or cultures. Marriage is, of its essence, a comprehensive union: a union of will (by consent) and body (by sexual union); inherently ordered to procreation and thus the broad sharing of family life; and calling for permanent and exclusive commitment, whatever the spouses’ preferences. It has long been and remains a personal and social reality, sought and prized by individuals, couples, and whole societies. But it is also a moral reality: a human good with an objective structure, which it is inherently good for us to live out.

“Marriages have always been the main and most effective means of rearing healthy, happy, and well-integrated children. The health and order of society depend on the rearing of healthy, happy, and well-integrated children. That is why law, though it may take no notice of ordinary friendships, should recognize and support marriages.

Six specific harms to redefining marriage

“There can thus be no right for nonmarital relationships to be recognized as marriages. There can indeed be much harm, if recognizing them would obscure the shape, and so weaken the special norms, of an institution on which social order depends. So it is not the conferral of benefits on same-sex relationships itself but redefining marriage in the public mind that bodes ill for the common good. Indeed, societies mindful of this fact need deprive no same-sex-attracted people of practical goods, social equality, or personal fulfillment. Here, then, is the heart of our argument against redefinition. If the law defines marriage to include same-sex partners, many will come to misunderstand marriage. They will not see it as essentially comprehensive, or thus (among other things) as ordered to procreation and

family life—but as essentially an emotional union. . . . they will therefore tend not to understand or respect the objective norms of permanence or sexual exclusivity that shape it. Nor, in the end, will they see why the terms of marriage should not depend altogether on the will of the parties, be they two or ten in number, as the terms of friendships and contracts do. That is, to the extent that marriage is misunderstood, it will be harder to see the point of its norms, to live by them, and to urge them on others. And this, besides making any remaining restrictions on marriage arbitrary, will damage the many cultural and political goods that get the state involved in marriage in the first place. We list them in summary form here to orient readers.” [Each point is discussed in subsequent chapters in the book.]

“Real marital fulfillment

No one deliberates or acts in a vacuum. We all take cues from cultural norms, which are shaped by the law. To form a true marriage, one must freely choose it. And to choose marriage, one must have at least a rough, intuitive idea of what it is. The revisionist proposal would harm people (especially future generations) by warping their idea of what marriage is. It would teach that marriage is about emotional union and cohabitation, without any inherent connections to bodily union or family life. As people internalized this view, their ability to realize genuine marital union would diminish. This would be bad in itself, since marital union is good in itself. It would be the subtlest but also the primary harm of redefinition; other harms would be the effects of misconstruing marriage, and so not living it out and supporting it.

“Spousal well-being

Marriage tends to make spouses healthier, happier, and wealthier than they would otherwise be. But what does this is marriage, especially through its distinctive norms of permanence, exclusivity, and orientation to family life. As the state’s redefinition of marriage makes these norms harder to understand, cherish, justify, and live by, spouses will benefit less from the psychological and material advantages of marital stability.

“Child well-being

If same-sex relationships are recognized as marriages, not only will the norms that keep marriage stable be undermined, but the notion that men and women bring different gifts to parenting will not be reinforced by any civil institution. Redefining marriage would thus soften the social pressures and lower the incentives—already diminished these last few decades—for husbands to stay with their wives and children, or for men and women to marry before having children. All this would harm children’s development into happy, productive, upright adults.

“Friendship

Misunderstandings about marriage will also speed our society’s drought of deep friendship, with special harm to the unmarried. The state will have defined marriage mainly by degree or intensity—as offering the most of what makes any relationship valuable: shared emotion and experience. It will thus become less acceptable to seek (and harder to find) emotional and spiritual intimacy in nonmarital friendships. These will come to be seen not as different from marriage (and thus distinctively appealing), but simply as less. Only the conjugal view gives marriage a definite orientation to bodily union and family life. Only the conjugal view preserves a richly populated horizon with space for many types of communion, each with its own scale of depth and specific forms of presence and care.

“Religious liberty

As the conjugal view comes to be seen as irrational, people’s freedom to express and live by it will be curbed. Thus, for example, several states have forced Catholic Charities to give up its adoption services or place children with same-sex partners, against Catholic principles. Some conjugal marriage supporters have been fired for publicizing their views. If civil marriage is redefined, helieving what virtually every human society once believed about marriage—that it is a male-female union—will be seen increasingly as a malicious prejudice, to be driven to the margins of culture.

“Limited government

The state is (or should be) a supporting actor in our lives, not a protagonist. It exists to create the conditions under which we and our freely formed communities can thrive. The most important free community, on which all others depend, is marriage; and the conditions for its thriving include both the accommodations for couples and the pressures on them to stay together that marriage law provides. Redefining civil marriage will further erode marital norms, thrusting the state even more deeply into leading roles for which it is poorly suited: parent and discipliner to the orphaned, provider to the neglected, and arbiter of disputes over custody, paternity, and visitations. As the family weakens, our welfare and correctional bureaucracies grow.”

Thus we conclude that our youth must be taught that redefining marriage moves the whole purpose of marriage onto a purely self-centered, emotional basis, leaving the whole culture and nation-strengthening purpose lost forever. Somehow, these concepts need to be made known in a way that our rising generation better sees the danger we are in by socially rejecting the wonderful institution of traditional marriage and family. As one of our Principles of Liberty declares: “The core unit which determines the strength of any society is the family, therefore the government should foster and protect its integrity.”

Earl Taylor, Jr.

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Biblical Basis for the Principles in The 5000 Year Leap

October 17, 2013 Earl Taylor • 0 Comments • 95 Total Views



Biblical Basis for the Principles in The 5000 Year Leap

Several years ago, a young student, Kari Hayes, completed our one-semester course on the 28 Principles of Liberty entitled “American Government and Constitution, Part I.” Feeling the excitement and truthfulness of these ideas, she wrote, “Armed with a pink highlighter, I began to mark verses in my Bible that correlated with the Principles of Liberty.” Kari sent me a copy of her project which she entitled, *A Scriptural Index to The 5000 Year Leap*. While I was teaching a seminar in Georgia, Kari showed up, eager to learn more. We have developed a warm friendship and she recently married and is now known as Kari Wentworth.

I am grateful to this young freedom-loving patriot for her untiring work and her love of correct principles. The following, which is mostly Kari’s work, is an indication of how the Founders’ principles, explained in *The 5000 Year Leap*, indeed have their roots in the Holy Scriptures.

Principle 1. *The only reliable basis for sound government and just human relations is Natural Law.*

Leviticus 24:22 – Ye shall have one manner of law, as well for the stranger, as for one of your own country: for I am the Lord your God.

Deuteronomy 30: 11-14 – For this commandment which I command thee this day, it is not hidden from thee, neither is it far off. It is not in heaven, that thou shouldest say, Who shall go up for us to heaven, and bring it unto us, that we may hear it, and do it? Neither is it beyond the sea, that thou shouldest say, Who shall go over the sea for us, and bring it unto us, that we may hear it, and do it? But the word is very nigh unto thee, in thy mouth, and in thy heart, that thou mayest do it.

Psalm 19:7 – The law of the Lord is perfect, converting the soul: the testimony of the Lord is sure, making wise the simple.

Principle 2. *A free people cannot survive under a republican constitution unless they remain virtuous and morally strong.*

Leviticus 18:26-28 – Ye shall therefore keep my statutes and my judgments, and shall not commit any of these abominations; neither any of your own nation, nor any stranger that sojourneth among you: (For all these abominations have the men of the land done, which were before you, and the land is defiled;) That the land spue not you out also, when ye defile it, as it spued out the nations that were before you.

John 8:31-32 – Then said Jesus to those Jews which believed on him, If ye continue in my word, then are ye my disciples indeed; And ye shall know the truth, and the truth shall make you free.

Principle 3. *The most promising method of securing a virtuous and morally stable people is to elect virtuous leaders.*

Exodus 18:21 – Moreover thou shalt provide out of all the people able men, such as fear God, men of truth, hating covetousness; and place such over them, to be rulers of thousands, and rulers of hundreds, rulers of fifties, and rulers of tens:

Job 34:30 – That the hypocrite reign not, lest the people be ensnared.

Principle 4. *Without religion the government of a free people cannot be maintained.*

Genesis 4:8-12 – And Cain talked with Abel his brother: and it came to pass, when they were in the field, that Cain rose up against Abel his brother, and slew him. And the LORD said unto Cain, Where *is* Abel thy brother? And he said, I know not: *Am* I my brother's keeper? And he said, What hast thou done? The voice of thy brother's blood crieth unto me from the ground. And now *art* thou cursed from the earth, which hath opened her mouth to receive thy brother's blood from thy hand; When thou tillest the ground, it shall not henceforth yield unto thee her strength; a fugitive and a vagabond shalt thou be in the earth.

2 Chronicles 7:14 – If my people, which are called by my name, shall humble themselves, and pray, and seek my face, and turn from their wicked ways; then will I hear from heaven, and will forgive their sin, and will heal their land.

2 Corinthians 5:10 – For we must all appear before the judgment seat of Christ; that every one may receive the things *done* in *his* body, according to that he hath done, whether *it be* good or bad.

Principle 5. *All things were created by God, therefore upon Him all mankind are equally dependent, and to Him they are equally responsible.*

Psalms 19:1 – The heavens declare the glory of God; and the firmament sheweth his handywork

Malachi 2:11 – Have we not all one father? hath not one God created us? why do we deal treacherously every man against his brother, by profaning the covenant of our fathers?

Revelations 20:12 – And I saw the dead, small and great, stand before God; and the books were opened: and another book was opened, which is *the book* of life: and the dead were judged out of those things which were written in the books, according to their works.

