

## American Minute with Bill Federer Bill of Rights-"Restrictive Clauses" to prevent Government from Ruling through Mandates!

Though **George Washington** presided at the Constitutional Convention, **George Mason** refused to sign the U.S. Constitution.

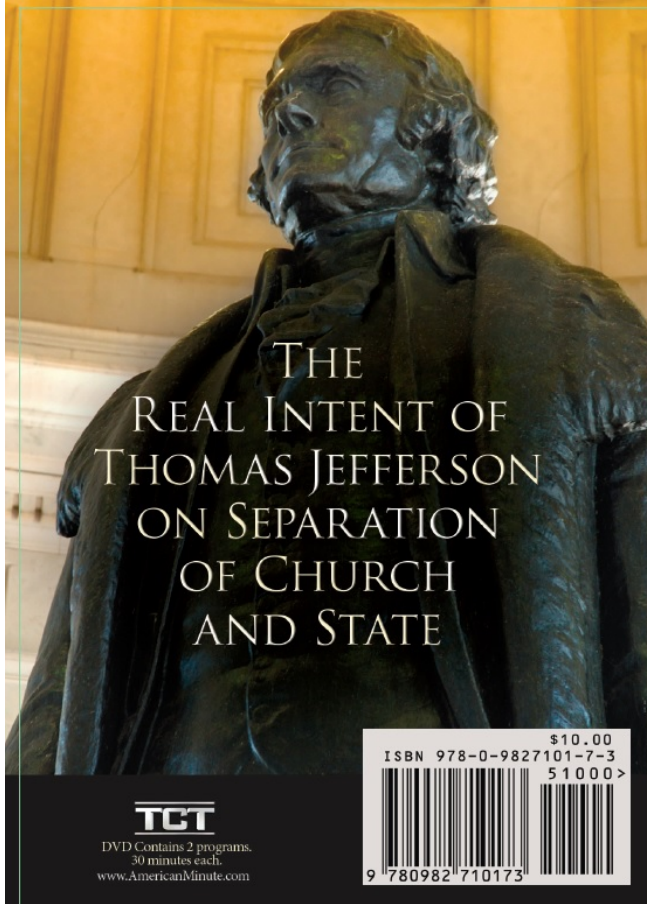


Why?

Because it did not put enough **limits on the Federal Government.**

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[The Real Intent of Jefferson on Separation of Church and State](#)



**George Mason** and **George Washington** were friends, both being from Virginia.



When the **Continental Congress** chose Washington to be General of the Continental Army, **George Mason** took his place as **Virginia's delegate** to the **Continental Congress**.

**Mason** was later a delegate to the **Constitutional Convention** where he **helped write the U.S. Constitution**.

When the **Constitutional Convention** ended, **George Washington**

commented to  
Marquis de  
Lafayette,  
February 7, 1788:



"With regard to the **two great points** (the pivots on which the whole machine must move) my creed is simply:

**First, That the general Government is not invested with more powers** than are indispensably necessary to perform functions of a good government ..."

**Secondly, That** these powers ... are so distributed among the **Legislative, Executive, and Judicial Branches** ... that it can never be in **danger of degenerating** into a ... **despotic or oppressive form**; so long as there shall remain any **virtue in the body of the People** ..."



He added:

**"Corruption of morals, profligacy of manners, and listlessness** for the preservation of the natural and unalienable rights of mankind

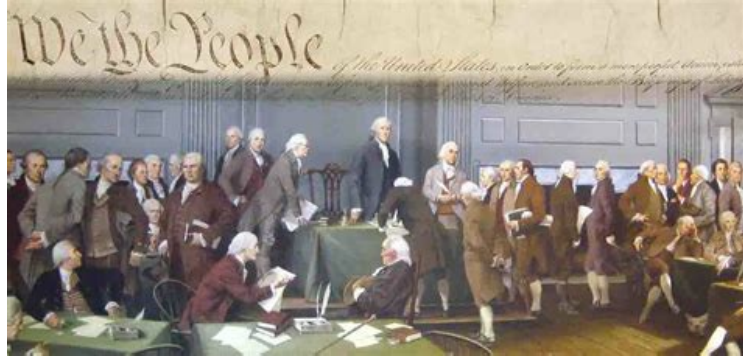
... **usurpations** that





may be established  
... upon the ruins of liberty ... against which no human  
prudence can effectually provide ..."

Washington  
ended:



"It will at least be a **recommendation** to the **proposed Constitution** that it is provided with **more checks and barriers against the introduction of tyranny**, & those of a nature less liable to be surmounted, than **any government hitherto instituted among mortals**, hath possessed.

**We are not to expect perfection in this world:** but mankind, in modern times, have apparently **made some progress in the science of government.**"

George Mason was one of those insisting on "**more checks and barriers against the introduction of tyranny.**"



They were called "**anti-federalists.**"

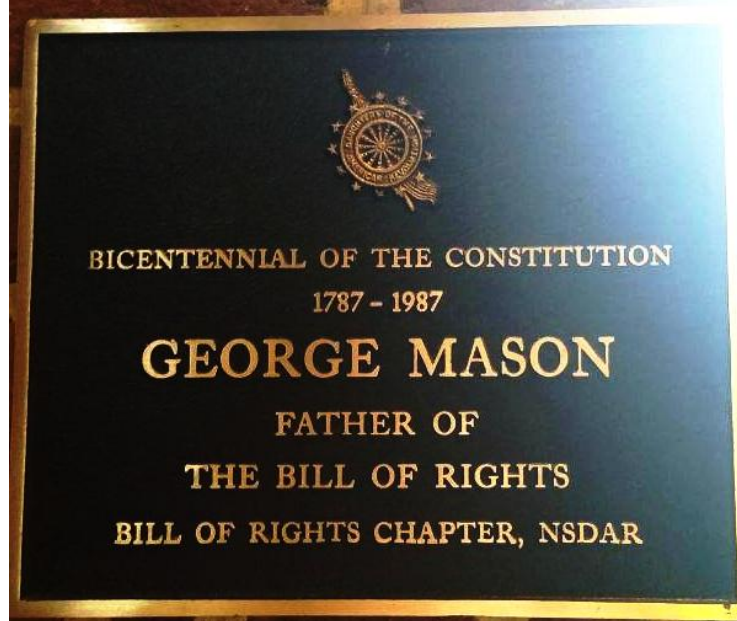
They feared the new **Federal Government** might **become too powerful** and **take away their liberties**, as King George III had done.

In addition to **George Mason**, **Anti-federalists** included **Sam Adams** and **Patrick Henry**, who almost convinced Virginia **not** to ratify the U.S. Constitution.

**George Mason**  
insisted that

**"restrictive clauses"** should be added to prevent an abuse of Federal power.

This earned him the title **"Father of the Bill of Rights."**



At the time, **Mercy Otis Warren** wrote in *Observations on the new Constitution, and on the Federal and State Conventions*, 1788:

"The origin of all power is in **the people**, and they have an **incontestable right to check the creatures of their own creation.**"

With the **abuses of power by King George III still fresh on their minds**, the **founders' fear was**, if they did not **limit the new Federal Government**, it could easily become **an oppressive monster.**



**The Bill of Rights** were essentially restrictive clauses to prevent the Federal Government from ruling through mandates!

**Tyrants** usually want **temporary emergency powers** to do **some good**, but use it to **permanently rule as dictators.**

**George Washington**

warned in his Farewell Address, 1796:

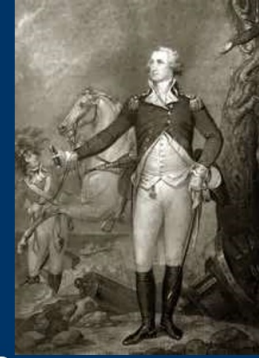
**“Usurpation ... though in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed ...**

It must always greatly **overbalance** in **permanent evil** any ... **transient benefit** which the use can at any time yield.”

