

THE BIBLICAL FOUNDATION OF OUR CONSTITUTION

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The English Puritans who came here in the 1630s knew that the Old Testament has a great deal to say about civil government. And they came *to build* that shining city on a hill.

They did not come here to escape from the World, to wait for the end of the World, and to surrender it to evil.

And so - we *became* a shining city on a hill. The fundamental act of our Founding, the Declaration of Independence, recognizes the Creator God as the Source of Rights;[\[1\]](#) and acknowledges that the *purpose* of civil government is simply to "secure" the Rights *God* gave us. The Constitution we subsequently ratified was based on God's model of civil government as set forth in the Bible.

That is why our Country was so much better than what the rest of the World has been. For the most part, we followed God's model for civil government; other countries didn't.

The blessing which flows from God's model is *limited* civil government which is under The Law. That is why our Liberty Bell quotes Lev. 25:10 – "Proclaim LIBERTY throughout all the Land unto all the Inhabitants thereof."

In this paper, I will show you Six Principles which come from the Bible and how our Framers applied them. In a future paper, I will show you Six Biblical Principles Thomas Jefferson listed in the Declaration of Independence, and how those Principles are also incorporated into our Constitution.

1. The Civil Authorities are under the Law.

The Bible: God is The Lawmaker – the kings are to apply God's Law.[\[2\]](#)

- Deut. 17:18-20: The king is to write out a copy of God's Law. He is to have it by him and read from it all his life so that he may keep, observe, and apply it.
- 1 Kings 2:1-4: King David on his deathbed tells Solomon he must conform to God's ways, and observe his statutes, commandments and judgments, as written in the Law of Moses.

The parallel in our Constitution is that *the Constitution* is the Supreme Law which the civil authorities are to obey.

Noah Webster's 1828 American Dictionary defines "constitution":

"...In free states, the constitution is paramount to the statutes or laws enacted by the legislature, limiting and controlling its power; and in

the United States, the legislature is created, and its powers designated, by the constitution." [boldface added]

Our *Constitution* is the Standard by which the validity of all Acts of Congress, all acts of the Executive Branch, all judicial opinions, and all Treaties is measured and judged (Art. VI, cl. 2).

Do you see? Law comes from a *higher source* than the civil authorities. The "Rule of Law" prevails when the civil authorities obey *that higher Law* – be it God's Law or our Constitution.

Tyrants, on the other hand, claim that *they* are the source of law. The Roman Caesars, Stalin, Hitler, the dictator of N. Korea and Obama all claim that *their will* is "law". Consider Obama's usurpatious executive orders and rules made by his executive agencies. This is the "Rule of Man" – when the civil authorities deny they are subject to a higher law (be it God's Law or the Constitution), and hold that their will is "law".

2. Civil Government has only limited and defined Powers:

The Bible: When you read through the Old Testament, you see that civil government is limited to:

- Military matters
- Enforcement of *only a few* of God's Laws – the laws to which a penalty for violation is attached (laws against murder, theft, bearing false witness, negligence, etc.).
- Judges are available to decide disputes between the people.

Most of God's Laws are a matter of individual and family self-government (e.g., charity, family welfare, education, don't drink too much, work hard).

The parallel in our Constitution is that it is one of *enumerated powers* only:

- Congress' Enumerated Powers are [listed and explained here](#).
- The President's Enumerated Powers are [listed and explained here](#).
- The Judicial Branch's enumerated powers are [listed and explained here](#).

All other powers (except those listed at Art. I, §10) are retained by the States or the People. "Self-government" means that as individuals, we govern ourselves in accordance with the laws of God [or the "Natural Law"]. It doesn't mean that we elect representatives to manage our lives for us!

Tyrants claim the power to do whatever they want.

3. Civil Government is divided into Three Parts:

The Bible: Isaiah 33:22 says The Lord is our "judge", "lawgiver", and "king"!

The parallel in our Constitution is that the federal government is divided into three branches: Judicial, legislative, and executive.

No human can be trusted with all three functions, so our Constitution separates them into

three branches, with each branch having checks on the powers of the other branches.

Tyrants seek to exercise all three functions. Obama is making Congress irrelevant: When they refuse to pass a law *he wants*, he implements it by "executive order" or "agency regulation". He's making the judicial branch irrelevant by ignoring their decisions which go against *his* will.

4. The Civil Authorities promise to obey the Higher Law.

The Bible: The king promises to obey God's Laws and to apply God's Laws in the kingdom; and the people pledge themselves to this promise:

- King Josiah's covenant at 2 Kings 23:1-3: King Josiah called all the people together and in their presence, read aloud to them the Book of the Law which had been found in the temple. Then King Josiah entered into a covenant with God that he would obey him and keep his commandments and statutes as written in the Book of the Law. And all the People pledged themselves to this covenant.
- Joash's (via the priest Jehoiada) covenant at 2 Kings 11:17 and 2 Chron 23:16.
- David's covenant at 2 Sam 5:1-4 and 1 Chron 11:1-3.

