

Constitutional Corner – America’s Fundamental Principles: One Nation Under God.

"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

Some Americans have been saying most of this pledge since 1892, and all of us since Congress adopted it as our official pledge in 1942, no doubt giving author [Francis Bellamy](#), a Baptist minister, and Christian socialist, enormous pride – except for the fact that Bellamy had already been dead eleven years. Oh well. Often the “Bellamy salute” included something reminiscent of the Nazi arm salute, until WWII made that less appealing.

As many of you probably know, the pledge, as initially adopted, did not contain the words “under God,” those came later in 1954 when recently baptized President Dwight D. Eisenhower urged Congress to add them.

But even before the words “under God” were added, the pledge was under assault; Jehovah's Witnesses, who considered any pledge a form of idolatry, demanded that their children be excused from recitation in school. Initially the Supreme Court ruled they could be compelled to recite the pledge,¹ and three years later changed its mind.² Go figure.

In 2002, the 9th Circuit Court of Appeals actually ruled the phrase “one nation under God” to be an unconstitutional infringement on the Establishment Clause of the 1st Amendment.³ The Supreme Court decided there was a procedural discrepancy (standing) and overturned the decision. While three of the eight Justices (Justice Scalia recused himself) disagreed that the plaintiff did not enjoy standing, these three all found that the phrase did not offend the Constitution. While the ruling was not definitive on the Constitutional question, the Court sent a clear message that future challenges would fail.

Today, the pledge is taken pretty much for granted and recited at many public gatherings, both governmental and casual (at least at the gatherings of social groups who consider patriotism still in vogue). We recite the pledge so often it becomes rote, and possibly even meaningless.

Let’s review.

What does it mean to be “one nation under God?”

The one nation part is pretty easy, we’re arguably not; at least not precisely. The socialist Bellamy certainly wished we would consider ourselves a single nation, as many today do, but

¹ *Minersville School District v. Gobitis*, 310 U.S. [586](#) (1940)

² *West Virginia State Board of Education v. Barnette*, 319 U.S. [624](#) (1943)

³ *Elk Grove Unified School District v. Newdow*, 542 U.S. 1 (2004)

the fact is we remain a union of 50 sovereign states and not a single nation, despite the claim of the Pledge. Madison made this point clear in Federalist 39:

“That [establishing the Constitution] will be a federal and not a national act, as these terms are understood by the objectors; the act of the people, as forming so many independent States, not as forming one aggregate nation, is obvious from this single consideration, that it is to result neither from the decision of a *majority* of the people of the Union, nor from that of a *majority* of the States. It must result from the *unanimous* assent of the several States that are parties to it.” (Emphasis added)

But the fact remains we do have a single government presiding over those 50 states, a government endowed with both national and federal properties. Later in Federalist 39 Madison concludes: “*The proposed Constitution (and the government it created) therefore is in strictness neither a national nor a federal constitution; but a composition of both.*”

The character of America as “one nation” faced its severest test in 1861 when the southern states were forcibly prevented from peacefully leaving the union. “Hurray, Lincoln saved the Union!” we say, but we nearly always forget the cost in lives and constitutional affronts caused by Lincoln’s action.⁴ Some believe the war settled the question of secession. I say it settled nothing of the sort. All the war settled was that with a President named Abe Lincoln, states would not be permitted to unilaterally secede.

Could they today? I see nothing preventing it, particularly if the seceding state(s) could convince Congress and their neighbors to agree. It would still be “one nation” for the remaining states, just slightly smaller. For this reason, the word “indivisible” from the pledge tends to stick in my throat each time I say it (but I do say it).

Let’s turn our attention to the “under God” part of the pledge; what does it mean for a people to declare themselves to be “under God.”