Principle 6. *All men are created equal.*

Exodus 30:12-15 – When thou takest the sum of the children of Israel after their number, then shall they give every man a ransom for his soul unto the Lord, when thou numberest them; that there be no plague among them, when thou numberest them. This they shall give, every one that passeth among them that are numbered, half a shekel after the shekel of the sanctuary: (a shekel is twenty gerahs:) an half shekel shall be the offering of the Lord. Every one that passeth among them that are numbered, from twenty years old and above, shall give an offering unto the Lord. The rich shall not give more, and the poor shall not give less than half a shekel, when they give an offering unto the Lord, to make an atonement for your souls.

Leviticus 24:22 – Ye shall have one manner of law, as well for the stranger, as for one of your own country: for I am the Lord your God.

Numbers 15:15-16 – One ordinance shall be both for you of the congregation, and also for the stranger that sojourneth with you, an ordinance forever in your generations: as ye are, so shall the stranger be before the Lord. One law and one manner shall be for you, and for the stranger that sojourneth with you.

Deuteronomy 16:19 – Thou shalt not wrest judgment; thou shalt not respect persons, neither take a gift: for a gift doth blind the eyes of the wise, and pervert the words of the righteous.

Romans 2:11 – For there is no respect of persons with God.

Principle 7. *The proper role of government is to protect equal rights, not provide equal things.*

Exodus 20:15 – Thou shalt not steal.

Exodus 20:17 – Thou shalt not covet thy neighbour's house, thou shalt not covet thy neighbour's wife, nor his manservant, nor his maidservant, nor his ox, nor his ass, nor any thing that is thy neighbour's.

Principle 8. *Men are endowed by their Creator with certain unalienable rights.*

Genesis 9:6 – Whoso sheddeth man's blood, by man shall his blood be shed: for in the image of God made he man.

Exodus 20:15 – Thou shalt not steal.

Leviticus 25:10 – And ye shall hallow the fiftieth year, and proclaim liberty throughout all the land unto all the inhabitants thereof: it shall be a jubilee unto you; and ye shall return every man unto his possession, and ye shall return every man unto his family.

Principle 9. *To protect man's rights, God has revealed certain principles of divine law.*

Exodus 20:1-17 – AND God spake all these words, saying, I am the LORD thy God, which have brought thee out of the land of Egypt, out of the house of bondage. Thou shalt have no other gods before me. Thou shalt not make unto thee any graven image, or any likeness of any thing that is in heaven above, or that is in the earth beneath, or that is in the water under the earth: Thou shalt not bow down thyself to them, nor serve them: for I the LORD thy God am a jealous God, visiting the iniquity of the fathers upon the children unto the third and fourth generation of them that hate me; And shewing mercy unto thousands of them that love me, and keep my commandments. Thou shalt not take the name of the LORD thy God in vain; for the LORD will not hold him guiltless that taketh his name in vain. Remember the sabbath day, to keep it holy. Six days shalt thou labour, and do all thy work: But the seventh day is the sabbath of the LORD thy God: in it thou shalt not do any work, thou, nor thy son, nor thy daughter, thy manservant, nor thy maidservant, nor thy cattle, nor thy stranger that is within thy gates: For in six days the LORD made heaven and earth, the sea, and all that in them is, and rested the seventh day: wherefore the LORD blessed the sabbath day, and hallowed it. Honour thy father and thy mother: that thy days may be long upon the land which the LORD thy God giveth thee. Thou shalt not kill. Thou shalt not commit adultery. Thou shalt not steal. Thou shalt not bear false witness against thy neighbour. Thou shalt not covet thy neighbour's house, thou shalt not covet thy neighbour's wife, nor his manservant, nor his maidservant, nor his ox, nor his ass, nor any thing that is thy neighbour's.

2 Titus 3:16-17 – All scripture is given by inspiration of God, and is profitable for doctrine, for reproof, for correction, for instruction in righteousness: That the man of God may be perfect,

thoroughly furnished unto all good works.

Principle 10. *The God-given right to govern is vested in the sovereign authority of the whole people.*

Exodus 24:3 – And Moses came and told the people all the words of the LORD, and all the judgments: and all the people answered with one voice, and said, All the words which the LORD hath said will we do.

Principle 11. *The majority of the people may alter or abolish a government which has become tyrannical.*

Psalms 133:1 – Behold, how good and how pleasant it is for brethren to dwell together in unity!

Philippians 2:2-4 – Fulfil ye my joy, that ye be likeminded, having the same love, *being* of one accord, of one mind. *Let nothing be done* through strife or vainglory; but in lowliness of mind let each esteem other better than themselves. Look not every man on his own things, but every man also on the things of others.

Principle 12. *The United States of America shall be a republic.*

Exodus 18:21 – Moreover thou shalt provide out of all the people able men, such as fear God, men of truth, hating covetousness; and place such over them, to be rulers of thousands, and rulers of hundreds, rulers of fifties, and rulers of tens:

Principle 13. *A Constitution should be structured to permanently protect the people from the human frailties of their rulers.*

Exodus 23:8 – And thou shalt take no gift: for the gift blindeth the wise, and perverteth the words of the righteous.

Deuteronomy 17: 18-20. And it shall be, when he sitteth upon the throne of his kingdom, that he shall write him a copy of this law in a book out of *that which is* before the priests the Levites: And it shall be with him, and he shall read therein all the days of his life: that he may learn to fear the LORD his God, to keep all the words of this law and these statutes, to do them: That his heart be not lifted up above his brethren, and that he turn not aside from the commandment, *to* the right hand, or *to* the left: to the end that he may prolong *his* days in his kingdom, he, and his children, in the midst of Israel.

Principle 14. *Life and liberty are secure only so long as the right of property is secure.*

Genesis 1: 28 And God blessed them, and God said unto them, Be fruitful, and multiply, and replenish the earth, and subdue it: and have dominion over the fish of the sea, and over the fowl of the air, and over every living thing that moveth upon the earth.

Deuteronomy 27:17 Cursed be he that removeth his neighbour's landmark. And all the people shall say, Amen.

Psalms 8:4-8 What is man, that thou art mindful of him? and the son of man, that thou visitest him? For thou hast made him a little lower than the angels, and hast crowned him with glory and honour. Thou madest him to have dominion over the works of thy hands; thou hast put all things under his feet: All sheep and oxen, yea, and the beasts of the field; The fowl of the air, and the fish of the sea, and whatsoever passeth through the paths of the seas.

Next month we will cover the remaining 14 Principles of Liberty and their Biblical roots. We have listed just a few of the many references that could be cited. If you have a favorite scripture that supports one of these principles, please feel free to share it with us.

Earl Taylor, Jr

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Biblical Basis for the Principles in The 5000 Year Leap (continued)

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Biblical Basis for the Principles in The 5000 Year Leap (continued)

November 17, 2013 Earl Taylor · 0 Comments · 77 Total Views



Biblical Basis for the Principles in The 5000 Year Leap (Continued)

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This is a continuation of the Scriptural Index to the 28 Principles of Liberty. Last month we gave Biblical scripture supporting principles 1-14. Here are the remaining 14 Principles with their suggested Biblical supportive scriptures:

Principle 15. *The highest level of prosperity occurs when there is a free-market economy and minimum of government regulations.*

Leviticus 25:10 – And ye shall hallow the fiftieth year, and proclaim liberty throughout *all* the land unto all the inhabitants thereof: it shall be a jubilee unto you; and ye shall return every man unto his possession, and ye shall return every man unto his family.

Leviticus 25:14 – And if thou sell ought unto thy neighbour, or buyest ought of thy neighbour’s hand, ye shall not oppress one another:

Deuteronomy 25:15 – *But* thou shalt have a perfect and just weight, a perfect and just measure shalt thou have: that thy days may be lengthened in the land which the LORD thy God giveth thee.

Principle 16. *The government should be separated into three branches – legislative, executive, and judicial.*

Isaiah 33:22 – For the LORD *is* our judge, the LORD *is* our lawgiver, the LORD *is* our king; he will save us.

Principle 17. – *A system of checks and balances should be adopted to prevent the abuse of power.*

2 Chronicles 26:16-21 – But when he was strong, his heart was lifted up to *his* destruction: for he transgressed against the LORD his God, and went into the temple of the LORD to burn incense upon the altar of incense. And Azariah the priest went in after him, and with him fourscore priests of the LORD, *that were* valiant men: And they withstood Uzziah the king, and said unto him, *It appertaineth* not unto thee, Uzziah, to burn incense unto the LORD, but to the priests the sons of Aaron, that are consecrated to burn incense: go out of the sanctuary; for thou

hast trespassed; neither *shall it be* for thine honour from the LORD God. Then Uzziah was wroth, and *had* a censer in his hand to burn incense: and while he was wroth with the priests, the leprosy even rose up in his forehead before the priests in the house of the LORD, from beside the incense altar. And Azariah the chief priest, and all the priests, looked upon him, and, behold, he *was* leprous in his forehead, and they thrust him out from thence; yea, himself hastened also to go out, because the LORD had smitten him. And Uzziah the king was a leper unto the day of his death, and dwelt in a several [separate] house, *being* a leper; for he was cut off from the house of the LORD: and Jotham his son *was* over the king's house, judging the people of the land.

Principle 18. *The unalienable rights of the people are most likely to be preserved if the principles of government are set forth in a written constitution.*

Exodus 31:18 – And he gave unto Moses, when he had made an end of communing with him upon mount Sinai, two tables of testimony, tables of stone, written with the finger of God.

Deuteronomy 11:20 – And thou shalt write them upon the door posts of thine house, and upon thy gates:

Deuteronomy 27:8 – And thou shalt write upon the stones all the words of this law very plainly.

Nehemiah 9:38 – And because of all this we make a sure covenant, and write it; and our princes, Levites, and priests, seal unto it.

