

America's Christian Founding—Lie or Libel?

by Gary DeMar

“THE LESSON THE President has learned best—and certainly the one that has been the most useful to him—is the axiom that if you repeat a lie often enough, people will believe it. One of his Administration’s current favorites is the whopper about America having been founded on Christian principles. Our nation was founded not on Christian principles but on Enlightenment ones. God only entered the picture as a very minor player, and Jesus Christ was conspicuously absent.” Thus begins an article by Brooke Allen that was posted on the website of “The Nation” on February 3, 2005.¹ It’s obvious that Allen has not done a thorough study of American history as it relates to its founding documents. There is much more to America’s founding than the Constitution. America was not born in 1787 or even in 1776. The Constitution did not create America, America created the Constitution. The states (colonial governments) were a reality long before the Constitution was conceived, and there is no question about their being founded on Christian principles.

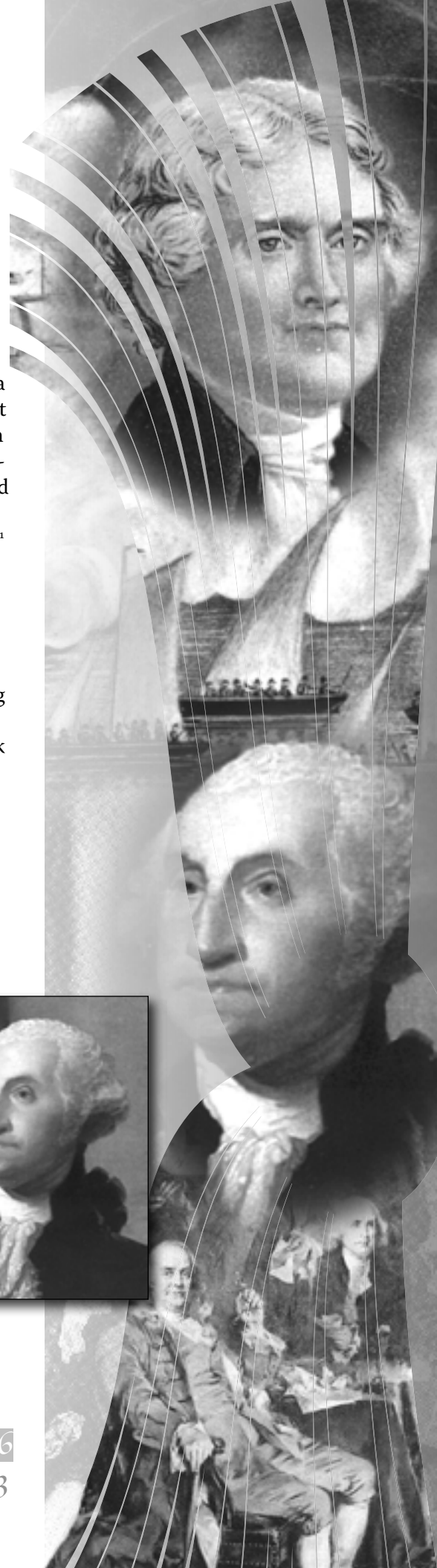
Allen’s article is filled with so many half truths that it would take a book to deal with them adequately. For those of you who are new to the work of American Vision, there are numerous books on the subject that easily refute Allen’s assertions.²

NO MENTION OF GOD

Here is Allen’s first assertion: “Our Constitution makes no mention whatever of God.” “No mention whatever” is pretty absolute. Given this bold claim, then how does she explain that the Constitution ends with “DONE in the year of our Lord”? “Our Lord” is a reference to Jesus Christ. This phrase appears just above the signature of George Washington, the same George Washington who took the presidential oath of office with his hand on an open Bible, the same George Washington who was called upon by Congress, after the drafting of the First Amendment, to proclaim a national day of prayer and thanksgiving. The resolution read as follows:

That a joint committee of both Houses be directed to wait upon the President of the United States to request that he would recommend to the people of the United States a day of public thanksgiving and prayer, to be observed by acknowledging, with grateful hearts, the many signal favors of Almighty God, especially by affording them an opportunity peaceably to establish a Constitution for their safety and happiness.

Continued on page 6



AMERICA'S CHRISTIAN FOUNDING...

CONTINUED FROM PAGE 3

It seems rather odd that the constitutional framers would thank God for allowing them to draft a Constitution that excluded Him from the Constitution and the civil affairs of government.

