

[Click here](#) to learn Why You Need To Be Saved

GOD & THE COURTS IN AMERICA



God and the Courts in America



(A Sermon Preached at Grace Baptist)

Psalm 33:12-22 Blessed is the nation whose God is the LORD; and the people whom he hath chosen for his own inheritance. The LORD looketh from heaven; he beholdeth all the sons of men. From the place of his habitation he looketh upon all the inhabitants of the earth. He fashioneth their hearts alike; he considereth all their works. There is no king saved by the multitude of an host: a mighty man is not delivered by much strength. An horse is a vain thing for safety: neither shall he deliver any by his great strength. Behold, the eye of the LORD is upon them that fear him, upon them that hope in his mercy; To deliver their soul from death, and to keep them alive in famine. Our soul waiteth for the LORD: he is our help and our shield. For our heart shall rejoice in him, because we have trusted in his holy name. Let thy mercy, O LORD, be upon us, according as we hope in thee.

America is a country founded upon religion – not just religion – but Christianity – not just Christianity – but Christianity based upon the Bible. God has raised up this great country to be a solid Bible-based nation – a nation of Bible preaching churches that sends missionaries to a lost and dying world.

Presidents

Many of our presidents have been godly men. During the darkest days of the American Revolution at Valley Forge, a farmer came home and said to his wife, “Mother, the British are going to lose this war.” “What makes you think so, John?” was her reply. “Because,” he said, “I saw George Washington today down on his knees in the snow praying to God for guidance and help. A faith like that cannot be defeated.”

Abraham Lincoln said one time, “I do not know where the Ship of Life will finally take me, but there is one thing that I do know: I know the Pilot of that ship, and I have been assured all along the way by the touch of His hand on mine.”

President William McKinley, upon his deathbed, is reputed to have said, “It is God’s way, and I today am clinging to my Father’s hand, for I know the way I go leads to that better land.”

A close personal friend of President Harry S. Truman stated that he had said, “I want you to pray that God will always give me the wisdom to make the right decisions for the welfare of our country.” The Bible was always upon his desk at the White House and he read it daily.

Before President Dwight D. Eisenhower gave his inaugural address, you may recall that he first paused and offered a prayer for God's help and leadership.

First Settlers

Here are some of the writings of Christopher Columbus:

"Our Lord opened my understanding (I could sense his hand upon me) so it became clear to me that it (the voyage) was feasible...All those who heard about my enterprise rejected it with laughter, scoffing at me...Who doubts that this illumination was from the Holy Spirit? I attest that He (the Holy Spirit), with marvelous rays of light, consoled me through the holy and sacred Scriptures...they inflame me with a sense of urgency...No one should be afraid to take on any enterprise in the name of our Savior if it is right and if the purpose is purely for His holy service...And I say that the sign which convinces me that our Lord is hastening the end of the world is the preaching of the Gospel recently in so many lands."

Other explorers soon followed Columbus to the new continent, with each making proprietary claims for his own king or monarch. Therefore, when subsequent groups of colonists wished to settle in the New World, they were required to beseech their particular sovereign for a land charter. If granted, the resulting charter would present the reasons set forth by the group for its proposed endeavor. Hence the motivations of the colonists who came to America can be documented from an examination of their approved intentions.

The 1606 charter for a colony in Virginia declared the settlers' desire:

"To make habitation...and to deduce a colony of sundry of our people into that part of America commonly called Virginia...in propagating of Christian religion to such people as yet live in darkness."

In 1609, another Virginia charter stated:

"The principal effect which we can desire or expect of this action is the conversion...of the people in those parts unto the true worship of God and Christian religion."

In November of 1620, the Pilgrims arrived in America on the *Mayflower*. Having originally set out for an established settlement in Virginia, they were blown far north by strong winds and severe storms, finally landing in an uncolonized area. Before disembarking in that new area which had no established civil government, the Pilgrims drafted and signed the 'Mayflower Compact'- the first government charter drafted solely in America. It declared:

"Having undertaken for the glory of God and advancement of the Christian faith...we combine ourselves together into a civil body politic for ...furtherance of the ends aforesaid."