Principle 19. *Only limited and carefully defined powers should be delegated to government, all others being retained in the people.*

Deuteronomy 17:15 – 20 – Thou shalt in any wise set him king over thee, whom the LORD thy God shall choose: one from among thy brethren shalt thou set king over thee: thou mayest not set a stranger over thee, which is not thy brother. But he shall not multiply horses to himself, nor cause the people to return to Egypt, to the end that he should multiply horses: forasmuch as the LORD hath said unto you, Ye shall henceforth return no more that way. Neither shall he multiply wives to himself, that his heart turn not away: neither shall he greatly multiply to himself silver and gold. And it shall be, when he sitteth upon the throne of his kingdom, that he shall write him a copy of this law in a book out of that which is before the priests the Levites: And it shall be with him, and he shall read therein all the days of his life: that he may learn to fear the LORD his God, to keep all the words of this law and these statutes, to do them: That his heart be not lifted up above his brethren, and that he turn not aside from the commandment, to the right hand, or to the left: to the end that he may prolong his days in his kingdom, he, and his children, in the midst of Israel.

Principle 20. *Efficiency and dispatch require government to operate according to the will of the majority, but constitutional provisions must be made to protect the rights of the minority.*

Exodus 23:2 – Thou shalt not follow a multitude to do evil; neither shalt thou speak in a cause to decline after many to wrest judgment:

Deuteronomy 27:19 – Cursed be he that perverteth the judgment of the stranger, fatherless, and widow. And all the people shall say, Amen.

Principle 21. *Strong local self-government is the keystone to preserving human freedom.*

Exodus 18:22 – 23 – And let them judge the people at all seasons: and it shall be, that every great matter they shall bring unto thee, but every small matter they shall judge: so shall it be easier for thyself, and they shall bear the burden with thee. If thou shalt do this thing, and God command thee so, then thou shalt be able to endure, and all this people shall also go to their place in peace.

Principle 22. *A free people should be governed by law and not by the whims of men.*

Leviticus 24:22 – Ye shall have one manner of law, as well for the stranger, as for one of your own country: for I am the LORD your God.

Numbers 15:15 – 16 – One ordinance shall be both for you of the congregation, and also for the stranger that sojourneth with you, an ordinance for ever in your generations: as ye are, so shall the stranger be before the LORD. One law and one manner shall be for you, and for the stranger that sojourneth with you.

Principle 23. *A free society cannot survive as a republic without a broad program of general education.*

Exodus 18:20 – And thou shalt teach them ordinances and laws, and shalt shew them the way wherein they must walk, and the work that they must do.

Deuteronomy 6:6 – 7 – And these words, which I command thee this day, shall be in thine heart: And thou shalt teach them diligently unto thy children, and shalt talk of them when thou sittest in thine house, and when thou walkest by the way, and when thou liest down, and when thou risest up.

Proverbs 9:9 – Give instruction to a wise man, and he will be yet wiser: teach a just man, and he will increase in learning.

Isaiah 28:10 – For precept must be upon precept, precept upon precept; line upon line, line upon line; here a little, and there a little:

Principle 24. *A free people will not survive unless they stay strong.*

Deuteronomy 20:5 – 8 – And the officers shall speak unto the people, saying, What man is there that hath built a new house, and hath not dedicated it? let him go and return to his house, lest he die in the battle, and another man dedicate it. And what man is he that hath planted a vineyard, and hath not yet eaten of it? let him also go and return unto his house, lest he die in the battle, and another man eat of it. And what man is there that hath betrothed a wife, and hath not taken her? let him go and return unto his house, lest he die in the battle, and another man take her. And the officers shall speak further unto the people, and they shall say, What

man is there that is fearful and fainthearted? let him go and return unto his house, lest his brethren's heart faint as well as his heart.

Luke 14:31 – 32 – Or what king, going to make war against another king, sitteth not down first, and consulteth whether he be able with ten thousand to meet him that cometh against him with twenty thousand? Or else, while the other is yet a great way off, he sendeth an ambassage, and desireth conditions of peace.

Principle 25. *“Peace, commerce, and honest friendship with all nations – entangling alliances with none.”*

Exodus 23:32 – Thou shalt make no covenant with them, nor with their gods.

2 Corinthians 6:14 – Be ye not unequally yoked together with unbelievers: for what fellowship hath righteousness with unrighteousness? and what communion hath light with darkness?

Principle 26. *The core unit which determines the strength of any society is the family; therefore, the government should foster and protect its integrity.*

Genesis 2:24 – Therefore shall a man leave his father and his mother, and shall cleave unto his wife: and they shall be one flesh.

Exodus 20:12 – Honour thy father and thy mother: that thy days may be long upon the land which the LORD thy God giveth thee.

Proverbs 20:20 – Whoso curseth his father or his mother, his lamp shall be put out in obscure darkness.

Matthew 5:27 – 28 – Ye have heard that it was said by them of old time, Thou shalt not commit adultery: But I say unto you, That whosoever looketh on a woman to lust after her hath committed adultery with her already in his heart.

Ephesians 6:1 – 4 – Children, obey your parents in the Lord: for this is right. Honour thy father and mother; (which is the first commandment with promise;) That it may be well with thee, and thou mayest live long on the earth. And, ye fathers, provoke not your children to wrath: but bring them up in the nurture and admonition of the Lord.

Principle 27. *The burden of debt is as destructive to freedom as subjugation by conquest.*

Proverbs 22:7 – The rich ruleth over the poor, and the borrower is servant to the lender.

Romans 13:8 – Owe no man any thing, but to love one another: for he that loveth another hath fulfilled the law.

Principle 28. *The United States has a manifest destiny to be an example and a blessing to the entire human race.*

Psalms 33:8 – 12 – Let all the earth fear the LORD: let all the inhabitants of the world stand in awe of him. For he spake, and it was done; he commanded, and it stood fast. The LORD bringeth the counsel of the heathen to nought: he maketh the devices of the people of none effect. The counsel of the LORD standeth for ever, the thoughts of his heart to all generations. Blessed is the nation whose God is the LORD; and the people whom he hath chosen for his own inheritance.

Acts 17:26 – 27 – And hath made of one blood all nations of men for to dwell on all the face of the earth, and hath determined the times before appointed, and the bounds of their habitation; That they should seek the Lord, if haply they might feel after him, and find him, though he be not far from every one of us:

After reviewing the 28 Principles of Liberty in terms of the Holy Scriptures, we are brought to proclaim with the Psalmist:

Psalms 19:7 – 11- The law of the LORD is perfect, converting the soul: the testimony of the LORD is sure, making wise the simple. The statutes of the LORD are right, rejoicing the heart: the commandment of the LORD is pure, enlightening the eyes. The fear of the LORD is clean, enduring forever: the judgments of the LORD are true and righteous altogether. More to be desired are they than gold, yea, than much fine gold: sweeter also than honey and the honeycomb. Moreover by them is thy servant warned: and in keeping of them there is great reward.

Sincerely,

Earl Taylor, Jr.

78 Total Views

3 Views Today

**Biblical Basis for the
Principles in The 5000 Year
Leap**

**Biblical Roots of the
Declaration of Independence**

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1 The Proper Role of Govern...



The Proper Role of Government

Equal Rights, Not Equal Things

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America's Dependence on and Accountability to the Creator

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Click here to go the the Founding Documents. Divided into sections with definitions included.

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incredible "Freedom Formula" our founding fathers gave their lives for. It became the mission of the National Center for Constitutional Studies (NCCS), originally called The Freeman Institute, to restore the U.S. Constitution in accordance with the intent of America's Founders. [Read More...](#)



Recently, a mother and her daughter were being int...

SEPTEMBER 11, 2005

Office: 37777 W. Juniper Rd. Malta, ID 83342

Phone: 208 645-2625

Fax: 208 645-2667

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JULY 13, 2015



Having established that freedom and liberty cannot...

JULY 16, 2005



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Constitution Economics Law
Politics



Exhibit L

Exhibit L

THE
Majesty
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GOD'S
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W. CLEON SKOUSEN

ENSIGN PUBLISHING
SALT LAKE CITY, UTAH

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¹Donald S. Lutz, *The Relative Influence of
Political Thought, 78 American Political S
Restoration of the Constitution*, H. Wayne

Exhibit M

Exhibit M



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December 4, 2013

Via U.S. Mail and Email

DeAnna Rowe, Executive Director
Arizona State Board for Charter Schools
1616 West Adams Street, Suite 170
Phoenix, AZ 85009
Deanna.Rowe@asbcs.az.gov

Earl Taylor, Jr., Principal
Heritage Academy
32 South Center
Mesa, AZ 85210
admin@heritageacademyaz.com

Re: Required Reading of Religious Text at Heritage Academy

Dear Ms. Rowe and Mr. Taylor:

We have received a complaint regarding Heritage Academy's use of a book entitled "The 5000 Year Leap," by W. Cleon Skousen, in its History curriculum. Heritage requires senior students to read the book, which argues that the United States was founded and should be governed based upon religious teachings and laws. Example chapter titles include: "Without religion the government of a free people cannot be maintained"; "All things were created by God, therefore upon him all mankind are equally dependent, and to him they are equally responsible"; "To protect human rights, God has revealed a code of divine law"; and "The United States has a manifest destiny to eventually become a glorious example of God's law under a restored Constitution that will inspire the entire human race." See National Center for Constitutional Studies, *The 5000 Year Leap - A Miracle that Changed the World*, at <http://www.nccsstore.com/5000-Year-Leap/productinfo/5000YL> (last visited Nov. 21, 2013). Moreover, the book's text extensively quotes the Bible as truth. The endorsement and promotion of religious views and ideologies in a public-school classroom violates both the Establishment Clause of the First Amendment to the U.S. Constitution and Article XI, § 7 of the Arizona Constitution. We therefore ask that you remove this book from the curriculum.