Henry Louis Mencken wrote in *Notebooks*, 1956: **“The urge to save humanity is almost always only a false-face for the urge to rule it. Power is what all ‘messiahs’ really seek: not the chance to serve.”**

The **PREAMBLE** of the **Bill of**

**“Usurpation ... though in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed ...”**



**Henry Louis Mencken**  
*Notebooks*, 1956:

**“The urge to save humanity is almost always only a false-face for the urge to rule it.”**

**Power is what all ‘messiahs’ really seek: not the chance to serve.”**





## Rights stated:

"The Conventions of a number of **the States**, having at the time of their **adopting the Constitution**, expressed a desire, in order to **prevent**

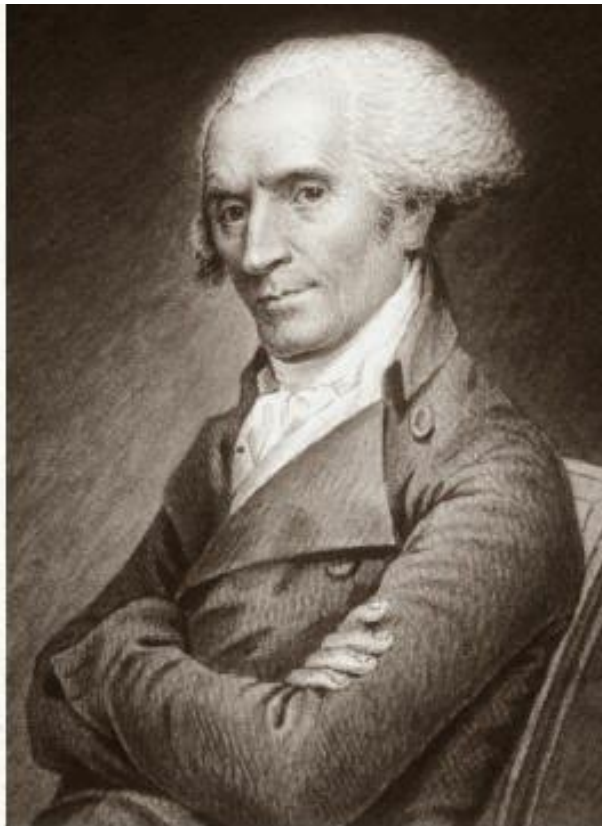
**misconstruction or abuse of its powers**, that further declaratory and **restrictive clauses should be added ...**



... RESOLVED ... that the following Articles be proposed ... as **Amendments to the Constitution.**"

THE Conventions of a number of the States having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best insure the beneficent ends of its institution

RESOLVED by the Senate and House of Representatives of

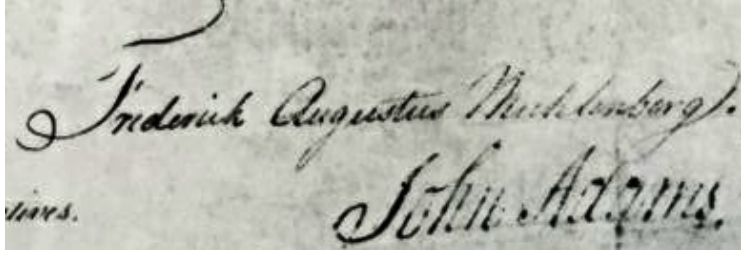


**Elbridge Gerry**, who signed the Declaration of Independence and helped write the U.S. Constitution, **addressed the first session of Congress** as it composed the **Bill of Rights**, August 17, 1789:

"This declaration of rights ... is intended to **secure the people against the mal-administration of the Government.**"

**Twelve Amendments** were approved by

**Congress** on on  
September 25,  
1789, and signed  
by **two**  
**individuals:**

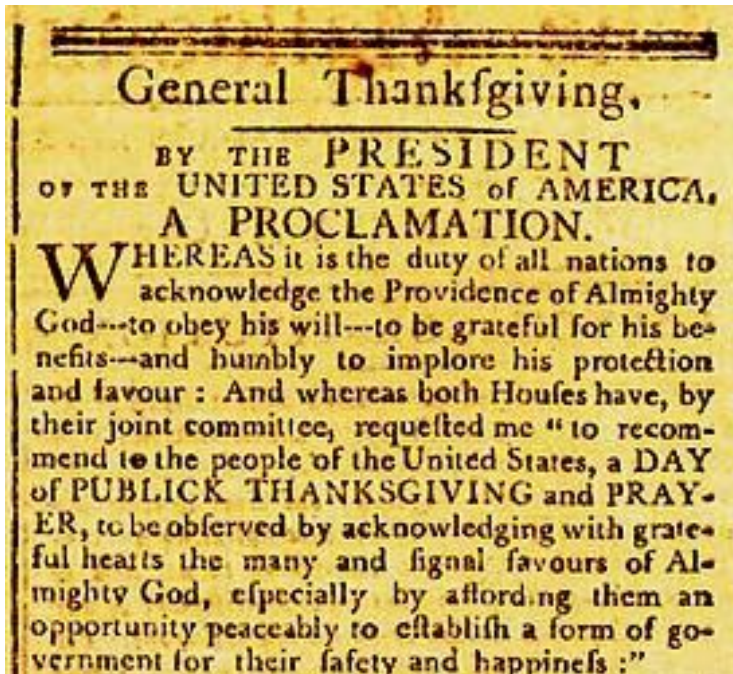


Frederick Augustus Muhlenberg.  
John Adams.

**Frederick Augustus Muhlenberg** as the **First Speaker of the House**, who was a **Lutheran pastor** before being elected to Congress;

and

**John Adams** as the **President of the Senate**, who was also Vice-President under George Washington.



After passing the **Bill of Rights**, Congress requested **President Washington** issue a **National Day of Thanksgiving to God**, October 3, 1789, stating:

"I do recommend  
... the 26th day of

November ...

to be devoted by the People of these United States to the service of that **great and glorious Being, who is the beneficent Author of all the good that was, that is, or that will be ...**

... for the peaceable and rational manner in which we have been enabled to **establish constitutions of government ...**



particularly the national one now lately instituted, for the civil and religious liberty with which we are blessed ... to promote the knowledge and practice of true religion and virtue."



The **12 Amendments** were sent to the States for their consideration.

After much heated debate in the various **State Ratifying Conventions,**

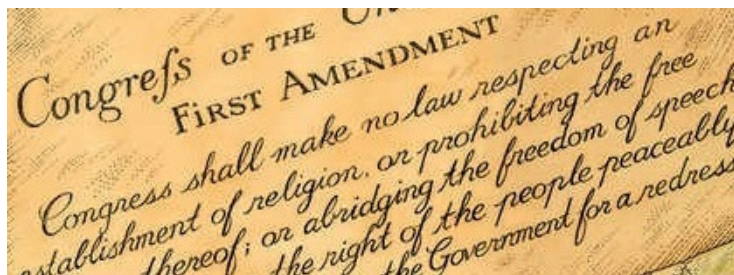
**TEN AMENDMENTS** were chosen to limit or handcuff the Federal Government.

These **Ten Amendments** are called the **BILL OF RIGHTS,** ratified by the States on **DECEMBER 15,**

1791.



The **FIRST AMENDMENT** to **restrict** the Federal Government began:



"CONGRESS shall make no law respecting an establishment of religion,  
or prohibiting the free exercise thereof;  
or abridging the freedom of speech,  
or of the press;  
or the right of the people peaceably to assemble,  
and to petition the Government for a redress of grievances."