Our Constitutional Oaths of Office:

- Art. II, Sec. 1, last clause: The President promises to "preserve, protect and defend the Constitution."
- Art. VI, last clause: All other federal and State officers and judges promise to "support" the Constitution.

5. When the Civil Authorities violate the Higher Law, We must Rebuke them!

The Bible: The prophets rebuke the kings when they forsake God's Law:

- Samuel rebuked King Saul (1 Samuel 13:10-14)
- Nathan rebuked King David (2 Samuel 12)
- A Man of God rebuked King Jeroboam (1 Kings 13)
- Elijah rebuked King Ahab (1 Kings 16:29 - 1 Kings 17:2; 1 Kings 18:16-20; 1 Kings 21:17-29)
- Elijah rebuked King Ahaziah (2 Kings 1:1-18)
- Elisha rebuked Jehoram, King of Israel (2 Kings 3:1-14)
- The prophets warned of the pending destruction of Jerusalem because of the sins of King Manasseh (2 Kings 21:10-16)
- The book of Micah.

The Black Robed Regiment of Our Revolution: Some 237 years ago, our pastors were leaders in bringing about our Revolution. *They* understood that the English king and Parliament were imposing tyranny on us in violation of God's Law.

In the Declaration of Independence, we rebuked the British Crown when we itemized our grievances and recited how we had petitioned for redress and had warned that if they didn't stop the usurpations, we would separate from them.

But today, we don't have enough clergy with the knowledge and the spine to

rebuke the federal government. Many *don't know* what the Bible says about civil government,[\[3\]](#) and they *don't know* our Founding Principles and documents. Too many of our clergy just want to escape or withdraw from the World, avoid controversy, and preserve their 501 (c) (3) tax exemption.

The Catholic Priests are speaking out about being forced to provide contraception and abortion pills as violations of their religious freedom. But they should be denouncing the HHS rules as unconstitutional exercises of *undelegated* powers.

Their goal should not be to carve out an exemption for themselves from rules they don't agree with; but to enforce The Constitution for everyone.

"Rebuke" does not consist in saying, "I don't agree" or "It violates my beliefs."

A proper rebuke points out the Higher Law being violated, and demands compliance with that Higher Law – *not* with one's personal views.

Because the Priests have focused on *their* religious beliefs, instead of on biblical/constitutional principles; the discussion in the media has been about the percentage of Catholics who use birth control – the implication being that since most Catholics use it, the Priests are out of touch.

But if the Priests would say:

- Obamacare is unconstitutional as outside the scope of the powers delegated to Congress – the medical care of the People not being one of the enumerated powers; and
- The HHS rules are unconstitutional as outside the scope of the powers granted to the Executive Branch, and as in violation of Art. I, § 1 which provides that only *Congress* may make laws;[\[4\]](#)

Then, they would make a *proper* Rebuke. And the discussion would be where it should be: on the enumerated powers of Congress and the unconstitutionality of rule-making by executive agencies.

So! The purposes of Rebuke are to *Warn* and *Teach*:

- To warn the civil authorities of their violations of the Higher Law, and
- To educate the civil authorities and The People about the Higher Law.

The Constitution is a theological document! It is the job of our clergy - Catholic, Protestant and Jewish - to know this. And to defend God's Word as expressed in our Constitution. God *requires* our clergy to take an active role in protecting the People from a civil government which violates the Higher Law – be it God's Law or our Constitution which is based on God's Law.

We The People must also rebuke the federal government when they violate our Constitution. We do it by posting on line, talking to friends, family, and everyone else within our spheres of influence. Stick to Principles - avoid personal opinions. Cite the provision of our Constitution they violated; or as is usually the case, show that what they have done is not an enumerated power.

When they have town hall meetings, rebuke them there. Watch [this magnificent woman](#) and

see how it is done!

6. The Peoples' Obligation to obey the Civil Authorities is conditional upon the Civil Authorities obeying the Higher Law.

The Bible: As shown by the Scripture at Principle 4, civil government is a covenant between God, the king, and the People. God makes the Laws; the king promises to obey and apply those Laws; and the people pledge themselves to the Covenant.