The cardinal rule of the Establishment Clause is that governmental entities are forbidden to take any action that "has the purpose or effect of 'endorsing' religion" (*County of Allegheny v. ACLU*, 492 U.S. 573, 592 (1989)), for doing so "violates the central Establishment Clause value of official religious neutrality" (*McCreary County v. ACLU of Kentucky*, 545 U.S. 844, 860 (2005)). Courts are especially diligent in ensuring that public elementary and secondary schools comply with the strict requirements of the Establishment Clause, because when children are

involved there are “heightened concerns with protecting freedom of conscience from subtle coercive pressure.” *Lee v. Weisman*, 505 U.S. 577, 592 (1992).

The federal courts have consistently held that the Establishment Clause prohibits religious instruction or the inculcation of religious beliefs in the public schools. *See, e.g., Edwards v. Aguillard*, 482 U.S. 578, 591 (1987) (striking down law requiring public schools to teach creationism alongside evolution); *Sch. Dist. v. Schempp*, 374 U.S. 203, 222-26 (1963) (striking down Bible readings at beginning of school day); *Marchi v. Bd. of Coop. Educ. Servs.*, 173 F.3d 469, 477 (2d Cir. 1999) (holding that “[a] school risks violation of the Establishment Clause if any of its teachers’ activities gives the impression that the school endorses religion,” even if references to religion are “slight”); *Helland v. South Bend Cmty. Sch. Corp.*, 93 F.3d 327, 329-30 (7th Cir. 1996) (holding that teacher was properly removed from list of eligible substitute teachers for, among other things, reading Bible aloud to middle- and high-school students and distributing biblical pamphlets, because “public schools must make certain that ‘subsidized teachers do not inculcate religion’” (citation omitted)); *Pelozo v. Capistrano Unified Sch. Dist.*, 37 F.3d 517, 522 (9th Cir. 1994) (public school properly prevented teacher from discussing religious beliefs with students because of “[t]he school district’s interest in avoiding an Establishment Clause violation”); *Roberts v. Madigan*, 921 F.2d 1047, 1058 (10th Cir. 1990) (holding that elementary-school principal properly required teacher to keep Bible out of sight and to refrain from reading it silently during school hours because teacher would otherwise have violated Establishment Clause).

The prohibition against religious instruction in the public schools extends to teaching the Bible or religious doctrine as truth, and to using course materials that do so. *See, e.g., Doe v. Porter*, 370 F.3d 558, 563 (6th Cir. 2004) (striking down public-school Bible course that presented Bible as truth); *Hall v. Bd. of Sch. Comm’rs*, 656 F.2d 999, 1002-03 (5th Cir. 1981) (striking down Bible-study class employing course materials written from Christian perspective); *Gibson v. Lee County Sch. Bd.*, 1 F. Supp. 2d 1426, 1434-35 (M.D. Fla. 1998) (preliminarily enjoining high-school New Testament course because of difficulty teaching about the resurrection from a secular perspective); *Herdahl v. Pontotoc County Sch. Dist.*, 933 F. Supp. 582, 593-97 (N.D. Miss. 1996) (striking down Bible-study course that, among other things, endorsed biblical account of history); *Doe v. Human*, 725 F. Supp. 1503, 1506-07 (W.D. Ark. 1989) (striking down Bible-study course that used texts depicting biblical events as fact and failed to offer critical perspective), *aff’d mem.*, 923 F.2d 857 (8th Cir. 1990); *see also Breen v. Runkel*, 614 F. Supp. 355, 359-60 (W.D. Mich. 1985) (holding it unconstitutional for teachers to read from Bible to their students or to tell stories that have a Biblical basis). This book’s extensive use of Biblical quotations and its central argument that the United States is a religious nation that should be governed by divine law cannot be squared with these decisions.

The Arizona Constitution contains a prohibition on religious instruction in the public schools that is stronger even than that of the federal Establishment Clause. Article XI, Section 7 of the Arizona Constitution provides, in relevant part, that “[n]o sectarian instruction shall be imparted in any school or State educational institution that may be established under this

Constitution.” The use of “The 5000 Year Leap” in an Arizona public school cannot stand under the plain language of the Arizona Constitution.

For these reasons, we ask you to remove “The 5000 Year Leap” from Heritage Academy’s curriculum. We would appreciate a response to this letter within thirty days. You may contact Ian Smith at (202) 466-3234 or ismith@au.org if you have any questions about this matter.

Very truly yours,



Ayesha N. Khan, Legal Director
Alex J. Luchenitser, Associate Legal Director
Ian Smith, Staff Attorney



Exhibit N

Arizona State Board for Charter Schools

Physical Address:
1616 West Adams Street, Suite 170
Phoenix, Arizona 85007
Phone: (602) 364-3080
Fax: (602) 364-3089



Mailing Address:
PO Box 18328
Phoenix, Arizona 85009

April 3, 2014

Americans United for Separation of Church & State
1301 K Street NW
Suite 850, East Tower
Washington, DC 20005

RE: Heritage Academy, Inc.

To Whom It May Concern:

Thank you for your correspondence regarding Heritage Academy, Inc. All complaints/information submitted to this office are reviewed and processed in accordance with the oversight responsibilities and jurisdiction of the Arizona State Board for Charter Schools(ASBCS).

Following our policies and procedures, our office forwarded a copy of this complaint to the school on December 10, 2013 to address the concerns raised.

This office received the school's response on December 19, 2013. In reviewing the school's response, Heritage Academy, Inc. provided clarification and addressed the concerns raised in your complaint.

The documentation you submitted and the school's response have been reviewed in accordance with ASBCS policies and procedures and the complaint is now closed. Following our procedures, your correspondence and the response of the school have been placed in the school's permanent public file. The Board utilizes complaints along with the annual audit, site visits and information from other regulating agencies to monitor its schools.

A copy of the school's response is attached.

Sincerely,

A handwritten signature in blue ink that reads "Bianca Ulibarri".

Bianca Ulibarri
Constituent Services Specialist



HERITAGE ACADEMY

"Building America's Heroes"
32 S. Center, Mesa, AZ 85210

December 19, 2013

DeAnna Rowe, Executive Director
Arizona State Board for Charter Schools
1616 West Adams Street, Suite 170
Phoenix, Arizona 85009

Dear DeAnna,

In reply to the complaint filed with you, dated December 4, 2013, by the "Americans United" organization, I submit the following.

Our Government class, which is required of all seniors, conforms to the following State of Arizona requirements/laws/declarations:

From the Constitution of the State of Arizona:

Preamble: "We, the people of the State of Arizona, grateful to Almighty God for our liberties, do ordain this Constitution."

Article 2, Section 1: "A frequent recurrence to fundamental principles is essential to the security of individual rights and the perpetuity of free government."

Article 11, Section 7: "No sectarian instruction shall be imparted in any school or state educational institution that may be established under this Constitution, and no religious or political test or qualification shall ever be required as a condition of admission into any public educational institution of the state, as teacher, student, or pupil; but the liberty of conscience hereby secured shall not be so construed as to justify practices or conduct inconsistent with the good order, peace, morality, or safety of the state, or with the rights of others.

From the Arizona Revised Statutes:

ARS 15-710 "Instruction in state and federal constitutions, American institutions and history of Arizona

All schools shall give instruction in the essentials, sources and history of the Constitutions of the United States...."

ARS 15-717 "American history and heritage

A teacher or administrator in any school in this state may read or post in any school building copies or excerpts of the following materials:

1. The national motto.
2. The national anthem.
3. The pledge of allegiance.
4. The preamble to the constitution of this state.
5. The declaration of independence.
6. The Mayflower compact.
7. Writings, speeches, documents and proclamations of the founding fathers and the presidents of the United States.
8. Published decisions of the United States Supreme Court.
9. Acts of the United States Congress.”

Arizona State Board of Education rule for high school graduation:

R7-2-302.02 (1) (b) (iii). One-half credit of American government, including Arizona government;

The Five Thousand Year Leap is a book used in our class on Government and the Constitution which identifies twenty-eight principles or concepts that are found in or reflected in the writings of America’s Founders and which form the basis of the Declaration of Independence and the Constitution. Numerous quotations from America’s Founders are included in the book to show the source of their ideas.

The complainant correctly cited three of the twenty-eight chapter titles as having to do with the moral and religious basis for a free society, which is reflected in numerous quotes of the Founders contained in the book. The complainant incorrectly gave another chapter title as “The United States has a manifest destiny to eventually become a glorious example of God’s Law under a restored Constitution that will inspire the entire human race”, seemingly to bolster the allegation that we are inappropriately teaching religion. The correct title of the chapter in the book reads, “The United States has a Manifest Destiny to be an example and a Blessing to the Entire Human Race.” The Founders quotes in this chapter reflect this concept.

Any honest student/teacher of American History must acknowledge the influence of religion in the history of the American nation. Even some organizations which reject and attempt to minimize any religious influence in society today admit that one cannot properly teach the history of America without teaching the influence of religion.

The complainant has listed a number of court cases relative to the teaching of religion, implying that Heritage Academy is participating in such prohibited activities. Please know that we intend to follow the law which allows and even requires the proper teaching of history and also has certain prohibitions. These legal requirements are reflected in our policies, which include:

1. We do not endorse or require students to embrace any religion or denomination.
2. We respect the right of all students to believe or not believe according to their own conscience.
3. We have had students enrolled and/or graduated who held many differing religious views (Christian, Jewish, Muslim, Buddhist, etc.) or with no religious belief at all.