First, it is clear that such talk gives atheists a severe case of hives. Apparently, even hearing the word “God” is more than they can bear. They want the word [removed from our currency, pledges](#) and banished from public view or public hearing. And there are plenty of public places they will encounter this public recognition of God; from the first words of a Supreme Court session; to the start of every day in Congress; to the marble frieze on the south wall of the Supreme’s courtroom, which features Moses holding the Ten Commandments; to Jefferson’s words carved into his memorial. The aluminum capstone that crowns the Washington Monument, the first piece of property in Washington, D.C. touched by the rising sun, is inscribed on the east face with “LAUS DEO,” Latin for “Praise be to God.” These public

⁴ For a fuller discussion of this topic see: “The Real Lincoln” by Thomas J. DiLorenzo. (2002, Three Rivers Press).

acknowledgments shouldn't surprise us: "*We are a religious people whose institutions presuppose a Supreme Being.*"⁵

None of these, of course, constitute America's first acknowledgements, as a people, of being "under God." The very first charter granted to settle America, the Virginia charter of 1606, announced one of the goals of the colony to be "in propagating of Christian Religion to such People, as yet live in Darkness and miserable Ignorance of the true Knowledge and Worship of God, and may in time bring the Infidels and Savages, living in those parts, to human Civility, and to a settled and quiet Government." Where did Virginia's settlers get the idea that God wanted them to propagate Christianity? Numerous Bible verses command it; Acts 1:8 being one example, where Jesus proclaims his followers: "will be my witnesses in Jerusalem, and in all Judea and Samaria, and to the ends of the earth."

The Mayflower Compact of 1620 proclaimed: "Having undertaken, for the Glory of God, and advancements of the Christian faith and honor of our King and Country, a voyage to plant the first colony in the Northern parts of Virginia..."

The Pilgrims believe they were establishing a covenant with God "for His glory." They had covenanted together as they left England for Holland, now they were entering a covenant, a solemn agreement, with Almighty God for his guidance and protection. As long as they modeled their lives after His commandments, they felt God would in return bless their endeavor.

One can argue that some colonies, such as Virginia, while acknowledging God in its charter, did not formally establish a covenant, such as did the Pilgrims. But one would be wrong. A charter is not the only mechanism for covenant. Pastor Robert Hunt [clearly dedicated the Jamestown settlement to God](#) when they first came ashore at Cape Henry. Can the prayer of a single pastor in 1607 place an entire nation in covenant with God? I think that's up to God, don't you?

The story of the founding of Pennsylvania is also instructive.⁶ Twelve-year old William Penn had a dramatic conversion to the Quaker religion. Quakers were a persecuted sect in a country where the Church of England was the only recognized religion. Arrested and jailed multiple times for illegal "street preaching," [Penn's eventual trial](#) is a great example of jury nullification, but that's another story for another day. Penn eventually inherited his wealthy father's estate and in exchange for cancellation of a £16,000 debt owed the estate by the British government, Penn was able to secure from King Charles II title to 28,000,000 acres of land in America, which became Pennsylvania (literally, Penn's Woods). Soon thereafter, Penn wrote:

⁵ *Zorach v. Clauston*, [343 U.S. 306](#) (1952).

⁶ The fuller version of this story can be found in "The Seed of a Nation – Rediscovering America" by Darrell Fields (2008, Morgan James Publishers).

“There may be room [in Pennsylvania] for such a Holy Experiment. For the nations want a precedent and my God will make it the Seed of a Nation, that an example may be setup to the Nations, that we may do the thing that is truly wise and just.”

In his first Constitution for the colony, a Frame of Government, Penn concludes a lengthy explanation of the purpose of government by declaring:

“To carry this evenness is partly owing to the constitution and partly to the magistracy; where either of these fail, government will be subject to convulsions; but, where both are wanting, it must be totally subverted; then where both meet, the government is like to endure. Which I humbly pray and hope *God* will please to make the lot of this of *Pennsylvania*. Amen.”⁷

Sounds like a request for covenant to me. So we have Virginia in the south, Massachusetts in the north and Pennsylvania in the center, all believing themselves in covenant with God.