Out of this relationship between God, the king and the people, arises the peoples' obligation to protest lawlessness on the part of the king. If they don't protest, God punishes the people because of the misdeeds of their kings – the people will suffer if they go along with the unlawful acts:

- God sent a 3 year famine because Saul put the Gibeonites to death (2 Sam 21).
- God sent a pestilence which killed 70,000 Israelites because David took the census (1 Chron 21 & 2 Sam 24).
- God (via Elijah) sent a famine because Ahab & his house forsook the commandments of the Lord (1 Kings 16:29-33, 17:1, 18:1, 18:17-19).
- God struck a heavy blow at Joram's people because of Joram's wickedness (2 Chron 21:1-14).
- God visited 4 dooms upon Jerusalem & the Southern Kingdom because of the sins of Manasseh (2 Kings 21:10-17 & Jer 15:3-4).

The parallel in our Constitution is this: When Congress makes a law which is outside the scope of its enumerated powers, it is no "law" at all, but is void; and we have no obligation to comply. Alexander Hamilton says this over and over in The Federalist Papers. Here are a few examples:

"...If the federal government should overpass the just bounds of its authority and make a tyrannical use of its powers, the people, whose creature it is, must appeal to the standard they have formed, and take such measures to redress the injury done to the Constitution as the exigency may suggest and prudence justify..." ([Federalist No. 33](#), 5th para). [boldface added]

"...acts of ... [the federal government] which are NOT PURSUANT to its constitutional powers ... will [not] become the supreme law of the land. These will be merely acts of usurpation, and will deserve to be treated as such..." (Federalist No. 33, 6th para). [boldface added]

"...every act of a delegated authority, contrary to the tenor of the commission under which it is exercised, *is void*. No legislative act ...contrary to the Constitution can be valid. To deny this, would be to affirm ... that men ... may do not only what their powers do not authorize, but what they forbid." ([Federalist No. 78](#), 10th para). [boldface added]

Hamilton also tells us that Congress can't usurp powers unless *the People go along with it!* In [Federalist No.16](#) (next to last para), he points out that because judges may be "embarked in a conspiracy with the legislature," the People, who are "the natural guardians of the Constitution," must be "enlightened enough to distinguish between a legal exercise and an illegal usurpation of authority."

So! Hamilton applies the Biblical model of what WE are supposed to do when the federal government acts outside of the Constitution. We are to recognize that their acts are "void," and We are to take whatever prudent measures are necessary to enforce the Constitution.

What can We do?

Hamilton tells you to LEARN the Constitution; demand that federal and State officials obey it; and don't go along with them when they violate it!



READ our Declaration of Independence and Constitution until you become familiar with them. Stick to original sources (e.g., The Federalist Papers) and beware of the ignorant know-it-alls with their crazy theories.

REBUKE officials and judges who violate the Constitution! Specify the violation. Usually, the violation is that what they did is not an enumerated power.

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ELECT State & County officials who will nullify unconstitutional acts of Congress, executive orders, & judicial opinions. Here are [Model Nullification Resolutions for State Legislatures](#).

TALK to your pastor, priest or rabbi - we all share the Old Testament. We must dust off our copies and read them; [renounce escapism & defeat; renounce the unbiblical doctrine of socialism \(listen to Fr. Andrew!\)](#); renounce the unbiblical doctrine of divine right of kings - the false doctrine that God granted autonomy to the civil authorities; declare independence from the federal government and throw off the chains of the 501 (c) (3) tax exemption! Start being the Salt & Light we are called to be – the Watchmen on the Wall. PH.

Endnotes:

1. Here are express references to God in our Declaration of Independence:

- ...The Laws of Nature and of Nature's God...
- ...endowed by their Creator with certain unalienable Rights...
- ...appealing to the Supreme Judge of the world for the rectitude of our intentions...
- ...with a firm reliance on the protection of divine Providence...

Our Constitution at Art. VII, last clause:

• ...in the Year of our Lord one thousand seven hundred and Eighty seven...

2. ["Lex, Rex" – the Law is above the king!](#) Not "Rex, Lex."

3. Romans 13 must be read in pari materia with everything the Bible says about civil government!

The false doctrine of "divine right of kings" is based on ignoring the numerous Old Testament provisions addressing civil government. Romans 13 actually says that the civil authorities are God's ministers and agents, and if we are "good" we have no cause to fear them; but if we do "evil" we do have cause to fear them.

So! When reading Romans 13, Titus 3:1 & 1 Peter 2:13-14, we must keep in mind that it is God who decides what is "good" and what is "evil". God never gave civil authorities the power to define "good" and "evil"; and God never gave them autonomy. Bad theology is, and has long been, the cause of much evil. And Pride keeps it going.

4. Article I, §1 says:

"All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

Only elected Senators (Art. I, §3, cl. 1) & popularly elected Representatives (Art. I, §2, cl. 1) may exercise legislative powers. Our Constitution doesn't permit unelected bureaucrats to make laws. Federal judges have disgraced the Bench by permitting rule-making by executive agencies. PH.

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