4. We do not forbid any student from expressing his or her religious belief.
5. We do not teach “creationism” in our science classes.
6. We do not teach sectarian or denominational doctrine in any class. We do not require the reading of the Bible or any other religious text at this school.
7. We do not require prayer at this school.
8. We do teach the influence of religion in America’s founding, using the words of the Founders themselves.
9. We do not require that students believe what the Founders believed, but we do require that students know what the Founders believed that made them act the way they did in founding this country, thus fulfilling state law which requires a “frequent recurrence to fundamental principles” and the “instruction in the essentials, sources, and history of the Constitutions of the United States.”

It is interesting to note that of the twenty-eight principles of government outlined in *The Five Thousand Year Leap*, those referred to by the complainant are only three or four that specifically mention religion. There are many more principles, such as the separation of powers, checks and balances, limited and delegated powers, strong local self-government, avoiding entangling alliances, etc., making a total of twenty-eight.

No other book outlines so clearly the ingredients which the Founders incorporated into their formula for freedom as does *The Five Thousand Year Leap*. It is the simplest and clearest explanation of what the Founders believed, supported by their own words, as they built the first free people in modern times. It is not associated with any sect or denomination. It is one of the best books written to help our students fulfill our school’s mission statement to understand the ideals and values of those who founded the American nation.

Sincerely,

Earl Taylor, Jr.
Principal

Exhibit O

Exhibit O



(202) 466-3234
(202) 898-0955 (fax)
www.au.org

1301 K Street, NW
Suite 850, East Tower
Washington, DC 20005

June 24, 2014

Via U.S. Mail and Email

Arizona State Board for Charter Schools

DeAnna Rowe, Executive Director (Deanna.Rowe@asbcs.az.gov)
Johanna Medina, Director of School Quality (Johanna.Medina@asbcs.az.gov)
Hugh Thompson, Education Program Specialist (Hugh.Thompson@asbcs.az.gov)
Lisa Weisberg, Education Program Specialist (Lisa.Weisberg@asbcs.az.gov)
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Mark Anderson, Business Community Member
Michael Bailey, Public Member
Peter Bezanson, Charter School Operator (Peter.Bezanson@GreatHeartsTX.org)
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Royce Jenkins, Reservation Resident Member (royce@roycejenkins.com)
Todd Juhl, Public Member (info@jenniferjuhlcpa.com)
Cassandra Larsen, Public Member (Larsen@phoenixphilanthropy.com)
Jake Logan, Business Community Member
Stacey Morley, Superintendent's Designee (Stacey.Morley@azed.gov)

1616 West Adams Street, Suite 170
Phoenix, AZ 85009

Earl Taylor, Jr., Principal
Heritage Academy
32 South Center
Mesa, AZ 85210
admin@heritageacademyaz.com

Re: Use of Religious Textbooks at Heritage Academy

Dear Board Members and Staff of the Arizona State Board for Charter Schools and Mr. Taylor:

On December 4, 2013, we sent the enclosed letter to Executive Director Rowe and Principal Taylor. Our letter explained that Heritage Academy, a charter school in Arizona, requires its students to read a book that promotes particular religious teachings, The 5,000 Year Leap, by W. Cleon Skousen. We explained in our letter that use of such a book in a charter school's curriculum violates the Establishment

Clause of the U.S. Constitution and Article XI, Section 7 of the Arizona Constitution. The State Board forwarded a copy of our letter to Heritage Academy and asked for a response. In the December 19, 2013 enclosed letter, Heritage Academy admitted that the The 5,000 Year Leap is used as a textbook in its required Government class for seniors, but asserted that the book does not teach religion, and instead only teaches about religious influences in the nation's founding. On April 3, 2014, we received the enclosed letter from State Board Constituent Services Specialist Bianca Ulibarri, accepting Heritage Academy's characterization of the book and rejecting our complaint. It did not appear from Ms. Ulibarri's letter that the Board or its staff had undertaken any independent review of The 5,000 Year Leap.

As we explain in detail below, The 5,000 Year Leap does in fact teach and promote particular religious beliefs. In addition, it has come to our attention that, along with The 5,000 Year Leap, Heritage Academy requires its senior students to read another book that promotes specific religious views, The Making of America by W. Cleon Skousen. See Required Classical Reading at Heritage Academy, Heritage Academy, <http://www.heritageacademyaz.com/index.cfm/academics/required-reading/>. The two books also promote sexist, racist, and anti-Semitic views. In case the detailed quotes and descriptions of these books set forth below are insufficient to convince you of these facts, we are sending Executive Director Rowe hard copies of the two books so that the State Board can review the books itself. We would like to avoid litigation if possible, so we request that the two books be removed from Heritage Academy's curriculum and required reading list, or that Heritage Academy's charter be revoked.

The 5,000 Year Leap Promotes and Endorses Religious Views and Ideologies

Reading the text of The 5,000 Year Leap easily demonstrates that the book does not merely acknowledge the influence of religion in the nation's founding, but actively promotes and endorses specific religious views and ideologies. For example, the fifth of twenty-eight principles taught by the book is that "All Things Were Created by God, Therefore upon Him All Mankind are Equally Dependent, and to Him They are Equally Responsible." W. Cleon Skousen, The 5,000 Year Leap: A Miracle that Changed the World, 95 (18th prtg. 2010). The first five sections of the chapter concerning this principle similarly endorse and promote religious doctrine. The first section, "The Reality of a Divine Creator," uses quotes from John Locke to disparage atheists as being "irrational" and "out of touch with reality." *Id.* at 95-96. Second, in a section entitled, "How Can One Know There Is a God?," Skousen walks the reader through a step-by-step explanation of how to know there is a divine Creator. *Id.* at 96. Attributes of God are listed in the third section, "Getting to Know God," including that "the divine Creator has a sense of compassion and love," "a fine sense of right and wrong, and also a sense of indignation or even anger with those who violate the laws of 'right' action." *Id.* at 97. The third section also notes that

“any thoughtful person can gain an appreciation and conviction of these many attributes of the Creator.” *Id.* at 97. The fourth and fifth section titles within this chapter are equally religious: “Concerning God’s Revealed Law Distinguishing Right from Wrong” and “The Nearness of God.” *Id.* at 98-99. These passages clearly promote and endorse religious views.

Indeed, promotion and endorsement of religious ideology permeates the book. The book begins with a discussion of how the Founders decided to structure the government. In discussing how the Founders studied Ancient Israel as a source of inspiration, the author repeatedly cites biblical sources as historical truth. *Id.* at 15-18 (citing Leviticus 25:10; Jeremiah 34:17; Exodus 18:13-26, 19:8; Numbers 35:31; 2 Samuel 2:4; 1 Chr. 29:22; and 2 Chr. 10:16).

The first of the book’s twenty-eight principles asserts that “The Only Reliable Basis for Sound Government and Just Human Relations is Natural Law,” which is defined as “[t]he Creator’s order of things.” *Id.* at 37, 39. Natural Law presupposes that “man’s reasoning power is a special dispensation of the Creator and is closely akin to the rational or reasoning power of the Creator himself.” *Id.* at 39. Under the subheading “Natural Law is Eternal and Universal.” Skousen writes,

The Law of Nature or Nature’s God is eternal in its basic goodness; it is universal in its application. It is a code of “right reason” from the Creator himself. It cannot be altered. It cannot be repealed. It cannot be abandoned by legislators or the people themselves, even though they may pretend to do so. In Natural Law we are dealing with factors of absolute reality. It is basic in its principles, comprehensible to the human mind, and totally correct and morally right in its general operation.

Id. at 39-40. Additional subheadings within the first chapter include the statements that “All Mankind Can Be Taught God’s Law or Virtue,” “Legislation in Violation of God’s Natural Law Is a Scourge to Humanity,” and “All Law Should Be Measured Against God’s Law.” *Id.* at 43-45. Skousen defines “wisdom” as the understanding of God’s law and “justice” as the application of God’s law by government. *Id.* at 42.

While the chapter is structured around the writings of Marcus Tullius Cicero, Skousen’s commentary nonetheless promotes religious ideology. For example, Skousen praises Cicero for comprehending “the magnificence of the first great commandment to love, respect, and obey the all-wise Creator.” *Id.* at 42. Skousen also praises Cicero for “comprehend[ing] the beauty and felicity of what Jesus had identified as the second great commandment.” *Id.* at 43. To illustrate these commandments, Skousen repeats a biblical story:

It will be recalled that a lawyer tried to discredit Jesus by asking him, "Master, which is the great commandment in the Law?" Of course, there were hundreds of commandments, and the question was designed as a clever stratagem to embarrass Jesus. But Jesus was not embarrassed. He simply replied: "Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind. This is the first and great commandment."

The lawyer was amazed by this astute and ready response from the Galilean carpenter. But Jesus was not through. He added: "And the second is like unto it. Thou shalt love thy neighbor as thyself. On these two commandments hang all the law and the prophets." (Matthew 22:36-40).

The astonished lawyer simply replied: "Well, Master, thou hast said the truth!"

Jesus had picked out what he considered to be the foremost commandment from Deuteronomy 6:4-5, and then selected what he considered to be the second most important commandment clear over in Leviticus 19:18.

Id. at 42-43.