ENLIGHTENMENT LITE

Allen is correct that there were a number of Enlightenment principles floating around the colonies in the late eighteenth century as well as anti-clericalism. And there is no doubt that some of these principles made their way into the Constitution, although it's hard to tell where when compared to the obvious Enlightenment principles inherent in the French Declaration of the Rights of Man (1789). But we should be reminded of Allen's absolutist claim of a complete dissolution of religion from political considerations in the Constitution. She has set the evaluative standard. If she is correct, then why didn't the framers presage the French revolutionaries by starting the national calendar with a new Year One? Why did the Constitutional framers set aside Sunday—the Fourth Commandment of the Decalogue—as a day of rest for the President (Art. 1, sec. 7) if it was their desire to secularize the nation as Allen suggests? The French revolutionaries reconstructed the seven-day biblical week and turned it into a ten-day metric week in hopes of ridding the nation of every vestige of Christianity. Nothing like this was done in America.



THE INAUGURATION OF
GEORGE WASHINGTON

STATE CONSTITUTIONS

Then there's the issue of the state constitutions. One of the reasons some give for the absence of a more explicit declaration of God in the Constitution was the fact that the state constitutions made numerous references to God. The issue of religion was the domain of the states. Since the Federal Constitution was a document of enumerated powers, to mention religion in a more specific way would have given the national government jurisdiction over religious issues. The framers believed that such issues were best left to the states. Constitutional scholar and First Amendment specialist, Daniel Dreisbach, writes:

The U. S. Constitution's lack of a Christian designation had little to do with a radical secular agenda. Indeed, it had little to do with religion at all. The Constitution was silent on the subject of God and religion because there was a consensus that, despite the framer's personal beliefs, religion was a matter best left to the individual citizens and their respective state governments (and most states in the founding era retained some form of religious establishment). The Constitution, in short, can be fairly characterized as "godless" or secular only insofar as it deferred to the states on all matters regarding religion and devotion to God.³

Keep in mind that the national Constitution did not nullify the religious pronouncements of the state constitutions, and neither did it separate religion from civil government. The First Amendment is a direct prohibition on Congress, not the states, to stay out of religious issues: "Congress shall make no law respecting an establishment of religion or

prohibiting the free exercise thereof.” This is a good indication that the states were to be unmolested on their religious requirements. As I’ve noted elsewhere,⁴ even today every state constitution makes reference to God. Here’s a sample of some of the state constitutions and their religious language during the time the Constitution was drafted:



- Pennsylvania’s 1790 Constitution declared, “That no person, who acknowledges the being of 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.”
- The Constitution of Massachusetts stated that “no person shall be eligible to this office, unless . . . he shall declare himself to be of the Christian religion.” The following oath was also required: “I do declare, that I believe the Christian religion, and have firm persuasion of its truth.”
- North Carolina’s 1868 Constitution stated that “all persons who shall deny the being of Almighty God” “shall be disqualified for office.”⁵ The 1776 constitution, that remained in effect until 1868, included the following (XXXII): “That no person, who shall deny the being of God, or the truth of the Protestant religion, or the divine authority either of the Old or New Testaments, or who shall hold religious principles incompatible with the freedom and safety of the State, shall be capable of holding any office or place of trust or profit in the civil department within this State.”⁶ North Carolina describes itself as a “Christian State” in the 1868 constitution (Art. XI, sec. 7).

If, as Allen maintains, “God only entered the picture as a very minor player, and Jesus Christ was conspicuously absent,” how does she explain these state constitutional provisions? If the federal Constitution nullified these state constitutional mandates, then her point would be valid. The point is, God was a major player in the founding of America for more than 150 years before the Constitution was drafted.

NOT A MORAL TREATISE

The Constitution says nothing about morality or values. There are no prohibitions against murder, theft, or rape. The word “law” is used numerous times, but it is never defined. The author of an 1838 tract entitled, *An Inquiry into the Moral and religious Character of the American Government*, makes an important observation: “The object of the Constitution [is to] distribute power, not favour; to frame a government, and not to forestall and clog the administration of it by words of preconceived partiality for this or that possible subject of its future action.”⁷ This is especially true when religion was an issue reserved to the states. States wrote educational provisions into their constitutions, while the Federal Constitution

remained silent on the subject. The 1876 constitution of North Carolina includes 15 sections on education.

THE 1797 TREATY OF TRIPOLI

In an attempt to drive a stake in the belief that America had “been founded on Christian principles,” Allen resurrects the 1797 Treaty of Tripoli and its statement that “the Government of the United States . . . is not in any sense founded on the Christian religion.”⁸ I’ve dealt with this treaty elsewhere,⁹ but let me summarize the argument here.