Pennsylvania would of course become the “seed of the nation” when its capitol, Philadelphia, hosted the 2nd Continental Congress in 1776, who declared our independence, and eleven years later, the “Grand Convention” of 1787, which gave us our Constitution. So Penn’s prayer that his colony be made the “seed of the nation” would appear to have been answered, in spades.

Recall that the Declaration of Independence concludes with the delegates stating:

“And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.”

With its three other open references to God, the Declaration is among our most religious founding document. But could the delegates even ask for the protection of Divine Providence if they did not consider themselves in covenant relationship with God? And mind you, this was not the Deist god, who had created the world and then essentially said “have fun with it,” this was the God of Abraham, Isaac, and Jacob, the God of Israel.

There is open debate to this day as to whether the Constitution describes a covenantal relationship with God. It does, however, tangentially acknowledge several tenets of the Christian faith.⁸

⁷ <http://www.constitution.org/bcp/frampenn.htm>.

⁸ Keeping the Sabbath (Article I, Section 7, Clauses 2 and 3); Two witnesses required (Article 3, Section 3, Clause 1); the First Amendment’s reference to “religion,” which any fair reading of the debate in Congress will reveal reflected a desire not to establish any one Christian denomination as a national religion; and the Subscription Clause, which used the Judeo-Christian method of dating.

In “*God’s Covenant with America*,”⁹ Bill Hunter describes the many events in early American history which point to the establishment of a covenant with God. The trilogy¹⁰ written by Peter Marshall and David Manuel contain even more references.

On December 11, 1776, Congress declared:

“Therefore the Congress hereby Resolve, That it be recommended to all the States, as soon as possible to appoint a day of solemn Fasting and Humiliation, to implore of Almighty God the forgiveness of the many sins prevailing among all ranks, and to beg the countenance and assistance of his Providence in the prosecution of this just and necessary war.” (Emphasis added)

Why would people who did not believe they were in covenant relationship with God bother begging his “countenance and assistance?”¹¹

Every one of the original 13 State Constitutions, in its freedom of religion clause or in its preamble, placed the state in some sort of subservient relationship to God, and nearly always it was crystal clear that this was the God of the Bible. The remaining 37 states would follow suit.

A sampling:

Massachusetts: “to promote their happiness and to secure the good order and preservation of their government, the people of this commonwealth have a right to invest their legislature with power to...make suitable provision...for the institution of the public worship of God, and for the support and maintenance of public **Protestant** teachers of piety, religion and morality.”

Virginia: “all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practice **Christian** forbearance, love, and charity towards each other.”

Connecticut: “The People of this State being by the **Providence of God**, free and independent, have the sole and exclusive Right of governing themselves as a free, sovereign, and independent State;...”

If the atheists and secularists are to be successful in obliterating references to God from the public square, they really have their work cut out for them – but they are truly a persistent lot; Freedom from Religion Foundation and American United for Separation of Church and State have learned how to work the legal system, and FFRF in particular has sympathetic contacts in

⁹ Book 1 is subtitled: “From Birth through the Nineteenth Century,” Book 2 is subtitled: “The Dawn of a New Day.”

¹⁰ “The Light and the Glory”, “Sounding Forth the Trumpet,” “From Sea to Shining Sea.”

¹¹ <http://lincoln.lib.niu.edu/cgi-bin/philologic/getobject.pl?c.27968:1.amarch>

the Pentagon who have made great progress in turning the very regimented environment of the U.S. military into a “religion-free zone.”

As [Gary DeMar makes clear in this essay](#), however, the phrases “One Nation Under God” and “In God We Trust” are not necessary to establish the truth of either phrase. All nations on the earth are under God, whether they acknowledge this fact or not; it is a feature of the creation. Psalms 22:28 states: “For the kingdom is the Lord’s, and He rules over the nations.” In Acts 17: 24-26 we read: “The God who made the world...gives to all life and breath and all things; and He made...every nation..., having determined their appointed times, and the boundaries of their habitation...”