The 5,000 Year Leap's second chapter is based on the principle "A Free People Cannot Survive Under a Republican Constitution Unless They Remain Virtuous and Morally Strong." *Id.* at 49. Skousen teaches that morality requires following the Ten Commandments and "obedience to the Creator's mandate for 'right conduct.'" *Id.* at 50. Closely related to this discussion is the third principle: "The Most Promising Method of Securing a Virtuous and Morally Stable People is to Elect Virtuous Leaders." *Id.* at 59. The discussion begins with a quote from Exodus 18:21, which states, "...thou shalt provide out of all the people able men, such as fear God, men of truth, hating covetousness [unjust gain]; and place such over them, to be rulers..." *Id.* at 58. Skousen also quotes Proverbs 29:2 in support of this principle: "When the righteous are in authority, the people rejoice; but when the wicked beareth rule, the people mourn." *Id.* at 60. Skousen concludes the section by commenting on the Founders' beliefs, which he claims were "based on empirical evidence and the light of careful reasoning." *Id.* at 73. Skousen writes, "Even their acceptance of things which are not seen—the existence of the Creator, for example—were based on observable phenomena and precise reasoning." *Id.* These passages clearly assert that God exists and that to be "virtuous and moral[]," one must believe in God.

The fourth chapter presents the principle that "Without Religion the Government of a Free People Cannot be Maintained." *Id.* at 75. Based on a letter written by Benjamin Franklin, Skousen lists "the Five Fundamentals of 'All Sound Religion'":

1. There exists a Creator who made all things, and mankind should recognize and worship Him.
2. The Creator has revealed a moral code of behavior for happy living which distinguishes right from wrong.
3. The Creator holds mankind responsible for the way they treat each other.
4. All mankind live beyond this life.
5. In the next life mankind are judged for their conduct in this one.

Id. at 78. The chapter challenges the “Wall” between church and state, asserting that the metaphor has been used by the Supreme Court as “an excuse for meddling in the religious issues arising within the various states.” *Id.* at 89. The chapter concludes with a section titled “Religious Principles Undergird Good Government,” which claims that “religious precepts turned out to be the heart and soul of the entire American political philosophy.” *Id.* at 92.

Discussing the sixth principle that “All Men are Created Equal,” Skousen writes that men are not equal, they can “only be TREATED as equals in the sight of God.” *Id.* at 103. He continues, “It is the task of society, as it is with God, to accept people in all their vast array of individual differences...” *Id.* at 104. In this chapter, Skousen tells the story of Eldridge Cleaver, who had been an atheist before spending eight years in exile. *Id.* at 109-10. Skousen writes that Cleaver had a “long and strenuous intellectual struggle with his Marxist atheism before he recognized its fraudulent fallacies,” and that in dialogues with university students, Cleaver assured them that “a persistent pursuit of the truth would bring them to the threshold of reality, where the Creator could be recognized and thereafter have a place in their lives.” *Id.* at 111. Skousen sums up this story as “the account of a prodigal American who found himself and returned home,” implicitly disparaging atheists. *Id.*

In a discussion on the seventh principle, which addresses equality, Skousen writes that “it is a mandate of God to help the poor and underprivileged.” *Id.* at 120. The eighth principle states that “Men are Endowed by Their Creator with Certain Unalienable Rights.” *Id.* at 123. Skousen explains that “unalienable rights” may be forfeited but “no one else can TAKE those rights from us without being subject to God’s justice. This is what makes certain rights UNALIENABLE.” *Id.* at 124.

The ninth principle is also inherently religious—“To Protect Man’s Rights, God has Revealed Certain Principles of Divine Law.” *Id.* at 131. This chapter begins with an illustration of Moses receiving the Ten Commandments. *Id.* at 130. Skousen then explains that “[r]ights, though endowed by God as unalienable prerogatives, could not remain unalienable unless they were protected as enforceable rights under a code of divinely proclaimed law.” *Id.* at 131. The first subsection heading

instructs the reader that “Sound Principles of Law [are] All Based on God’s Law.” *Id.* at 132. In this subsection, Skousen asserts that

human happiness requires a recognition of God’s supremacy over all things; that man is specifically forbidden to attribute God’s power to false gods; that the name of God is to be held in reverence, and every oath taken in the name of God is to be carried out with the utmost fidelity, otherwise the name of God would be taken in vain; that there is also a requirement that one day each week be set aside for the study of God’s law; that it is also to be a day of worship and the personal renewing of one’s commitment to obey God’s law for happy living; that there are also requirements to strengthen family ties by children honoring parents and parents maintaining the sanctity of their marriage and not committing adultery after marriage; that human life is also to be kept sacred; that he who willfully and wantonly takes the life of another must forfeit his own; that a person shall not lie; that a person shall not steal; that every person must be willing to work for the things he desires from life and not covet and scheme to get the things which belong to his neighbor.

Id. at 132-33. In other words, Skousen tells the reader that “human happiness” requires acceptance of the Ten Commandments. Skousen also lists “some of the more important responsibilities which the Creator has imposed on every human being of normal mental capacity,” which include “[t]he duty to honor the supremacy of the Creator and his laws” and the duty “to honorably perform contracts and covenants both with God and man.” *Id.* at 134-35. The chapter also teaches that “[t]he Creator revealed a divine law of criminal justice which is far superior to any kind being generally followed in the world today.” *Id.* at 135.

The fourteenth principle begins its discussion of the importance of property rights with Psalm 115:16, which states that the earth was a gift from God to man. *Id.* at 169. Skousen asserts that property rights are necessary to fulfill “the Creator’s command to multiply and replenish the earth and subdue it and bring it under dominion.” *Id.* at 170.

In a chapter on the importance of education (the twenty-third principle), Skousen calls it “a serious mistake” to have forbidden Bible reading in public schools. *Id.* at 256. He argues that “the Bible ... provided root strength to [the people’s] moral standards and behavioral patterns.” *Id.* at 255.

The foregoing passages demonstrate that contrary to Heritage Academy’s claim, The 5,000 Year Leap actively promotes and teaches specific religious views and ideologies.

The Making of America Promotes and Endorses Religious Views and Ideologies

A second book by the same author, *The Making of America*, which is also required reading for seniors at Heritage Academy, similarly promotes religion. In Part One: The Making of the Constitution, Skousen claims that the Founders were “careful students of the Bible, especially the Old Testament, and even though some were not active in any Christian denomination, the teachings of Jesus were held in universal respect and admiration by them.” W. Cleon Skousen, *The Making of America: The Substance and Meaning of the Constitution*, 11 (3d ed. 2009). Skousen refers to the Bible as a historical source valued by the Founders. *Id.* at 61. As in *The 5,000 Year Leap*, Skousen includes an analysis of the Founders’ “fascinat[ion]” with Ancient Israel and tells the story of Exodus as if it is fact, citing heavily to the Bible. *Id.* at 48-54. He also repeats his claim that “the soundest system of government will be the one that is built on the principles of natural law and Nature’s God.” *Id.* at 195. Finally, he notes that “the Founders recognized that it is a mandate of God to help the poor and underprivileged.” *Id.* at 219.

Skousen’s religious beliefs are also embedded in the rest of the text. For instance, in the introduction to a chapter on the legislative process, Skousen claims that the Founders believed laws were “inherently null and void” if they violate “the laws of nature and of nature’s God.” *Id.* at 354 (quoting Jefferson). In an “Editorial Summary” on national defense, Skousen argues that according to the Founders’ philosophy, “the kind hand of Providence had been everywhere present in allowing the United States to come forth as the first free people in modern times.” *Id.* at 383. Using statements by Samuel Adams, Skousen asserts that there is “A Duty to the Creator to Preserve Freedom and Our Unalienable Rights.” *Id.* at 386. Additionally, in discussing the Indian Removal Act of 1830, Skousen claims it was “a matter of providential justice” that Indians were relocated to mineral-rich land. *Id.* at 410.

In his discussion on the First Amendment, Skousen repeats the “five points of fundamental religious belief which are to be found in all of the principal religions of the world” that were introduced in *The 5,000 Year Leap*. *Id.* at 677. He asserts that there is a need for a constitutional amendment in order to allow these ideals to be taught in public schools. *Id.* at 687. He concludes the discussion by suggesting that given today’s “accelerating rates of crimes of violence, narcotics addiction, billion-dollar pornography sales, hedonistic sexual aberrations, high divorce rates, and deteriorating family life” Americans should recall the “stirring words” of Daniel Webster:

If we and they shall live always in the fear of God, and shall respect his commandments ... we may have the highest hopes of the future fortunes of our country.... It will have no decline and fall. It will go on prospering.... But if we and our posterity reject religious instruction and authority, violate the rules of eternal justice, trifle with the

injunctions of morality, and recklessly destroy the political constitution which holds us together, no man can tell how sudden a catastrophe may overwhelm us, that shall bury all our glory in profound obscurity.

Id. at 687-88 (quoting Daniel Webster's speech to the New York Historical Society, February 22, 1852).

Both Books Also Contain Sexist, Racist, and Anti-Semitic Statements

The books also promote sexist views based on the author's religious beliefs. For example, in a subsection of The 5,000 Year Leap addressing the "Equality of Men and Women Under God's Law," Skousen promotes "differential" equality:

The husband and wife each have their specific rights appropriate to their role in life, and otherwise share all rights in common. The role of the man is "to protect and provide." The women's role is to strengthen the family solidarity in the home and provide a wholesome environment for her husband and children. For the purpose of order, the man was given the decision-making responsibilities for the family; and therefore when he voted in political elections, he not only cast a ballot for himself, but also for his wife and children.

The 5,000 Year Leap at 282. Skousen continues, "[i]n theory, God's law made man first in governing his family, but as between himself and his wife he was merely first among equals." *Id.* at 282-83.

Skousen also promotes the "trilateral construction of the family," which consists of "father, mother, and children." *Id.* at 285. He claims that "any action by the government to debilitate or cause dislocation in the normal trilateral structure of the family becomes, not merely a threat to the family involved, but a menace to the very foundations of society itself." *Id.* at 288.