William Bradford, one of their leaders, confirmed this purpose when he explained that the Pilgrims had come to the New World because...a great hope and inward zeal they had of laying some good foundation, or at least to make some way thereunto, for the propagation and advancing the Gospel of the kingdom of Christ in those remote parts of the world.

In 1629, the charter of Massachusetts declared:

“Our said people...be so religiously, peaceably, and civilly governed that their good life and orderly conversation may win and incite the natives of... that country to the knowledge and obedience of the only true God and Savior of mankind, and the Christian faith, which...is the principal end of this plantation (colony).”

In 1643, the colonies of Massachusetts, Connecticut, New Plymouth, and New Haven joined together to form the New England Confederation- America’s first ‘united’ government. These colonies banded together because, as that document explained, each had similar goals:

“We all came into these parts of America with one and the same end and aim, namely to advance the kingdom of our Lord Jesus Christ.”

In 1669, John Locke assisted in the drafting of the Carolina constitution under which no man could be a citizen unless he acknowledged God, was a member of a church, and used no ‘reproachful, reviling, or abusive language’ against any religion.

Higher Education

The inseparability of Christianity from education, whether public or private, was evident at every level of American education. For example, the 1636 rules of Harvard declared:

“Let every student be plainly instructed and earnestly pressed to consider well the main end of his life and studies is to know God and Jesus Christ which is eternal life and therefore to lay Christ in the bottom as the only foundation of all sound knowledge and learning. And seeing the Lord only giveth wisdom, let every one seriously set himself by prayer in secret to seek it of Him. Every one shall so exercise himself in reading the Scriptures twice a day that he shall be ready to give such an account of his proficiency therein.”

Those Harvard requirements changed little over subsequent years. For example, the 1790 rules required:

“All persons of what degree forever residing at the College, and all undergraduates...shall constantly and seasonably attend the worship of God in the chapel, morning and evening...All scholars shall, at sunset in the evening preceding the Lord’s Day, lay aside all their diversions and...it is enjoined upon every scholar carefully to apply himself to the duties of religion on said day.”

So firmly was Harvard dedicated to this goal that its two mottos were “For the Glory of Christ” and “For Christ and the Church.”

In 1699, Yale was founded by ten ministers in order:

“To plant, and under the Divine blessing, to propagate in this wilderness the blessed reformed Protestant religion.”

When classes began in 1701, Yale required:

“The Scriptures...morning and evening are to be read by the students at the times of prayer in the school...studiously endeavor in the education of said students to promote the power and purity of religion.”

In 1743, and again in 1755, Yale charged its students:

“Above all have an eye to the great end of all your studies, which is to obtain the clearest conceptions of Divine things and to lead you to a saving knowledge of God in his Son Jesus Christ.”

In 1787, the rules declared:

“All the scholars are required to live a religious and blameless life according to the rules of God’s Word, diligently reading the holy Scriptures, that fountain of Divine light and truth, and constantly attending all the duties of religion...All the scholars are obligated to attend Divine worship in the College Chapel on the Lord’s Day and on Days of Fasting and Thanksgiving appointed by public Authority.”

In 1754, King’s College was founded in New York. Following the American Revolution, its name was changed to Columbia College, and in 1787, Constitution signer William Samuel Johnson was appointed its first president. Columbia’s admission requirements were straightforward:

“No candidate shall be admitted into the College...unless he shall be able to render into English...the Gospels from the Greek...It is also expected that all students attend public worship on Sundays.”

Declaration of Independence

The *Declaration of Independence* was actually a dual declaration: a Declaration of *Independence* from Britain and a Declaration of *Dependence* on God. This act preserved a lesson for future generations. As explained by signer of the Declaration Benjamin Rush:

“I sat next to John Adams in Congress, and upon my whispering to him and asking him if he thought we should succeed in our struggle with Great Britain, he answered me, “Yes-if we fear God and repent of our sins.” This anecdote will, I hope, teach my boys that it is not necessary to disbelieve Christianity or to renounce morality in order to arrive at the highest political usefulness or fame.”

The day after the separation from Great Britain was approved, John Adams wrote Abigail two letters. In the second letter, he noted:

“This day will be the most memorable epocha (sic) in the history of America. I am apt to believe that it will be celebrated by succeeding generations as the great anniversary festival. It ought to be commemorated as the day of deliverance by solemn acts of devotion to God Almighty.”