Americans who deny this fact or fight to edit it out of history books or public view do not change it. So taking the phrases out of the pledge or off our currency would not change an eternal truth.

The Bible is replete with examples of God dealing with people as nation-groups. God judges the collective behavior of nations and renders judgement upon that behavior. “Nations are judged in our lifetime, not in eternity.”¹²

But is there some advantage or requirement for a people to publically acknowledge that they exist “under God?” And do they derive any benefit in doing so? Does God?

Luke 12: 8 tells us:

“...whoever publicly acknowledges me before others, the Son of Man will also acknowledge before the angels of God.”

This reciprocity is typically seen as an individual commandment to publically acknowledge faith in Christ, but could it also have a collective component, a national component?

II Chronicles 7:14 declares:

“If my people, who are called by my name, will humble themselves and pray and seek my face and turn from their wicked ways, then I will hear from heaven, and I will forgive their sin and will heal their land.”

“If...then,” a familiar statement to computer programmers, and a guarantee that if the “if” conditions are met, we can expect the “then” response.

12 Olivia M. McDonald, *Acknowledging God in the Decisions of State, 2nd Edition: A Treatise on Biblical Statesmanship*, p.1.

Let's step into the way-back machine and ask some Founders what they think: do they think it appropriate for a nation to acknowledge God and/or His providence.

George Washington, perhaps the chief beneficiary of God's providence during the Revolutionary War, proclaimed as President: "It is the duty of all Nations to acknowledge the providence of Almighty God, to obey his will, to be grateful for his benefits, and humbly to implore his protection and favors." Thanksgiving Proclamation, 1789

In his Thoughts on Government, John Adams wrote: "It is the duty of all men in society, publicly, and at stated seasons, to worship the SUPREME BEING, the great Creator and Preserver of the universe."

In his request for prayer at the Constitutional Convention, feisty self-proclaimed-Deist Ben Franklin proclaimed:

"God governs in the affairs of men, and if a sparrow cannot fall to the ground without his notice, is it probable that an empire can rise without his aid? We have been assured, Sir, in the sacred writings, that "except the Lord build the House they labour in vain that build it." I firmly believe this; and I also believe that without his concurring aid we shall succeed in this political building no better than the Builders of Babel: We shall be divided by our little partial local interests; our projects will be confounded, and we ourselves shall become a reproach and bye word down to future ages. And what is worse, mankind may hereafter from this unfortunate instance, despair of establishing Governments by Human Wisdom and leave it to chance, war and conquest."

By the way, if this was the speech of a Deist, Franklin was clearly unaware of the tenets of his faith.

In Federalist No. 2, John Jay wrote:

"I often note with equal pleasure that God gave this one connected country to one united people -- a people descended from the same language, professing the same religion, attached to the same principles of government, very similar in manners and customs, who by their joint counsels, arms, and efforts, fighting side by side through a long bloody war, have nobly established general liberty and independence."

Samuel Adams issued this Proclamation as Governor of Massachusetts on October 13, 1795:

"That God would be pleased to guide and direct the administration of the Federal government, and those of the several states, in union, so that the whole people may continue to be safe and happy in the constitutional enjoyment of their rights, liberties and privileges, and our governments be greatly respected at home and abroad."

Elias Boudinot, President of Congress:

“Let us enter on this important business under the idea that we are Christians on whom the eyes of the world are now turned... [L]et us earnestly call and beseech Him, for Christ’s sake, to preside in our councils. . . . We can only depend on the all powerful influence of the Spirit of God, Whose Divine aid and assistance it becomes us as a Christian people most devoutly to implore. Therefore I move that some minister of the Gospel be requested to attend this Congress every morning . . . in order to open the meeting with prayer.”¹³ (emphasis added)

I could fill several pages with similar quotations. I think you get the picture; the Founders were not reticent in acknowledging their connection to the God of the Bible, and encouraging their fellow citizens to do likewise.

So let’s suppose for the moment that early American settlers were successful in establishing a covenantal relationship with the God of the Bible. Are we still in such a relationship yet today?