Insight into the intention of the First Amendment is given by **George Mason**, the "Father of the Bill of Rights," who had **suggested the wording of the First Amendment be:**

"All men have an equal, natural and unalienable right to the free exercise of religion, according to



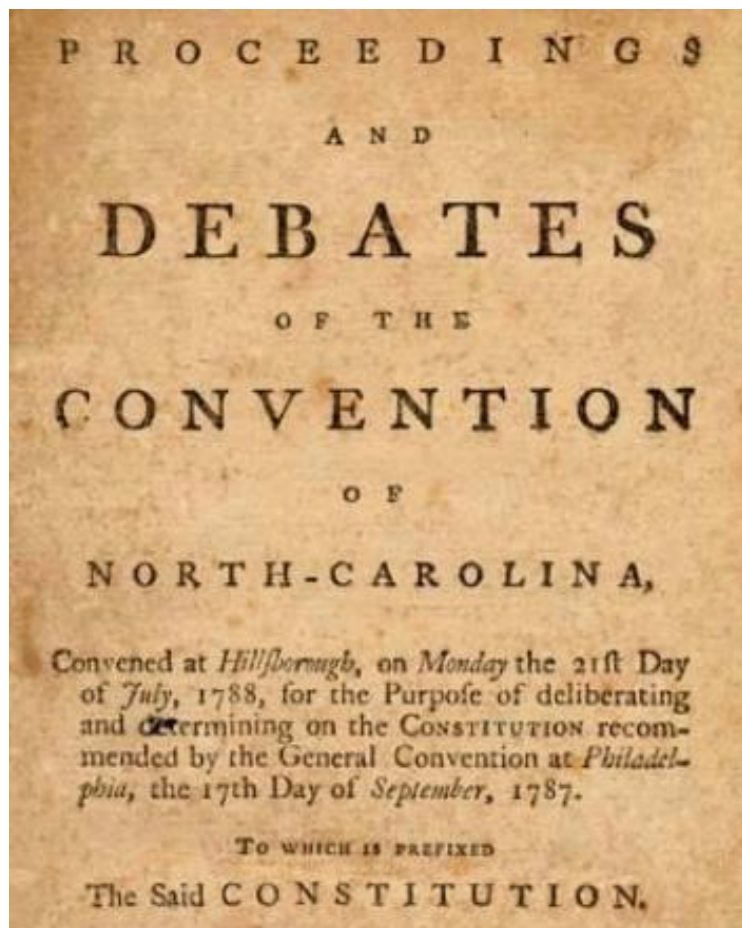
the dictates of conscience; and that **no particular sect or society of Christians ought to be favored or established by law in preference to others.**"

Additional insight is seen in the debates of the various **State Ratifying Conventions.**

At North Carolina's **Ratifying Convention**, July 30, 1788, **Governor Samuel Johnston** argued:

"The people of **Massachusetts** and **Connecticut** are mostly **Presbyterians** ...

In **Rhode Island**, the tenets of the **Baptists**, I believe, prevail.





In **New York**, they are divided very much; the most numerous are the **Episcopalians** and the **Baptists**.

In **New Jersey**, they are as much divided as we are.

In **Pennsylvania**, if any sect prevails more than others, it is that of the **Quakers**.

In **Maryland**, the **Episcopalians** are most numerous, though there are other sects.

In **Virginia**, there are **many sects** ...

I hope, therefore, that gentlemen will see there is **no cause of fear that any one religion shall be exclusively established.**"



**Supreme Court Justice Joseph Story**, who was appointed by President James Madison, explained in his *Commentaries on the Constitution of the United States*, 1833:

"In some of the States, **Episcopalians** constituted the predominant sect; in other, **Presbyterians**; in others, **Congregationalists**; in

others, **Quakers** ...

The **whole power over the subject of religion** is left exclusively **to the State governments**, to be acted upon according to their own sense of justice and **the State Constitutions.**"

**Amendments to**

the "Federal" Constitution, particularly regarding religion, **did not override individual "State" Constitutions.**

This is seen by the **acknowledgments of religion in the State Constitutions at the time the States debated and ratified the Bill of Rights.**

Ratification Dates of the Bill of Rights		
New Jersey	November 20, 1789	Rejected Article 2
Maryland	December 19, 1789	Approved all articles
North Carolina	December 22, 1789	Approved all articles
South Carolina	January 19, 1790	Approved all articles
New Hampshire	January 25, 1790	Rejected Article 2
Delaware	January 28, 1790	Rejected Article 1
New York	February 27, 1790	Rejected Article 2
Pennsylvania	March 10, 1790	Rejected Article 2
Rhode Island	June 7, 1790	Rejected Article 2
Vermont	November 3, 1791	Approved all articles
Virginia	December 15, 1791	Approved all articles

The **first State to ratify the Bill of Rights** was **NEW JERSEY** on November 20, 1789.

At that time, **New Jersey** was operating under its **1776 Constitution**, which stated:



"All persons, professing a belief in the faith of **any PROTESTANT sect**, who shall demean themselves peaceably under the government ... shall be capable of being elected."

**MARYLAND** was the **2nd State to ratify the Bill of Rights**, December 19, 1789.

At that time,  
**Maryland** was  
operating under its  
**1776**

**Constitution**,  
which stated:

"No other test ...  
ought to be  
required, on

admission to any office ... than such oath of support and  
fidelity to this State ... and a **declaration of a belief in  
the CHRISTIAN religion.**"



**NORTH  
CAROLINA** was  
the **3rd State** to  
ratify the **Bill of  
Rights**, December  
22, 1789.

At that time, **North  
Carolina** was  
operating under its  
**1776**

**Constitution**, which stated:

"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 ... office."



**SOUTH  
CAROLINA** was  
the **4th State** to  
ratify the **Bill of  
Rights**, January  
19, 1790.



At that time, **South Carolina** was operating under its **1778 Constitution**, which stated:



"No person shall be eligible to a seat ... unless he

be of the **PROTESTANT religion** ... The **CHRISTIAN PROTESTANT religion** shall be deemed ... the **established religion of this State.**"

**NEW HAMPSHIRE** was the **5th State** to ratify the **Bill of Rights**, January 25, 1790.



At that time, **New Hampshire** was operating under its **1784 Constitution**, which stated:

"No person shall be capable of being elected ... who is not of the **PROTESTANT religion.**"

**DELAWARE** was the **6th State** to ratify the **Bill of Rights**, January 28, 1790.



At that time, **Delaware** was operating under its **1776 Constitution**,

which stated:

"Every person ... appointed to any office ... shall ... subscribe ... 'I ... profess faith in **GOD THE FATHER**, and in **JESUS CHRIST His only Son**, and in the **HOLY GHOST**, one **God**, blessed for evermore; and I do acknowledge the **Holy Scriptures of the Old and New Testament** to be given by **Divine inspiration.**"

**NEW YORK** was the **7th State** to ratify the **Bill of Rights**, February 24, 1790.



At that time, **New York** was

operating under its **1777 Constitution**, which stated:

"The United American States ... declare ... 'Laws of nature and of **NATURE'S GOD** ... All men are created equal; that they are endowed by their **CREATOR** with certain unalienable rights ... Appealing to the **SUPREME JUDGE of the world** ... A firm reliance on the protection of **DIVINE PROVIDENCE**' ...

People of this State, ordain ... the free exercise and enjoyment of **religious profession and worship**, **without discrimination** ...

Provided, That the **liberty of conscience**, hereby granted, shall **not be so construed as to excuse acts of licentiousness (sexual immorality).**"

**PENNSYLVANIA** was the **8th State** to **ratify** the **Bill of Rights**, March 10, 1790.

At that time,  
**Pennsylvania**  
was operating  
under its **1776**  
**Constitution**,  
signed by Ben  
Franklin, which  
stated:



"Each member,  
before he takes his seat, shall ... subscribe ... 'I do  
believe in one **GOD**, the **Creator** and **Governor of the**  
**Universe**, the **Rewarder of the good** and the **Punisher**  
**of the wicked**. And I do acknowledge the **Scriptures of**  
**the Old and New Testament** to be given by **Divine**  
**Inspiration.**"

**RHODE ISLAND**  
was the **9th State**  
to **ratify** the **Bill of**  
**Rights**, June 7,  
1790.



At that time,  
**Rhode Island** was  
operating under its  
**1663 Colonial**  
**Constitution**,  
which stated:

"By the blessing of **God** ... a full liberty in religious  
concernements ... rightly grounded upon **GOSPEL**  
**principles**, will give the best and greatest security ... in  
the **true CHRISTIAN faith and worship of God** ... They  
may ... **defend** themselves, in **their just rights and**  
**liberties against all the enemies of the CHRISTIAN**  
**faith.**"

**VERMONT** was  
admitted as the



14th State to the Union on March 4, 1791.

