

# In The Fathers' Corner

by Keith Davis

Our country was founded by God fearing, religious and spiritual believers. We know this because their writings reflect their devotion and praise to the Creator and His Word as revealed in the Bible. They knew God was instrumental in the formation of the United States of America. In each issue of the *People's Pen*, we look at just a few of the many writings that exemplify the Founding Fathers' beliefs.

And nowhere else is there such an extensive, well documented collection of the Founders' writings as in a book by David Barton, *Original Intent – The Courts, the Constitution, & Religion*

This book looks at the words of the Founders, their original intent and in particular, how they should, but don't, tie in with court decisions which have served to change the laws of our land. The most blatant example of that was the "separation metaphor." For 150 years, there were only 2 cases which invoked the separation of church and state. But in 1947, in the case of *Everson vs. Board of Education*, the Supreme Court proclaimed:



*The First Amendment has erected a wall of separation between church and state. This wall must be kept high and impregnable. We could not approve the slightest breach.*

Since then, the separation metaphor has been cited in over four thousand cases. Also from that point, the courts relied on that phrase rather than the First Amendment to strike down religious activities of all kinds. *Original Intent* lists page after page of these rulings, all stemming from the infamous misinterpretation of Thomas Jefferson's letter to the Danbury Baptist Association.

David Barton's book painstakingly details both state and federal court cases of the 19<sup>th</sup> century which uphold the rights of religious believers and affirm that Christian beliefs are not only allowed, but necessary in the orderly and lawful running of our country. One such case was the *Church of the Holy Trinity V. United States* of 1892. "At issue was an 1885 federal immigration law which declared:

*It shall be unlawful for any person, company, partnership or corporation, in any manner whatsoever to, in any way assist or encourage the importation of any alien or foreigners into the United States under contract or agreement, to perform labor or service of any kind.*

This law was enacted to halt the influx of slave-like foreign labor to construct western railroads.”

The church had employed a pastor from England and the U.S. Attorney’s office brought suit against the church for violating that law. The book goes on to say, “While the church’s hiring of the minister had violated the wording of the law, it clearly had fallen outside the intent of that law. The Court concluded that it would be an absurd application to prosecute the church under the law.” In concluding that America is a Christian nation, it explained:

*This is historically true. From the discovery of the continent to the present hour, there is a single voice making this affirmation. These are not individual sayings, declarations of private persons: they are organic utterances (historical documents and previous court cases); they speak the voice of the entire people. These and many other matters which might be noticed, add a volume of unofficial declarations to the mass or organic utterances that this is a Christian nation.”*

Imagine that! The U.S. Supreme Court saying we are a Christian nation. Who would have thought?

*Original Intent* goes on for several chapters showing how the Founders original intent was ignored and rewritten through the selective use of history and a changing of standards. There is a chapter devoted to the religious nature of the Founders and concludes with a chapter called “Returning to Original Intent,” stating that education and awareness would be the only way to successfully return. Appendices include the Declaration of Independence, the Constitution, biographical sketches of hundreds of Founders and historical figures, and, of course, extensive footnotes backing up all of the documentation.

Because of the extreme detail, the *Original Intent* is not a quick and easy read, but at the same time, is a thorough and valuable resource. It is available from Amazon.com

### **Founding Fathers' Words:**

Founder James Wilson, who signed both the Declaration of Independence and the Constitution and was nominated by George Washington to become a justice of the Supreme Court, said:

*The first and governing maxim in the interpretation of a statute is to discover the meaning of those who made it.*