Deuteronomy 28:1: “Now it shall be, if you diligently obey the LORD your God, being careful to do all His commandments which I command you today, the LORD your God will set you high above all the nations of the earth. Another “if...then” statement. How well have we kept our end of the covenant? How well have we kept God’s commandments?

Not well at all. We’ve murdered 50 million of our unborn; we have racked up unimaginable debt and made totally unfulfillable promises to our citizens; we celebrate sexual immorality and castigate those who speak against it; we redefine a millennia-old institution created by God (marriage), with impunity. We send our children off to government-run schools without care for what they are being taught – our values or someone else’s? A good portion of our citizenry has even abandoned the basic concept of God.¹⁴ If there was ever a nation that failed to live up to its covenantal responsibilities it is the United States of America.

Despite our consistent failure, has God kept his end of the Deuteronomy 28:1 covenant? In many ways America has indeed been “set high above all the nations of the earth;” but there is ample evidence we will not stay there forever, or even much longer.

The Bible demonstrates the fate of a nation that turns its back on their God; the Jewish nation discovered this more than once. In “God’s Final Warning to America,”¹⁵ John McTernan, outlines a litany of natural disasters which he believes reveal God trying to get our attention.

¹³ Elias Boudinot, *The Age of Revelation, or the Age of Reason Shewn to be An Age of Infidelity* (Philadelphia: Asbury Dickins, 1801), p. xv, from his “Dedication: Letter to his daughter Susan Bradford.”

¹⁴ <http://www.pewforum.org/2015/05/12/americas-changing-religious-landscape/>

¹⁵ 1996, published by the author.

We as a people have rejected God, failed miserably to keep His commandments, and generally fulfilled the words of Judges 17:6.¹⁶

Nevertheless, the Bible also shows us the infinite forgiveness of God, provided there is true repentance. But how does this repentance occur? What is the spark?

America has seen many revivals in the past¹⁷ and some have had great impact on both the people and the direction of their government (Many of the Founders were influenced by the First Great Awakening of 1740).¹⁸ We desperately need another.

How much longer will God wait to come to the aid of America? Perhaps a better question would be: “How much longer will we wait to turn back to God?” A final question, equally pertinent, would be: “What will it look like if/when God withdraws from the Covenant?” In the opinion of John McTernan: “If God destroyed America tomorrow, He could not be accused of being too harsh.”¹⁹

Americans face a difficult choice: proclaim in their official pledge a relationship which they disbelieve, or affirm in the pledge a relationship which they believe to be true, but which is very much not in evidence as you look across this great land.

It is not too late to preserve this unique nation we call America, to restore the relationship we had with the God of Covenant, to truly become once again “One nation under God;” but the longer we wait, the more we flirt with our judgement.

We will be discussing this topic on “We the People, The Constitution Matters” on WFYL radio Friday morning, 19 February, 7-8am. You can “Listen Live” at www.1180wfyl.com, or, if you are fortunate enough to live in the station’s broadcast area, on the radio as you drive to work that morning. I’m lead to believe that at least one of my co-commentators has a somewhat radical idea to propose.

You can later download the podcast of the show and listen at your leisure, or you can listen to one of the rebroadcasts during the weekend. I would love to hear your ideas on this topic, including your critique of “Start the Conversation.” Hope you’ll join us.

“Constitutional Corner” is a project of the Constitution Leadership Initiative, Inc. To unsubscribe from future mailings by Constitution Leadership Initiative, [click here](#).

¹⁶ *“In those days there was no king in Israel; every man did what was right in his own eyes.”* (NASB)

¹⁷ <http://www1.cbn.com/cbnnews/us/2013/June/American-Revivals-Key-to-Shaping-US-History>

¹⁸ http://constitutionleadership.org/essays/The_First_Great_Awakening-Impact_on_the_Founding_Fathers.pdf

¹⁹ “God’s Final Warning to America, p. 178.