Similarly, the books present racist and anti-Semitic beliefs. For example, in The 5,000 Year Leap, Skousen suggests that the world would be "happier, more peaceful, and more prosperous" had the United States not intervened in the Holocaust. *Id.* at 278. And in The Making of America, Skousen reprints an essay by Fred Albert Shannon, which, according to Skousen, "tells the story of slavery in America." The Making of America at 729. The essay appears to paint slavery in a positive light. According to the essay, slave "gangs in transit were usually a cheerful lot." *Id.* at 731. Indeed, Shannon claims,

If [negro children] ran naked it was generally from choice, and when the white boys had to put on shoes and go away to school they were likely to envy the freedom of their colored playmates.

Id. at 733 (alteration in original). Shannon further asserts that “the slave owners were the worst victims of the system.” *Id.* at 734. Shannon claims that if marriages between slaves “were of a rather impermanent nature, that fact was frequently considered as ‘one of the blessings of slavery.’” *Id.* According to Shannon, running away “was an especially heinous offense” both because of the loss of the slave and because of the moral effect on others. *Id.* at 734-35. He notes, “even for this offense” whipping was usually limited by law to 100 lashes, which “surely was a sufficient number.” *Id.* at 735. Shannon ends his essay by questioning the utility of the Civil War. He argues that by 1860 economic forces were making slavery impractical, a solution to slavery by which “the Negro might have escaped the revulsion of feeling against him that resulted from forcible emancipation and the carpetbag regime.” *Id.* at 737.

Because the two books clearly promote and endorse specific religious views and ideologies, we ask you to remove The 5,000 Year Leap and The Making of America from Heritage Academy’s curriculum. We further request that you ensure that Heritage Academy’s history and government classes not be taught in a manner that is similar to the instruction in the two books or that otherwise promotes or endorses religion. We ask the State Board to revoke Heritage Academy’s charter if the school will not comply with this request.

We would like to resolve this matter without litigation if possible. We accordingly request a response to this letter within thirty days. We have also included a public records request with this letter. You may contact Alex Luchenitser at (202) 466-3234 or luchenitser@au.org if you have any questions about this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex J. Luchenitser". The signature is fluid and cursive, with the first name "Alex" written in a larger, more prominent script than the last name.

Ayesha N. Khan, Legal Director
Alex J. Luchenitser, Associate Legal Director
Yael Bortnick, Legal Fellow*

**Admitted in Maryland only. Supervised by Ayesha N. Khan, a member of the D.C. Bar.*

Exhibit P

Exhibit P



(202) 466-3234
(202) 898-0955 (fax)
www.au.org

1301 K Street, NW
Suite 850, East Tower
Washington, DC 20005

June 24, 2014

By U.S. Mail and Email

Arizona State Board for Charter Schools

DeAnna Rowe, Executive Director (Deanna.Rowe@asbcs.az.gov)
Johanna Medina, Director of School Quality (Johanna.Medina@asbcs.az.gov)
Hugh Thompson, Education Program Specialist (Hugh.Thompson@asbcs.az.gov)
Lisa Weisberg, Education Program Specialist (Lisa.Weisberg@asbcs.az.gov)
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Janna Day, President / Public Member (jday@bhfs.com)
Kathy Senseman, Vice President / Public Member
(ksenseman@policydevelopmentgroup.com)
Mark Anderson, Business Community Member
Michael Bailey, Public Member
Peter Bezanson, Charter School Operator (Peter.Bezanson@GreatHeartsTX.org)
Tim Eyerman, Charter School Teacher (tim.eyerman@basisphoenixcentral.org)
Royce Jenkins, Reservation Resident Member (royce@roycejenkins.com)
Todd Juhl, Public Member (info@jenniferjuhlcpa.com)
Cassandra Larsen, Public Member (Larsen@phoenixphilanthropy.com)
Jake Logan, Business Community Member
Stacey Morley, Superintendent's Designee (Stacey.Morley@azed.gov)

1616 West Adams Street, Suite 170
Phoenix, AZ 85009

Earl Taylor, Jr., Principal
Heritage Academy
32 South Center
Mesa, AZ 85210
admin@heritageacademyaz.com

Re: Public Records Request Regarding Heritage Academy Curriculum

Dear Mr. Taylor and Board Members and Staff of the Arizona State Board for Charter Schools:

On behalf of the Arizona-based members of Americans United for Separation of Church and State, we request that Heritage Academy and the Arizona State Board for Charter Schools provide the documents described below, in accordance with the Arizona Public Records Law, Ariz. Rev. Stat. § 39-101 et seq.

Definitions

1. *Documents*: All written or electronic records, including email communications, as defined in Ariz. Rev. Stat. § 41-151.18.

Records Requests

1. For each of Heritage Academy's high school history and government classes (World History, American History, American Government, and Healing of America), all instructional and curricular materials, including but not limited to syllabi, readings, workbooks, handouts, worksheets, PowerPoints, videos, lesson plans, and instructors' guides.

2. For any other Heritage Academy class that uses The 5,000 Year Leap or The Making of America, all instructional and curricular materials, including but not limited to syllabi, readings, workbooks, handouts, worksheets, PowerPoints, videos, lesson plans, and instructors' guides.

3. All hard-copy and electronic correspondence from or to any board member, official, employee, or representative of the Arizona State Board for Charter Schools or Heritage Academy relating to use of The 5,000 Year Leap or The Making of America at Heritage Academy.

4. For each of the last three years, documents sufficient to identify the amounts spent by Heritage Academy to purchase copies of The 5,000 Year Leap, the amounts spent by Heritage Academy to purchase copies of The Making of America, and the sources of funding for those purchases.

Instructions

1. Please respond promptly to this request, as required by Ariz. Rev. Stat. § 39-121.01. *See, e.g., W. Valley View, Inc. v. Maricopa Cnty. Sherriff's Office*, 165 P.3d 203, 208 (Ariz. Ct. App. 2007) (requiring public agency to make records available "at once or without delay"). If you anticipate a significant delay in responding to or fulfilling the request, please notify Alex Luchenitser at luchenitser@au.org.

2. If any documents are available electronically, please provide them by email to luchenitser@au.org. For documents that are available only in hard copy, please send them to the following address:

Alex Luchenitser
Americans United for Separation of Church and State
1301 K Street, NW
Suite 850E

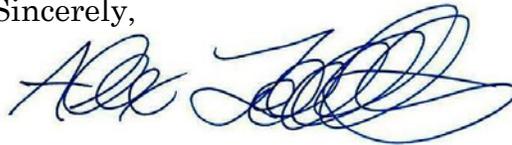
Washington, DC 20005

3. These records are not being requested for a commercial purpose. We agree to pay the fee that may be due for this request under state law (Ariz. Rev. Stat. § 39-121.01(D)) up to \$100. If you estimate that the total fee for this request will exceed \$100, please inform us of the amount of the estimated fee and obtain authorization before you proceed with work that costs more than \$100.

* * *

Thank you for your prompt attention. If you have any questions, please contact Alex Luchenitser at (202) 466-3234 or at luchenitser@au.org.

Sincerely,



Alex J. Luchenitser, Associate Legal Director
Yael Bortnick, Legal Fellow*

**Admitted in Maryland only. Supervised by Ayesha N. Khan, a member of the D.C. Bar.*

Exhibit Q

Exhibit Q



(202) 466-3234
(202) 898-0955 (fax)
www.au.org

1901 L Street, NW
Suite 400
Washington, DC 20036

August 28, 2015

Via e-mail and U.S. mail

Earl Taylor, Jr., Principal
Heritage Academy
32 South Center
Mesa, AZ 85210
etaylor@heritageacademyaz.com

Re: *Religious instruction in senior Government / U.S. Constitution class*

Dear Principal Taylor:

We represent a parent of a Heritage Academy student. On December 4, 2013 and June 24, 2014, we wrote to you about Heritage Academy's unconstitutional use in its twelfth-grade government curriculum of two textbooks that promote religion, *The 5,000 Year Leap* and *The Making of America*. You denied any constitutional violation. We have now received confirmation that Heritage Academy's Honors Government / U.S. Constitution class — which is mandatory for seniors in the school — is taught in a manner that substantially promotes religion. We now make a final request on behalf of our client that you remove all religiously infused materials from the class curriculum and all promotion of religion from class instruction. Please be advised that we are prepared to file suit on behalf of our client if you do not do so.

Background

In our two prior letters, attached as Exhibits A and B, we explained the clear federal constitutional prohibitions against promoting religion in public schools or using course materials that do so. We also brought to your attention a state constitutional provision that expressly prohibits religious instruction in public schools. We pointed out numerous passages in *The 5,000 Year Leap* and *The Making of America* that ran afoul of these principles. We asked you to remove the two books in question from Heritage Academy's curriculum, and to refrain from promoting religion in Heritage Academy's government and history classes in any other manner.

In a response letter sent to the Arizona State Board for Charter Schools, you asserted that Heritage Academy does not “endorse . . . any religion or

denomination” and does not “teach sectarian or denominational doctrine.” See Ex. C at 2–3. You also indicated to the media that you would no longer include the entirety of *The 5,000 Year Leap* and *The Making of America* in the school’s government curriculum. See Cathryn Creno, *Mesa charter school teaches religion*, *The Republic* (Arizona) (July 14, 2014), <http://www.azcentral.com/story/news/local/mesa/2014/07/14/mesa-charter-school-religion/12615041/>.

We have since received reports from our client about how the class is actually taught. This information confirms — in three ways — that the class is taught in a manner that plainly violates the U.S. and Arizona Constitutions.

First, the principal textbook for the class is *Proclaim Liberty Throughout all the Land*, which is essentially a condensed version of *The 5,000 Year Leap* and *The Making of America* that incorporates those books’ religious teachings. Second, oral class instruction includes substantial promotion of religion. Third, students are required to memorize, take tests on, and complete written assignments about the religious principles that are taught in the class.