A year after the signing of the Declaration, there was a shortage of Bibles. Therefore, on July 7, 1777, a request was placed before Congress to print or to import more. That request was referred to a committee of Daniel Roberdeau, John Adams, and Jonathan Smith who examined the possibilities and then on September 11, reported to Congress:

“That the use of the Bible is so universal, and its importance so great...your Committee recommend that Congress will order the Committee of Commerce to import 20,000 Bibles from Holland, Scotland, or elsewhere, into different ports of the States of the Union.”

On June 28, 1787, 81 year-old Benjamin Franklin, one of the least religious of the Founders, stood up at the Constitutional Convention and said:

“I have lived, sir, a long time, and the longer I live, the more convincing proofs I see of this truth – that God governs in the affairs of men. And if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid? We have been assured, sir, in the Sacred Writings, that ‘except the Lord build the House, they labor in vain that build it.’ I firmly believe this, and I also believe that without His concurring aid we shall succeed in this political building no better than the builders of Babel: we shall be divided by our little partial local interests; our projects will be confounded, and we ourselves shall become a reproach and by-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.

I therefore beg leave to move – that henceforth prayers imploring the assistance of Heaven, and its blessings on our deliberations, be held in this Assembly every morning before we proceed to business, and that one or more of the clergy of this city be requested to officiate in that service.”

In 1835, Alexis de Tocqueville wrote in *Democracy in America*:

“Upon my arrival in the United States, the religious aspect of the country was the first thing that struck my attention; and the longer I stayed there, the more did I perceive the great political consequences resulting from this state of things, to which I was unaccustomed. In France I had almost always seen the spirit of religion and the spirit of freedom pursuing courses diametrically opposed to each other; but in America I found that they were intimately united, and that they reigned in common over the same country.”

On July 4, 1821, John Quincy Adams said:

“From the days of the Declaration...they (the American people) were bound by the laws of God, which they all, and by the laws of the gospel, which they nearly all, acknowledged as the rules of their conduct.”

Court Cases

1. The case of the *Church of the Holy Trinity v. U.S.* (1892)

In this case, when the U.S. Supreme Court described America as a ‘Christian nation,’ it did so because, as it explained, “This is historically true. From the discovery of this 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; they speak the voice for the entire people...These and many other matters which might be noticed, add a volume of unofficial declarations to the mass of organic utterances that this is a Christian nation.”

2. The case of *Updegraph v. The Commonwealth* (1824)
(Supreme Court of Pennsylvania)

This was the first case cited in *Holy Trinity*, and the facts of the case were described:

Abner Updegraph...not having the fear of God before his eyes...did unlawfully, wickedly and premeditatively, despitefully and blasphemously say...”That the Holy Scriptures were a mere fable: that they were a contradiction, and that although they contained a number of good things, yet they contained a great many lies.”

He was found guilty by the jury and the verdict was appealed. The Blackstone’s *Commentaries on the Laws*, introduced in 1766, became *the* law book of the Founding Fathers. It was therefore logical that the court should turn to this source to establish the legal definition of ‘blasphemy.’

“Blasphemy against the Almighty is denying His being or Providence or uttering contumelious (insulting) reproaches on our Savior Christ. It is punished at common law by fine and imprisonment, for Christianity is part of the laws of the land.”

Having rejected the defense argument concerning a debating society, the court concluded by refuting the defense contention that the constitution disregarded Christianity:

“We will first dispose of what is considered the grand objection – the constitutionality of Christianity – for, in effect, that is the question. Christianity, general Christianity, is and always has been a part of the common law...not Christianity founded on any particular religious tenants; not Christianity with an established church...but Christianity with liberty of conscience to all men.”

3. The case of *Vidal v. Girard’s Executors* (1844)
(United States Supreme Court)

This was the third case cited in *Holy Trinity*, and it involved the probation of the will of Frenchman Stephen Girard who had arrived in America before the Declaration of Independence was signed. His estate, valued at \$7 million, was bequeathed to the city of Philadelphia on the condition that it construct an orphanage and a college according to his stipulations. One of his stipulations:

“I enjoin and require that no ecclesiastic, missionary, or minister of any sect whatsoever, shall ever hold or exercise any station or duty whatever in the said college; nor shall any such persons ever be admitted for any purpose, or as a visitor, within the premises....”