Later that year, on November 3, 1791, **Vermont** became the **10th State** to ratify the **Bill of Rights**.

At that time, **Vermont** was operating under its **1777**

**Constitution**, which stated:

"And each member, before he takes his seat, shall make and subscribe the following declaration, viz. 'I \_\_\_\_ do believe in one **God**, the **Creator** and **Governor of the Universe**, the **Rewarder of the good** and **Punisher of the wicked**. And I do acknowledge the **Scriptures of the Old and New Testament** to be given by **Divine inspiration**, and own and profess the **Protestant religion**.' And no further or other religious test shall ever, hereafter, be required."

**VIRGINIA** was the **11th State** to ratify the **Bill of Rights**, **December 15, 1791**.

At that time, **Virginia** was

operating under its **1776 Constitution**, which stated:

"It is the mutual duty of all to practice **CHRISTIAN**



forbearance, love, and charity towards each other."

## Virginia's ratification

completed the necessary **three-fourths** of the States, thereby putting the **Bill of Rights into effect.**



**Secretary of State Thomas Jefferson** certified the adoption of the **Bill of Rights** on March 1, 1792.

Other States **ratified the Bill of Rights** at later dates.

## KENTUCKY

separated from Virginia and became the 15th State in the Union on June 1, 1792.



Later that same year, June 27, 1792, **Kentucky ratified the Bill of Rights.**

At that time, **Kentucky** was operating under its **1792 Constitution**, which stated:

"Article 8, Section 5: The manner of administering an oath or affirmation shall be such as is consistent with the **conscience** of the deponent, and shall be esteemed by the legislature **the most solemn appeal to God.**"

"Article 11, Section 3: That all men have a natural and indefeasible right to **worship Almighty God** according to the **dictates of their own consciences** ... No human authority can, in any case whatever, control or interfere

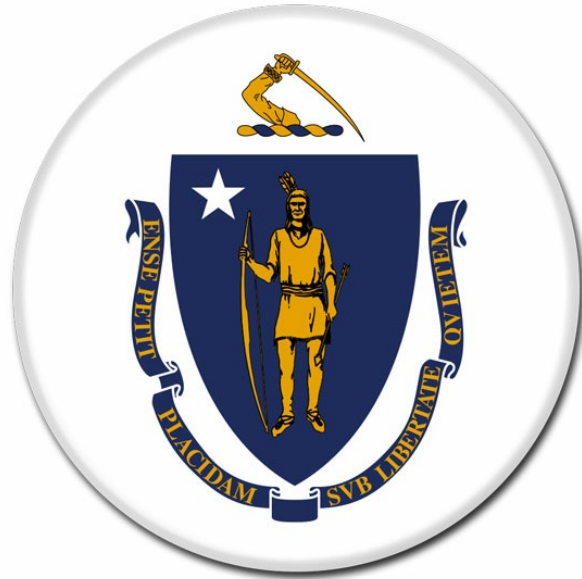
with the **rights of conscience** ...

Section 4: That the **civil rights ... of any citizen shall in no wise be diminished ... on account of his religion.**"

Section 7: That ... the **free communication of thoughts and opinions is one of the invaluable rights of man, and every citizen may freely speak, write, and print on any subject.**"

**MASSACHUSETTS**  
did not **ratify** the **Bill of Rights** until March 2, 1939.

At the time the **Bill of Rights** were adopted by the United States, **Massachusetts** was still operating under its **1780 Constitution**, written by John Adams, which stated in Part the First, Article 3:



"Towns ... to make suitable provision, at their own expense, for the institution of the **public worship of God**, and for the support and maintenance of **public Protestant teachers of piety, religion and morality**, in all cases where such provision shall not be made voluntarily ...

**Every denomination of Christians**, demeaning themselves peaceably, and as good subjects of the commonwealth, **shall be equally under the protection of the law**: and no subordination of any one sect or denomination to another shall ever be established by law."

**GEORGIA** did not



ratify the **Bill of Rights** until March 18, 1939.

At the time the **Bill of Rights** were adopted by the United States, **Georgia** was still

operating under its **1789 Constitution**, which stated:

"Article 4, Section 5. All persons shall have the **free exercise of religion.**"

**Georgia's 1798 Constitution** stated:

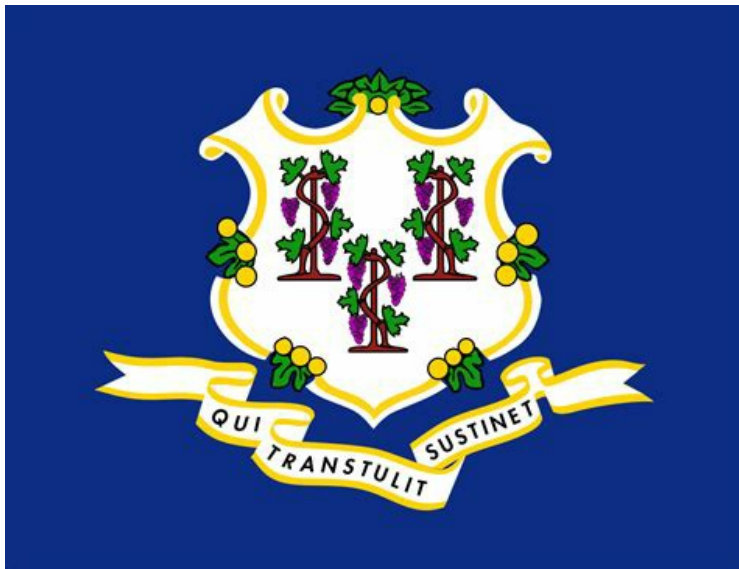
"Article 4, Section 4. No person ... shall ... be deprived of the inestimable privilege of **worshiping God** in a manner agreeable to **his own conscience** ... **nor shall any person be denied the enjoyment of any civil right merely on account of his religious principles.**

**CONNECTICUT** did not **ratify** the **Bill of Rights** until April 19, 1939.

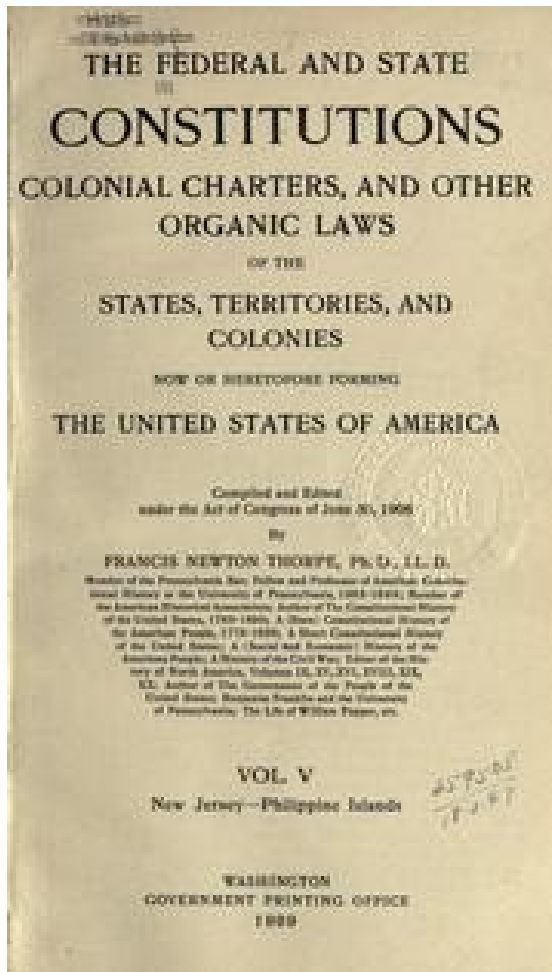
At the time the **Bill of Rights** were adopted by the United States, **Connecticut**, called "**The**

**Constitution State**," was still operating under its 1662 Charter from King Charles II and its **1639 Fundamental Orders**, derived from **Pastor Thomas Hooker's sermon of 1638**, which stated:

"Oath of the Governor ... swear by the great and dreadful

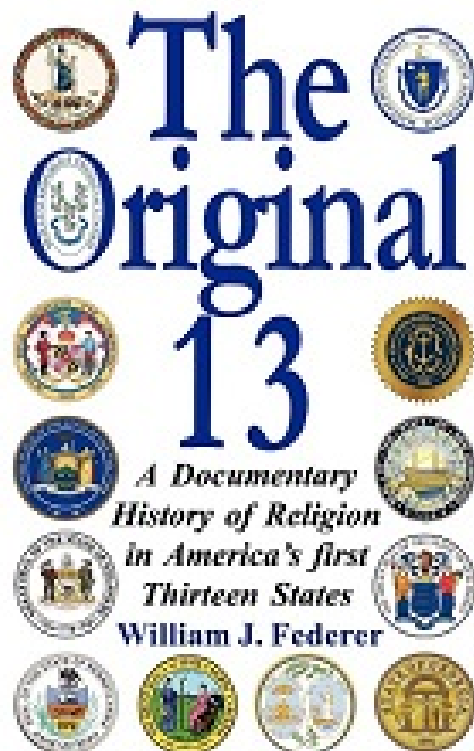


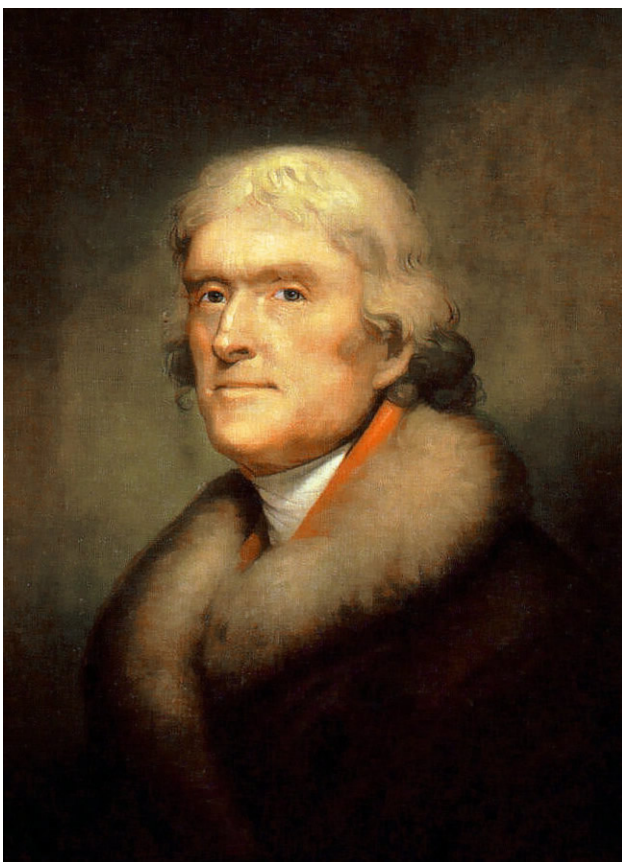
name of the **Ever-living God**, to promote the public good and ... all wholesome laws ... according to the **rule of God's word**; so help me **God**, in the name of the **Lord Jesus Christ.**"



It is clear from all contemporary documentation, that the **Bill of Rights** was not intended for the **Federal Government** to outlaw **State** acknowledgements of **Christianity, God** or **religion.**

[THE ORIGINAL 13 - A Documentary History of Religion in America's First Thirteen States](#)





Writing in regards to the Amendments limiting the Federal Government, **Thomas Jefferson** wrote to Samuel Miller, January 23, 1808:

"I consider the **Government** of the U.S. as **interdicted (prohibited)** by the Constitution **from intermeddling with religious institutions, their doctrines, discipline, or exercises.**

This results not only from the provision that **no law shall be made respecting the establishment or free exercise of religion**, but from that also which **reserves to the States the powers not delegated to the U.S (9th & 10th Amendments) ..."**

**Jefferson**  
continued:

"Certainly **no power** to prescribe any religious exercise, or **to assume authority in religious discipline**, has been delegated to the **General (Federal) government.**

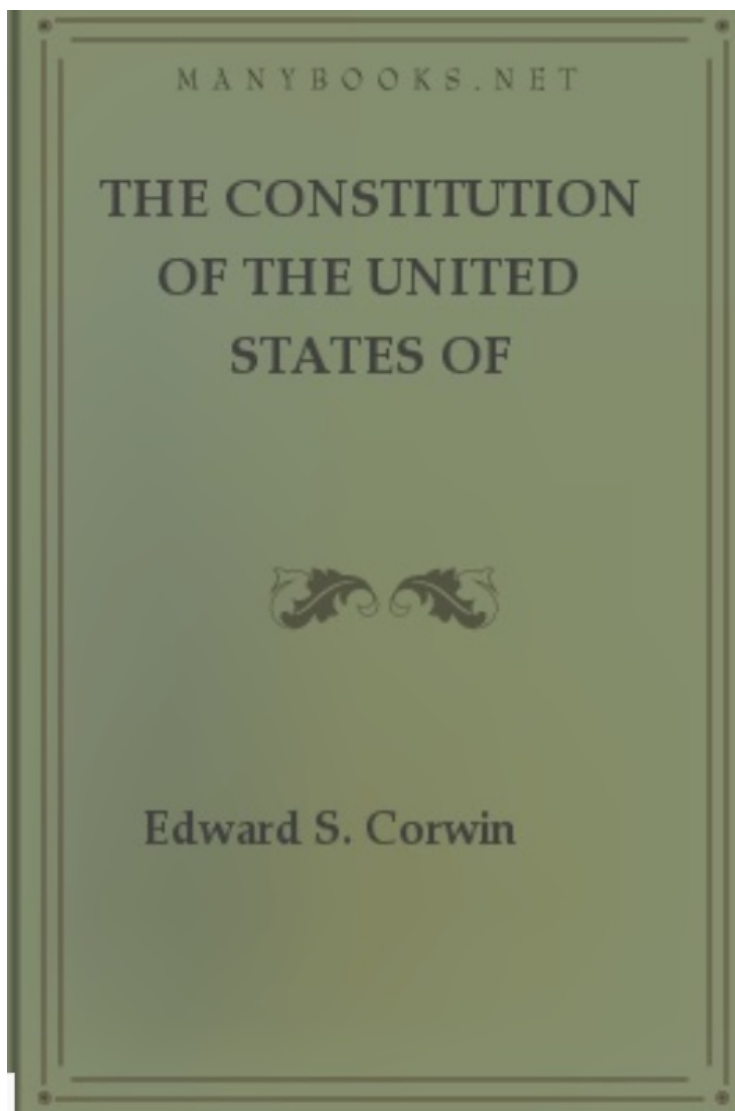




**It must then rest with the States** as far as it can be in any human authority ...

I do not believe it is for the interest of **religion** to invite the civil magistrate to direct **its exercises, its discipline, or its doctrines** ...

**Every religious society** has a right to **determine for itself** the times for these exercises, and the objects proper for them, **according to their own particular tenets."**



The Legislative Reference Service of the Library of Congress prepared *The Constitution of the United States of America-Analysis and Interpretation* (Edward S. Corwin, editor, U.S. Government Printing Office, Washington, 1953, p. 758), which stated:

"In his *Commentaries on the Constitution*, 1833, **Justice**

**Joseph Story** asserted that the **purpose of the First Amendment** was **not to discredit the then existing State establishments of religion**, but rather 'to **exclude from the National Government all power to act on the subject."**

**Justice Joseph Story** wrote in *A Familiar Exposition of the Constitution of the United States*, 1840:



"We are not to attribute this prohibition of a national religious establishment to an **indifference to religion** in general, and **especially to Christianity (which none could hold in more reverence than the framers of the Constitution)** ...

Probably, at the time of the adoption of the Constitution, and of the Amendment to it now under consideration, the general, if not the **universal, sentiment in America** was, that **Christianity ought to receive encouragement from the State** so far as was not incompatible with the private **rights of conscience** and the **freedom of religious worship**.