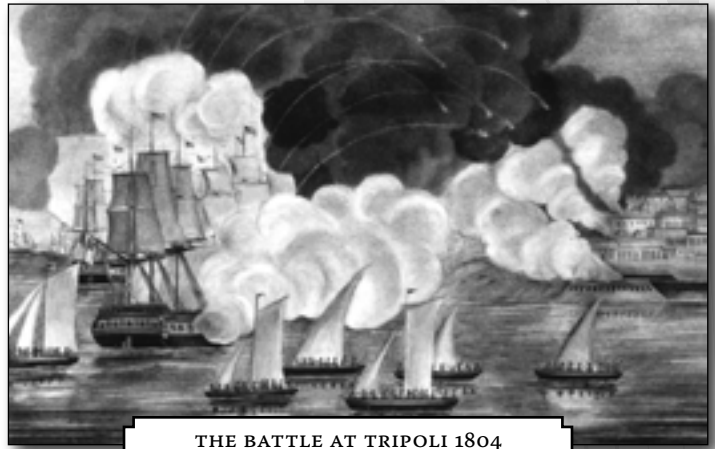
The statement in question was to assure a radically religious (Muslim) government that America would not depose that government and impose Christianity by force. A single phrase ripped from its historical context does nothing to nullify the volumes of historical evidence that Christianity was foundational to the building and maintenance of this nation. The 1797 treaty constantly contrasts “Christian nations” (e.g., Article VI) and “Tripoli,” a Muslim stronghold that was used as a base of operations for Barbary pirates. Muslim nations were hostile to “Christian nations.” The Barbary pirates habitually preyed on ships from “Christian nations,” enslaving “Christian” seamen. “Barbary was Christendom’s Gulag Archipelago.”¹⁰ In Joseph Wheelan’s *Jefferson’s War*, detailing America’s first war on terror with radical Muslims, we learn that Thomas “Jefferson’s war pitted a modern republic with a free-trade, entrepreneurial creed against a medieval autocracy whose credo was piracy and terror. It matched an ostensibly Christian nation against an avowed Islamic one that professed to despise Christians.”¹¹ Wheelan’s historical assessment of the time is on target: “Except for its Native American population and a small percentage of Jews, the United States was solidly Christian, while the North African regencies were just as solidly Muslim—openly hostile toward Christians.”¹²



In drafting the treaty, the United States had to assure the ruler of Tripoli that in its struggle with the pirates “it has in itself no character of enmity against the laws, religion or tranquility of Musselmen,” that “the said states never have entered into any war or act of hostility against any Mehomitan [Muslim] nation” due to religious considerations.

A survey of the state constitutions, charters, national pronouncements, and official declarations of the thirteen state governments would convince any representative from Tripoli that America was a Christian nation by law. The Constitution itself states that it was drafted, as noted above, “In the year of our Lord.” The American consul in Algiers had to construct a treaty that would assure the ruler of Tripoli that troops would not be used to impose Christianity on a Muslim people. A study of later treaties with Muslim nations seems to support this conclusion. The 1816 “Treaty of Peace and Amity with Algiers” is a case in point: “It is declared by the contracting parties, that no pretext arising from religious opinions shall ever produce an interruption of the harmony between the two nations; and the Consuls and the Agents of both nations shall have liberty to celebrate the rights of their prospective religions in their own houses.”¹³

Piracy, kidnapping, and enslaving Christian seamen remained a problem despite the 1797 Treaty. In addition, Tripoli demanded increased tribute payments in 1801. When President Jefferson refused to increase the tribute, Tripoli declared war on the United States. A United States navy squadron, under Commander Edward Preble, blockaded Tripoli from 1803 to 1805. After rebel soldiers from Tripoli, led by United States Marines, captured the city of Derna, the Pasha of Tripoli signed a treaty promising to exact no more tribute.



THE BATTLE AT TRIPOLI 1804

THE 1805 TREATY OF TRIPOLI

It is important to note that the 1805 treaty with Tripoli differs from the 1797 Treaty in that the phrase “as the Government of the United States of America is not in any sense founded on the Christian Religion” is conspicuously absent. Article 14 of the new treaty corresponds to Article 11 of the first treaty. It reads in part: “[T]he government of the United States of America has in itself no character of enmity against the laws, religion, or tranquility of Musselmen.” Assurances are still offered that the United States will not interfere with Tripoli’s religion or laws.

It’s obvious that by 1805 the United States had greater bargaining power and did not have to bow to the demands of this Muslim stronghold. A strong navy and a contingent of Marines also helped. But it wasn’t until Madison’s presidency that hostilities finally stopped when he declared war against Algiers.¹⁴

Those who use the 1797 Treaty of Tripoli as a defense against the Christian America thesis are silent on the 1805 treaty. For example, Alan Dershowitz cites the 1797 Treaty as “the best contemporaneous evidence” against claims that the United States was founded as a Christian nation,¹⁵ but he makes no mention of the 1805 treaty and other treaties that are specifically Trinitarian.

THE TRINITARIAN TREATIES

If treaties are going to be used to establish the religious foundation of America, then it’s essential that we look at more than one treaty. In 1783, at the close of the war with Great Britain, a peace treaty was ratified that began with these words: “In the name of the Most Holy and Undivided Trinity. It having pleased the Divine Providence to dispose the hearts of the most serene and most potent Prince George the Third, by the Grace of God King of Great Britain. . . .”¹⁶ The treaty was signed by John Adams, Benjamin Franklin, and John Jay. Keep in mind that it was Adams who signed the 1797 Treaty of Tripoli.