His requirement to exclude clergy and religious teachings from a school was unprecedented. After the arguments were finished, the unanimous opinion of the Supreme Court first ruled that Girard’s estate could be delivered to the city of Philadelphia, but that the teaching of Christianity could not be excluded from the school.

4. The case of *Murphy v. Ramsey* (1885)
(United States Supreme Court)

The U.S. Supreme Court stated:

It is a significant fact that on the 8th of December, 1788, *after* the passage of the act of establishing religious freedom, and *after* the convention of the Virginia had recommended as an amendment to the Constitution of the United States the declaration in a bill of rights that “all men have an equal, natural, and unalienable right to the free exercise of religion, according to the dictates of conscience,” the legislature of that State substantially enacted the...death penalty for polygamy.

Even Jefferson and Madison, touted by today’s liberal groups as champions of tolerance, strongly opposed anything *except* monogamous heterosexual relationships. This is established by the fact that they enacted the death penalty for bigamy and polygamy and that Jefferson himself proposed ‘castration’ as the penalty for sodomy.

Original Intent

The Founding Fathers divided the powers of our government into three branches: (1) Executive, (2) Legislative, and (3) Judicial. This separation of powers is rooted in the Biblical concept of the fact that man tends toward corruption. Jeremiah 17:9 states: “The heart *is* deceitful above all *things*, and desperately wicked: who can know it?”

Thomas Jefferson worried that the courts would overstep their authority and instead of interpreting the law, judges would begin making law...an oligarchy...the rule of few over many.

George Washington stated that: “The fundamental principle of our Constitution enjoins that the will of the majority shall prevail.”

The court system – the judicial branch – has always practiced the process of ‘*original intent*’ to determine interpreting law and following the Constitution. However, some of the courts have left this ‘original intent’ of the Constitution – leading to a twisting of it for the purposes of those who ‘interpret’ it.

Oliver Wendell Holmes Jr. was one of the first on the Supreme Court (1902) to leave ‘original intent.’ ‘Original intent’ is the need to determine what the writers of a particular document intended at the time of their writing. Legislatures are unable to foresee every circumstance that might arise under the enforcement of a law they enact. Historically, ‘original intent’ was the way of interpreting the Constitution and the Constitution was the final authority.

Thomas Jefferson admonished Supreme Court Justice William Johnson:

“On every question of construction, carry ourselves back to the time when the Constitution was adopted, recollect the spirit manifested in the debates, and instead of trying what meaning may be squeezed out of the text, or invented against it, conform to the probable one in which it was passed.”

James Madison also declared:

“I entirely concur of resorting to the sense in which the Constitution was accepted and ratified by the nation. In that sense alone it is the legitimate Constitution.”

Justice James Wilson added:

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

It was – and typically still is – a fundamental maxim of law to determine the intent of the authors of a statute before attempting to apply it.

There is a new philosophy in the judicial system based upon relativism. Relativism teaches that there are no absolute standards. Thus, incest and cannibalism are only wrong in some cultures. In the court system, relativism is called 'legal positivism.' This philosophy started in 1870 as an offshoot of Darwinism.

It would propose:

- No God – given standards of law
- Since God is not the Author of law, man is
- Since man evolves, law evolves
- Judges guide the evolution of law
- To study law, study decisions of judges

Separation of Church and State

The present day position of separation of church and state is not the original intent of the writers of the Constitution. George Mason, a member of the Constitutional Convention and 'The Father of the Bill of Rights' stated:

"All men have an equal, natural and unalienable right to the free exercise of religion, according to the dictates of conscience; and that no particular sect or society of Christians ought to be favored or established by law in preference to others."

James Madison proposed:

"The civil rights of none shall be abridged on account of religious belief or worship, nor shall any national religion be established."

The recent court rulings are not typical of our roots as a Christian nation. In 1947, in *Everson v. Board of Education*, the court declared:

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

George Washington signed the *Northwest Ordinance* which stated,

"...schools to teach religion, morality and knowledge."