An attempt to **level all religions**, and to make it a matter of **state policy to hold all in utter indifference**, would have created **universal disapprobation**, if not **universal indignation ..."**

**Story** continued:

"But the duty of supporting religion, and especially the **Christian religion**, is



very different from the right to force the **consciences** of other men or to punish them for **worshiping God in the manner which they believe their accountability to Him** requires ...

The **rights of conscience** are, indeed, beyond the just reach of any human power. **They**

**are given by God, and cannot be encroached upon by human authority** without a criminal disobedience of the precepts of natural as well as of **revealed religion.**

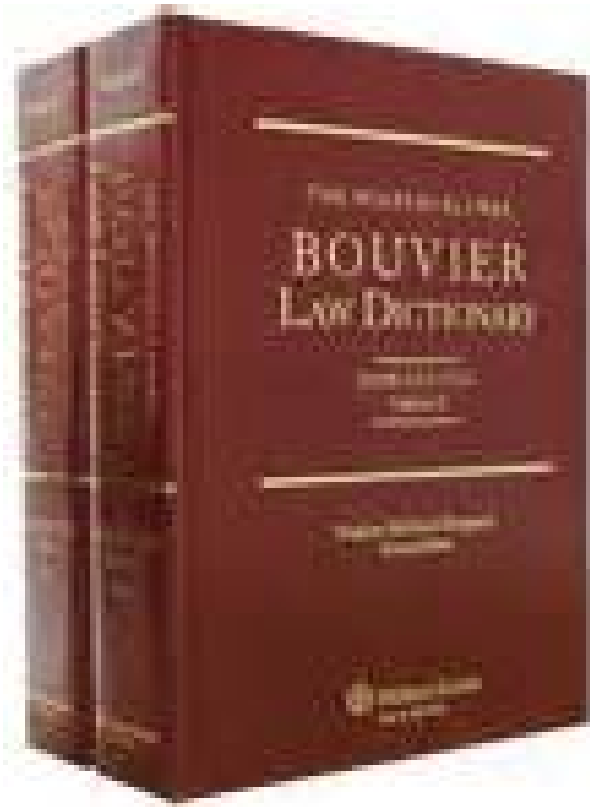
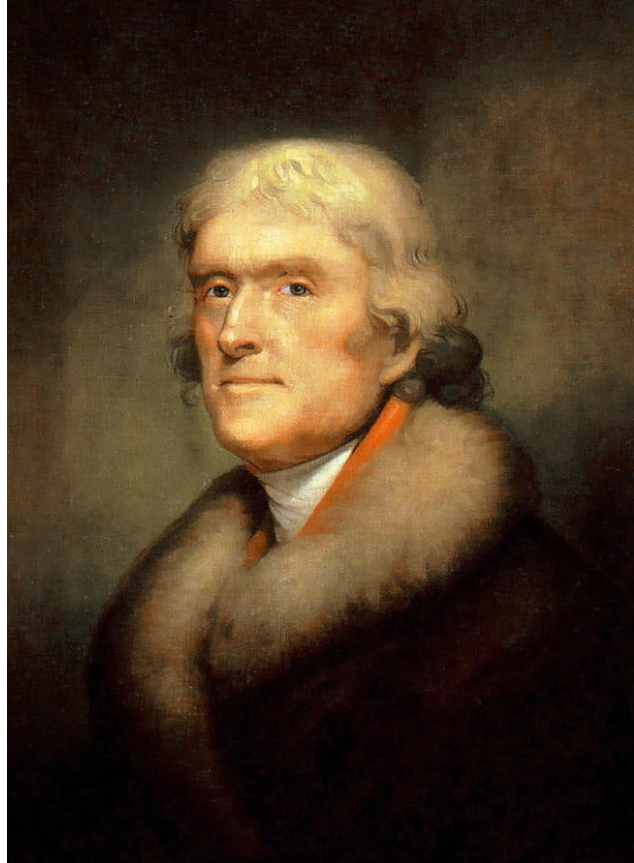
The **real object** of the **First Amendment** was not to countenance, much less to advance **Mohammedism, or Judaism, or infidelity, by prostrating Christianity, but to exclude all rivalry among Christian sects** and to prevent any national ecclesiastical establishment which should give to a hierarchy the exclusive patronage of the national government."

**Jefferson** stated in his Second Inaugural Address, March 4, 1805:

"In matters of **religion** I have considered that its **free exercise** is placed by the Constitution **independent** of the powers **of the General (Federal) Government.**



I have therefore undertaken, on no occasion, to prescribe the **religious exercise** suited to it; but **have left them**, as the Constitution found them, **under the direction and discipline of State and church authorities by the several religious societies."**



Things began to change with the **14th Amendment**.

In 1889, *John Bouvier's Law Dictionary* (Philadelphia, J.B. Lippincott Co.) gave the definition of "RELIGION" and then hinted of the novel use of the 14TH AMENDMENT:

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

By establishment of **religion** is meant the **setting up of state church**, or at least conferring upon **one church** of special favors which are denied to others ...

The Christian religion is, of course, recognized by the government, yet ... the preservation of religious liberty is left to the States ...

This provision and that relating to religious tests are limitations upon the power of the (Federal) Congress only ...

Perhaps the **Fourteenth Amendment** may give additional securities if needful."

The **14th Amendment** was passed July 28, 1866, to force **Southern Democrat States** to give rights to freed slaves.



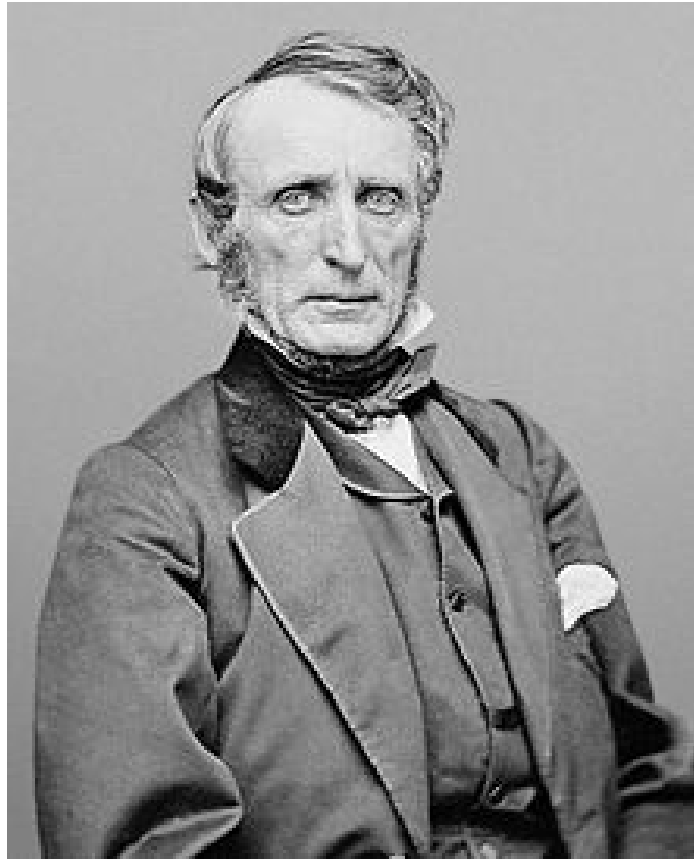
Republican Congressman **John Farnsworth** of Illinois stated of the 14th Amendment, March 31, 1871:

"The reason for the adoption (of the **14TH AMENDMENT**) ... was because of ... **discriminating** ... legislation of those States ... by which they were punishing **one class** of

men under different laws from **another class.**"

But in **solving** one problem it **created** another.

**The 14th Amendment** was sponsored by Republican Congressman **John Bingham** of Ohio.



When asked if he feared the **14th Amendment** might open the door for the Federal Government to usurp rights away from the States, **Rep. John Bingham** replied:

"I repel the suggestion ... that the Amendment will ... **take away from any State** any right that belongs to it."