The Main Textbook for the Class is Filled with Religious Teachings

Our client reports that the principal textbook for the Honors Government / U.S. Constitution class now is a “discussion guide” called *Proclaim Liberty Throughout all the Land*. Like *The 5,000 Year Leap* and *The Making of America*, *Proclaim Liberty* is published by the National Center for Constitutional Studies — an organization which asserts “that America and its Constitution were established by the hand of God.” National Center for Constitutional Studies, *Proclaim Liberty Throughout all the Land* 3 (2013). According to the National Center,

Proclaim Liberty pulls from two of our main books, *The 5000 Year Leap* and *The Making of America* to create an impressive discussion guide that can stand on its own. It is long enough to cover the important points from these two books, yet short enough to be a manageable study for people who don’t have a lot of spare time.

Proclaim Liberty (A Discussion Guide), National Center for Constitutional Studies, <http://www.nccs.net/products/study-aids/proclaim-liberty.php> (last visited Aug. 27, 2015). In adapting *The 5,000 Year Leap* and *The Making of America*, *Proclaim Liberty* incorporates numerous passages that promote religion.

Proclaim Liberty teaches students the same twenty-eight Principles of Liberty that are presented in *The 5,000 Year Leap*. Compare *Proclaim Liberty* at 15

with Ex. B at 2–6. Among these are four principles that expressly promote religious beliefs on their face:

- “4. Without religion the government of a free people cannot be maintained.”
- “5. All things were created by God, therefore upon Him all mankind are equally dependent, and to Him they are equally responsible.”
- “9. To protect men’s rights, God has revealed certain principles of divine law.”
- “10. The God-given right to govern is vested in the sovereign authority of the whole people.”

Proclaim Liberty at 15. Like *The 5,000 Year Leap* (see Ex. B at 2–6), *Proclaim Liberty* teaches religion when discussing not only these principles, but also some of the twenty-eight principles that are not expressly religious on their face.

For instance, the “First Principle” discussed in the book, “[t]he only reliable basis for sound government and just human relations is Natural Law,” attributes the “basis” of American “government, justice, and human relations” to “the laws which the Supreme Creator has . . . established.” *Proclaim Liberty* at 18. This section goes on to assert that “the Founders looked upon God as the supreme, intelligent Being who created the [cosmic] universe and everything within it,” and concludes by implying that it is the student’s civic responsibility to likewise “appreciate the order and reasonableness of the Creator’s natural law.” *Id.* at 19.

In discussing the “Fourth Principle,” “[w]ithout religion the government of a free people cannot be maintained,” *Proclaim Liberty* advocates a “universal religion” allegedly ordained by the Founding Fathers. *Id.* at 22–23. Students are informed that their status as “free people” depends on acceptance of the five tenets of this “universal religion,” which were ostensibly “expressed or implied” in a letter written by Ben Franklin. *Id.* The book advises students that they can “honestly subscribe” to these religious tenets “whether they belong to any particular church or not.” *Id.* at 22. According to *Proclaim Liberty*, these “five points of fundamental religious belief” are:

1. There exists a [Creator] who made all things, and mankind should recognize and worship Him.
2. The Creator has revealed a moral [code] of behavior for happy living which distinguishes right from wrong.

3. The Creator holds mankind responsible for the way they [treat] each other.
4. All mankind [live] beyond this life.
5. In the next life mankind is [judged] for its conduct in this one.

Id. at 23. The message to students is that it is their duty as Americans to accept these “universal” and “fundamental” beliefs; should students hold contrary beliefs — for example, beliefs common to Hinduism, Buddhism, Humanism, or atheism — *Proclaim Liberty* strongly implies that they will erode the “foundation for liberty” upon which the Founders constructed the United States. *See id.* at 22–23.

Proclaim Liberty also endeavors to instruct students as to the precise nature of God in discussing the “Fifth Principle,” “[a]ll things were created by God, therefore upon Him all mankind are equally dependent, and to Him they are equally responsible.” *See id.* at 24–25. The book first posits that John Locke “demonstrat[ed] the certainty of God’s existence.” *Id.* at 24. Not content to teach simply that God exists, however, *Proclaim Liberty* then explains that the Founders “did not look upon God as some mysterious teleological force operating automatically and indifferently in nature,” but rather believed “that their Creator was both intelligent and benevolent and therefore anxious and capable of responding to” prayer. *Id.* at 24. The text asserts that George Washington “acknowledged that he would have suffered disaster had not the hand of God intervened” during the American Revolution. *Id.* at 25.

Much like it purports to reveal the “five points of fundamental religious belief,” *Proclaim Liberty* enumerates “God’s code of Divine Law” in discussing “The Ninth Principle,” “[t]o protect man’s rights, God has revealed certain principles of divine law.” *Id.* at 30–31. God’s “divine pattern of law for human happiness” is, according to the text, an elaborate paraphrasing of the Ten Commandments:

1. A recognition of God’s [supremacy] over all things;
2. That man is specifically forbidden to attribute God’s power to [false] gods;
3. The name of God is to be held in reverence and every [oath] taken in the name of God is to be carried out with the utmost fidelity lest the name of God be taken in vain;

4. That there is also a requirement that one day each week be set aside for the [study] of God's law; that it is also to be a day of worship and the personal renewing of one's commitment to obey God's law for happy living;
5. That there are also requirements to strengthen [family] ties by children honoring parents and;
6. Parents maintaining the sanctity of their marriage and not committing [adultery] after marriage;
7. That human [life] is also to be kept sacred; that he who willfully and wantonly takes the life of another must forfeit his own;
8. That a person shall not [lie];
9. That a person shall not [steal];
10. That every person must be willing to work for the things he desires from life and not [covet] and scheme to get the things which belong to his neighbor.

Id. at 30–31. After acknowledging that these principles are “the famous [Ten] Commandments,” the book refers students to the Bible for additional information about them. *Id.* at 31.

Similar religious teachings are presented in many other sections of *Proclaim Liberty*. For example, the book posits that “the basic rights of mankind . . . came directly and exclusively from God” (*id.* at 28), and that “the people are divinely endowed with the sovereign power to govern” (*id.* at 32 (emphasis omitted)). *Proclaim Liberty* also makes the blanket assertion that “[w]hen the Founders used the word ‘morality’ they usually had reference to the Ten Commandments, the Golden Rule, and the principles enunciated in the Sermon on the Mount.” *Id.* at 52. And the text claims that “universal religious beliefs” allegedly held by the Founders are “an extremely important part of the American system of [government].” *See id.* at 170.

Oral Class Instruction Substantially Promotes Religion

Students are not merely given religious materials to read. Our client has confirmed that religious teachings are regularly presented and promoted in the

Government / U.S. Constitution class orally by the class instructor (who happens to be you, Principal Taylor).

For example, we have learned that you have orally taught in the class that:

- A person must be religious to be a true patriot.
- People who do not believe in God are irrational.
- A person must be religious to be a trustworthy witness in court, because someone who does not believe in a divine creator cannot be trusted.
- Religion is necessary for morality.
- Monotheistic religious beliefs should be taught in schools.
- God sank a foreign navy in response to people's fasting and prayers.

We further understand that you have advocated for the doctrine of Intelligent Design — i.e., divine creation of living beings — in the class.

**Students are Required to Memorize, Take Tests on,
and Complete Written Assignments about Religious Teachings**

What is more, our client reports that students must complete homework and tests on the religious principles taught to them in the Government / U.S. Constitution class. Each student is given a card setting forth the twenty-eight “Principles of Liberty” taught in *Proclaim Liberty*. As discussed above, four of these principles expressly promote religious beliefs.

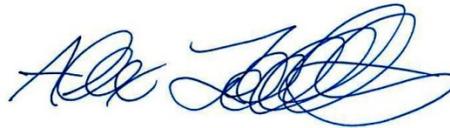
Students are required to memorize all twenty-eight principles — including the four expressly religious ones — and must be prepared to recite them in class. Students are given daily quizzes on the materials taught to them. They must also complete a notebook in which they are required to devote two pages to each of the twenty-eight principles, including writing down the principle and completing an assignment about it. Recitation of the twenty-eight principles, answering the quizzes, and completion of the notebook each account for 15 percent of a student's grade.

* * * * *

In sum, we have confirmed that Heritage Academy's mandatory government class for seniors teaches and promotes religion — through written material, oral instruction, and assignments students must complete — in plain violation of the U.S. and Arizona Constitutions. We accordingly request that you (1) completely remove *Proclaim Liberty Throughout all the Land*, *The 5,000 Year Leap*, *The Making of America*, and any other materials that contain religious references similar to ones in those texts from Heritage Academy's curriculum; (2) cease advocating, promoting, or teaching religion in oral instruction in any Heritage Academy class, including the Government / U.S. Constitution class; (3) cease giving students any assignments that involve memorizing, being tested on, or writing about religious teachings or principles; (4) remove from the calculation of all student grades any such assignments that have already been given this semester; and (5) ensure that the government class, as well as each other Heritage Academy class, does not teach or promote religion in any other way.

Please be advised that this letter represents our final effort to resolve this matter without proceeding to litigation. We are prepared to file suit on behalf of our client if Heritage Academy does not stop promoting religion in its government class. We ask that you respond to this letter no later than September 11, 2015. Please do not hesitate to contact us if you would like to discuss this matter.

Sincerely,



Alex J. Luchenitser, Associate Legal Director
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* Admitted in New York only. Supervised by Alex J. Luchenitser,
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Enclosures:

Dec. 4, 2013 letter from Americans United to ASBCS and Heritage Academy (Ex. A)
June 24, 2014 letter from Americans United to ASBCS & Heritage Academy (Ex. B)
Dec. 9, 2013 letter from Heritage Academy to ASBCS (Ex. C)