William Samuel Johnson, signer of the Constitution is quoted:

"You have received a public education...the better to serve your Creator...your first great duties, you are sensible, are those you owe to heaven, to your Creator and Redeemer."

Gov. Morris, a signer of the Constitution:

"Religion is the only solid basis of good morals, therefore education should teach the precepts of religion and duties toward man."

Benjamin Rush, signer of the Constitution:

“The only foundation for a useful education in a republic is to be laid in religion.”

Noah Webster said:

“The Christian religion is most important and one of the first things all children ought to be instructed in.”

Thus, the statement made in *Everson v. Board of Education* contradicts all historical facts of our country. It is a lie. It is tyranny – it is the rule by an elite few.

There are only two references to religion in the Constitution:

The first is in Article VI, Section 3:

“No religious test shall ever be required as a qualification to any office or public trust under the United States.”

The second is in the First Amendment:

“Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof..”

The ‘original intent’ of this law is – ‘No State – Church.’ ‘Separation of church and state’ is not in the Constitution. The Founding Fathers intended only to prevent the establishment of a single national denomination – not to restrain public religious expression.

Thomas Jefferson in a private letter mentioned the phrase – ‘separation of church and state’- and the liberals have invoked it as if it were in the Constitution. Thomas Jefferson also said, “And can the liberties of a nation be thought secure if we have lost the only firm basis, a conviction in the minds of the people that these liberties are the gift of God? That they are not to be violated but with His wrath?”

The Supreme Court has left *interpreting* laws and has *made* laws:

- Prayer forbidden in the public schools
- Bible reading forbidden in public schools
- 10 commandments taken out of public places
- Abortion laws

When school prayer was struck down, the Court acknowledged that it had failed to cite one single precedent. From that point on, the Court has been prone to make its decisions almost solely on the basis of its own current prejudices without regard to original intent.

Today liberal judges view the Constitution as a 'living and breathing document.' This leads to judges making laws, not interpreting them. Thus, law is in a state of flux – made by un-elected judges often appointed for life. Most of these liberal judges have a bias against Christianity, the Bible, and godliness.

The Bible – Our Document

We, as Christians, have an unusual document:

- It is a living and breathing document :
(Hebrews 4:12) For the word of God *is* quick, and powerful, and sharper than any two-edged sword, piercing even to the dividing asunder of soul and spirit, and of the joints and marrow, and *is* a discerner of the thoughts and intents of the heart.
- It does not change:
(Psalm 119:89) For ever, O LORD, thy word is settled in heaven.
- Those who change it will be judged:
(Revelation 22:18) For I testify unto every man that heareth the words of the prophecy of this book, If any man shall add unto these things, God shall add unto him the plagues that are written in this book: ¹⁹ And if any man shall take away from the words of the book of this prophecy, God shall take away his part out of the book of life, and out of the holy city, and *from* the things which are written in this book.
- Original Intent of the Author is crucial:
(2 Timothy 3:16) All scripture *is* given by inspiration of God, and *is* profitable for doctrine, for reproof, for correction, for instruction in righteousness...

We can see the error of America is rooted in leaving the original intent of the writers of the Constitution. How much more important is it for the church to stay true to the One Book authored by none other than God Himself.

We must:

- Elevate the Bible as the final authority
- Submit to its original intent
- Read it / Study it
- Obey it

The Bible teaches that there is only one way of salvation.

(Acts 4:12) Neither is there salvation in any other: for there is none other name under heaven given among men, whereby we must be saved.

(John 3:3) Jesus answered and said unto him, Verily, verily, I say unto thee, Except a man be born again, he cannot see the kingdom of God.

Are you sure that you have been born again? Is the Lord Jesus Christ your personal Savior? The One you must convince is none other than God.

(2 Corinthians 13:5) Examine yourselves, whether ye be in the faith; prove your own selves. Know ye not your own selves, how that Jesus Christ is in you, except ye be reprobates?

Trust Him today. He is a wonderful Savior. Call upon Him to forgive you and save you from eternal damnation. Jesus paid for your sins and loves you.

(John 5:24) Verily, verily, I say unto you, He that heareth my word, and believeth on him that sent me, hath everlasting life, and shall not come into condemnation; but is passed from death unto life.