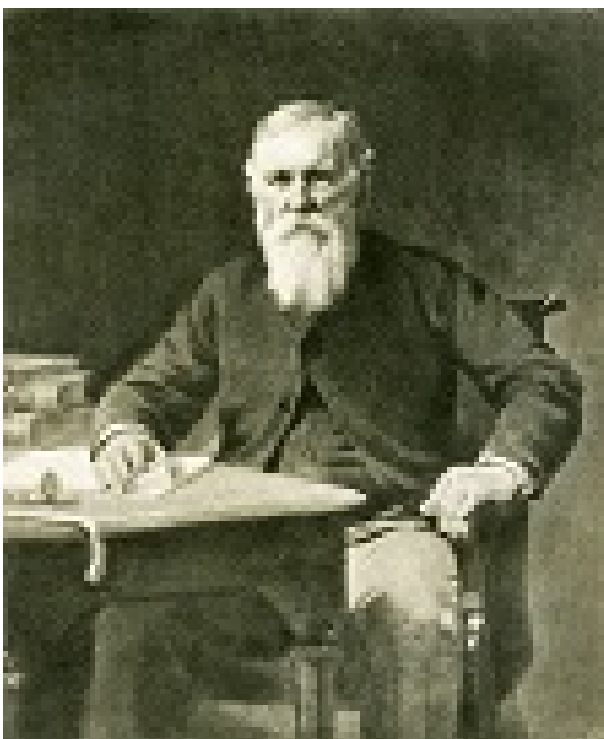
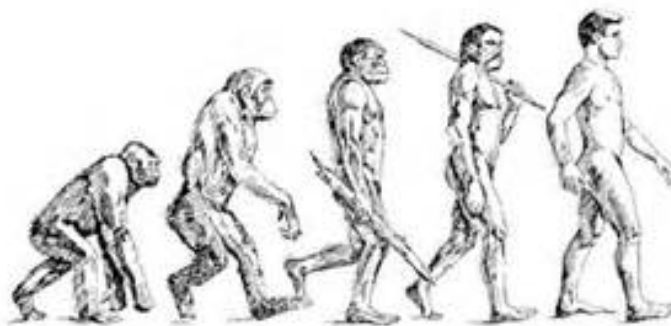


Nevertheless, shortly after the **14th Amendment** was ratified, **activist Federal Judges** began to do just that.

Darwinist philosopher **Herbert Spencer** influenced Harvard Law School dean



**Christopher Columbus Langdell** to apply evolution to the legal process.



Rather than upholding the intent of those who wrote the laws, **Langdell** introduced the idea that **laws could evolve** through a series of "**case precedents.**"

This effectively added a **second way to change laws.**

The **FIRST** way to change laws requires motivating a **majority of citizens** to elect Congressmen and Senators, who in turn, need a **majority to pass a law**, which in turn needs to be signed by the President, who was elected by a **majority.**



The **SECOND** way to change laws is much easier. Simply find an **evolutionary, activist judge** who is willing to subtly **evolve the definitions of words** that are in existing laws to push the will of a **minority**.



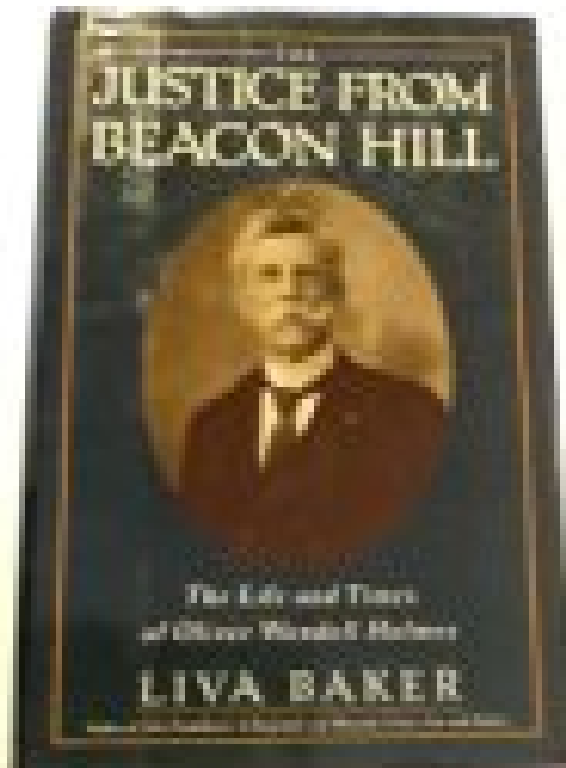
This evolutionary view influenced **Supreme Court Justice Oliver Wendell Holmes, Jr.**, to challenge the tradition that the Constitution **should only be changed** when **two-thirds of the**

**State legislatures, or two-thirds of both the Senate and House, propose an Amendment, and three-fourths of the States ratify it.**

### **Holmes'**

biographer wrote in *The Justice from Beacon Hill* (1991), that he:

"... shook the little world of lawyers and judges who had been raised on Blackstone's theory that the law, given by God Himself, was immutable and eternal and judges had only to discover its contents.



It took some years for them to come around to the view that the **law was flexible**, responsive to changing social and economic climates ...

Holmes had ... broken **new intellectual trails** ... demonstrating that the corpus of **the law was** neither ukase (an edict) from God nor derived from Nature, but ... was a **constantly evolving thing.**"



Federal Courts proceeded to use the **14th Amendment**, along with an expanded reading of the **"general welfare clause"** and the **"commerce**

**clause,"** to **evolve** the role of the **BILL OF RIGHTS**, particularly the **first eight Amendments**, from **limiting the Federal Government** to instead **limiting the State Governments.**

**James Madison** wrote to James Robertson, April 20, 1831:

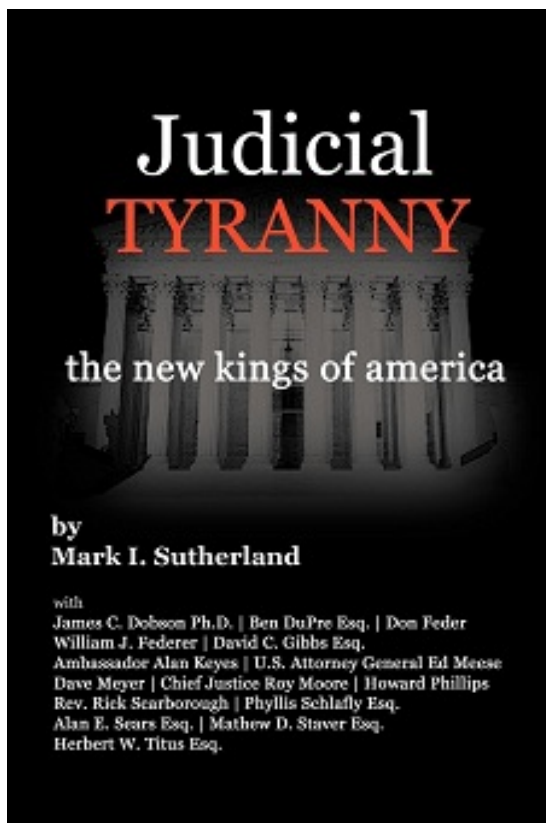
"With respect to the words **'general welfare,'** I have always regarded them as qualified by the detail of powers connected with them.

Take them in an ... **unlimited sense** would be a **metamorphosis of the Constitution**





into a character which there is a host of proofs was **not contemplated by its creators.**"



In a figurative sense, **activist judges** took the **handcuffs off** the wrists of the **Federal Government** and **placed them on the States.**

Judges removed from States' jurisdiction responsibility over **trade disputes, union strikes,** and even **what farmers could grow** on their farms.

Federal Court cases included:

- Freedom of speech and press, *Gitlow v. New York*, 1925 (re: **Socialists**) and *Fiske v. Kansas*, 1927 (re: **Unions**);
- Freedom of press, *Near v. Minnesota*, 1931 (re: **anti-Catholics**);
- Freedom of assembly, *DeJonge v. Oregon*, 1937 (re: **Communists**).



Federal Judges removed from States' jurisdiction responsibility for

freedom of religion  
in cases  
**regarding  
Jehovah's  
Witnesses:**



- *Cantwell v. Connecticut*, 1940;
- *Minersville School District v. Gobitis*, 1940;
- *Jones v. Opelika*, 1942;
- *Taylor v. Mississippi*, 1943;
- *Martin v. Struthers*, 1943;
- *United States v. Ballard*, 1944;
- *Saia v. New York*, 1948;
- *Niemotoko v. Maryland*, 1951.