In 1822, the United States, along with Great Britain and Ireland, ratified a “Convention for Indemnity Under Award of Emperor of Russia as to the True Construction of the First Article of the Treaty of December 24, 1814.” It begins with the same words found in the Preamble to the 1783 treaty: “In the name of the Most Holy and Indivisible Trinity.” Only Christianity teaches a Trinitarian view of God. The 1848 Treaty with Mexico begins

with “In the name of Almighty God.” The treaty also states that both countries are “under the protection of Almighty God, the author of peace. . . .”

If one line in the 1797 Treaty of Tripoli turns America into a secular State (which it does not), then how does Allen deal with the treaties of 1783, 1822, 1805, and 1848 and the state constitutions? She doesn’t, because she can’t. Allen needs to go back and do a bit more research and look at resources beyond the typical college professor’s bag of tricks and sleight of hand.

Notes

1. Brooke Allen, “Our Godless Constitution,” *The Nation* website (February 3, 2005). www.thenation.com/doc.mhtml?i=20050221&c=1&s=allan
2. *America’s Christian History: The Untold Story* by Gary DeMar (1995). America’s Christian Heritage by Gary DeMar (2003).
The United States: A Christian Nation by Supreme Court Justice David J. Brewer (1905).
The Christian Life and Character of the Civil Institutions of the United States Developed in the Official and Historical Annals of the Republic by B. F. Morris (1864).
Christianity and the American Commonwealth by Charles B. Galloway (1898). (To be republished by American Vision in 2005.)
3. Daniel L. Dreisbach, “A Godless Constitution?: A Response to Kramnick and Moore” (1997): www.leaderu.com/common/godless-constitution.html. Dreisbach is a Professor in the Department of Justice, Law and Society at American University, Washington, D.C.
4. Gary DeMar, *The Christian Foundation of America* (Powder Springs, GA: American Vision, 2005), 14–19.
5. Francis Newton Thorpe, *The Federal and State Constitutions, Colonial Charters and Other Organic Laws of the States, Territories, and Colonies*, 7 vols. (Washington: Government Printing Office, 1909), 5:2815.
6. Thorpe, *The Federal and State Constitutions*, 5:2793. The same 1776 constitution stated that “no clergyman, or preacher of the gospel, of any denomination, shall be capable of being a member of either the Senate, House of Commons, or Council of State, while he continues in the exercise of the pastoral function” (5:2793). This provision demonstrates the true meaning of “separation of church and state.”
7. Quoted in Daniel L. Dreisbach, “God and the Constitution: Reflections on Selected Nineteenth Century Commentaries on References to the Deity and the Christian Religion in the United States Constitution” (1993), 24, note 85.
8. The entire treaty can be found in William M. Malloy, *Treaties, Conventions, International Acts, Protocols and Agreements between the United States of America and Other Powers*, 1776–1909, 4 vols. (New York: Greenwood Press, [1910] 1968), 2:1786.
9. Gary DeMar, *America’s Christian History: The Untold Story* (Powder Springs, GA: American Vision, 1995), chap. 8.
10. Stephen Clissold, *The Barbary Slaves* (New York: Barnes & Noble, [1977] 1992), 4. The 1815 Treaty of Peace and Amity with Algiers includes the following in Article XV: “On a vessel or vessels of war belonging to the United States anchoring before the city of Algiers, the Consul is to inform the Dey of her arrival, when she shall receive the salutes which are, by treat or custom, given to the ships of war of the most favored nations on similar occasions, and which shall be returned gun for gun; and if, after such arrival, so announced, any Christians whatsoever, captives in Algiers, make their escape and take refuge on board any of the ships of war, they shall not be required back again, nor shall the Consul of the United States or commanders of said ships be required to pay anything for the said Christians.” (Malloy, *Treaties, Conventions, International Acts, Protocols and Agreements between the United States of America and Other Powers*, 1:7).
11. Joseph Wheelan, *Jefferson’s War: America’s First War on Terror, 1801–1805* (New York: Carroll & Graf Publishers, 2003), xxiii.
12. Wheelan, *Jefferson’s War*, 7.
13. Malloy, *Treaties, Conventions, International Acts, Protocols and Agreements Between the United States of America and Other Powers*, 1:15.
14. Lewis Lord, “Pirates!,” *U.S. News & World Report* (February 25/March 4, 2002), 50.
15. Alan Dershowitz, *America Declares Independence* (Hoboken, NJ: John Wiley & Sons, Inc., 2003), 64.
16. Malloy, *Treaties, Conventions, International Acts, Protocols and Agreements between the United States of America and Other Powers*, 1776–1909, 1:586.