Cases of **anti-Catholic  
discrimination** were appealed to  
the Supreme Court:

- *Pierce v. Society of Sisters of Holy Names of Jesus and Mary*, 1925;
- *Everson v. Board of Education*, 1947.



Federal Courts created a case by case "**crucible of litigation**" method (*Wallace v. Jaffree*, 1985) by which the **First Amendment** took on an increasingly anti-religious interpretation.



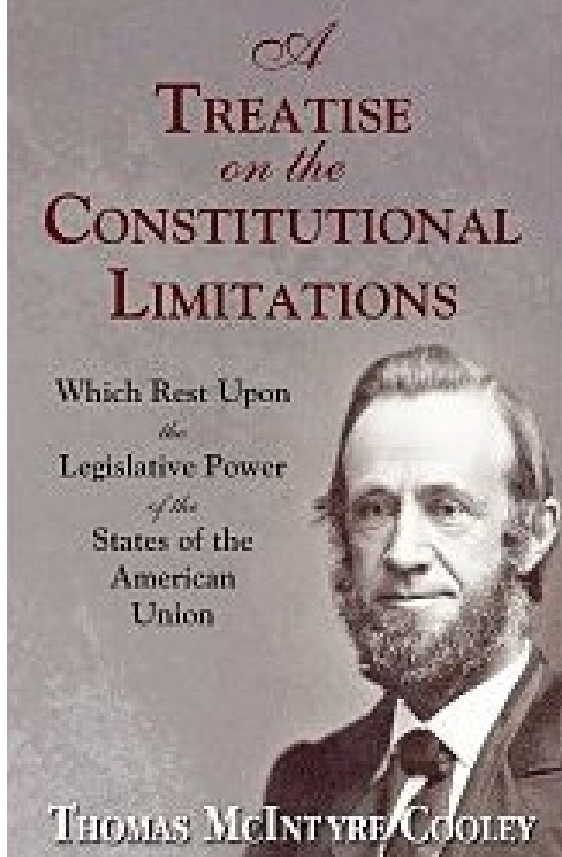
**Ronald Reagan**  
addressed the Alabama  
State Legislature, March  
15, 1982:

**"The First Amendment  
of the Constitution was  
not written to protect the  
people of this country  
from religious values; it  
was written to protect  
religious values from  
government tyranny."**



**Michigan Supreme Court  
Chief Justice Thomas  
Cooley** wrote in *The  
General Principles of  
Constitutional Law* (2nd  
Ed., 1891, p. 282):

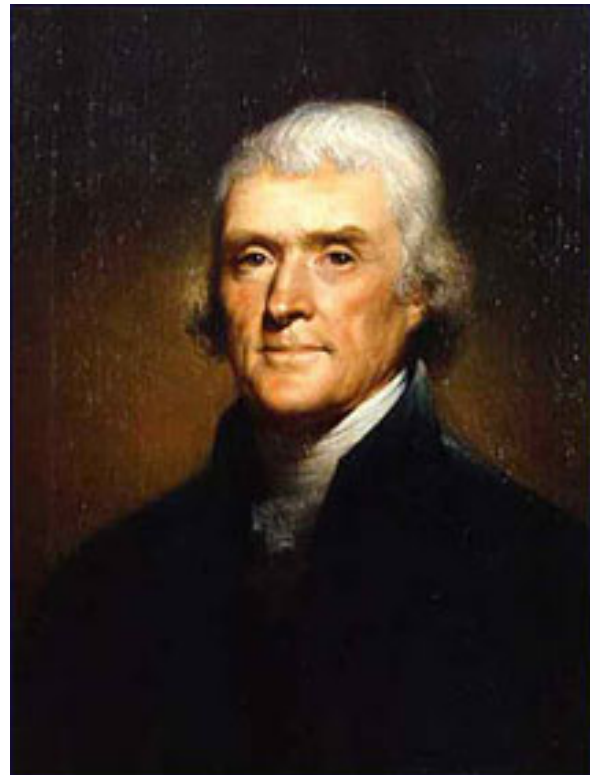
**"The Second Amendment  
... was meant to be a strong  
moral check against the  
usurpation and arbitrary  
power of rulers ...**



The people ... shall have the right to keep and bear arms, and they need no permission or regulation of law for the purpose."

**Thomas Jefferson** warned Charles Hammond, 1821, how Federal judges would be tempted to usurp power:

"The germ of dissolution of our ... government is in ... the **Federal judiciary** ... working like gravity by night and by day, gaining a little today and a little tomorrow ... until all shall be **usurped from the States.**"



The **Bill of Rights** is now experiencing a new challenge, as exhibited by signs carried by **fundamentalist**





**Muslim demonstrators,** such as one in Dearborn, Michigan, as reported Dr. Irwin Lutzer in *The Cross in the Shadow of the Crescent* (2013):

**"We will use the freedoms of the Constitution to destroy the Constitution."**

This view is exemplified by Sharia organizer **Anjem Choudary** of **Islam4UK** declared (*London Daily Express*, Oct. 15, 2009):



**"We have had enough of democracy** and man-made law ... We will call for a complete upheaval of the British ruling system ... and **demand full implementation of Sharia** in Britain."

**Dwight Eisenhower** warned of this (*TIME Magazine*, October 13, 1952):

**"The Bill of Rights** contains no grant of privilege for a group of people to **destroy the Bill of Rights.**



... A group ... **dedicated to the ultimate destruction of all civil liberties, cannot be allowed to claim civil liberties as its privileged sanctuary from which to carry on subversion of the Government."**



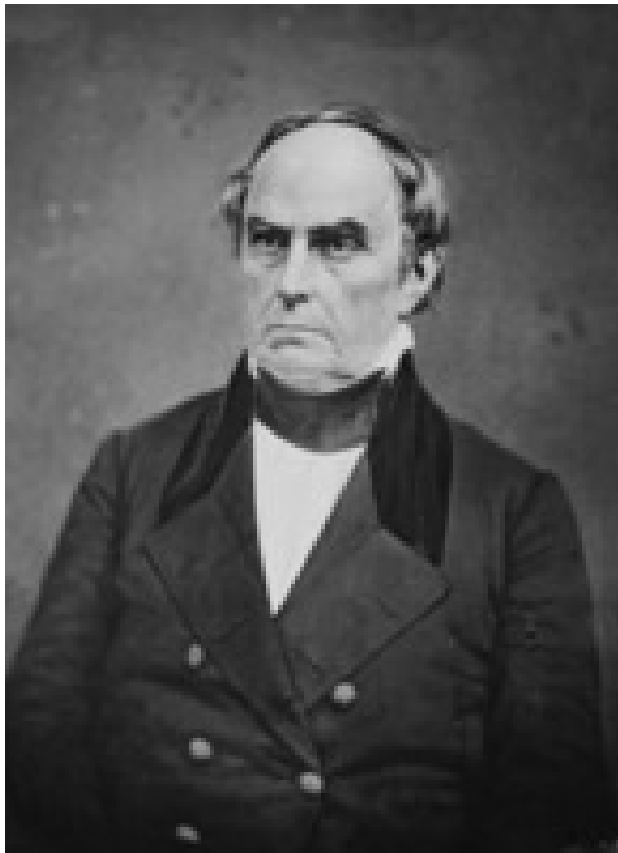
**Daniel Webster** stated February 23, 1852:

"The Constitution has enemies, secret and professed ... They have hot heads and cold hearts.

They are rash, reckless, and fierce for change, and with no affection for the existing institutions of their country ...

Other enemies there are, more cool, and with more calculation. These have a deeper and more fixed and dangerous purpose ...

There are those in the country, who profess, in their own words, even to hate the Constitution."



Lawmakers are increasingly faced with the dilemma -- should freedom of speech be for **groups whose ultimate goal is to censor and eliminate freedom of speech?**



Should freedom of religion be extended to those with an agenda and track record of **abolishing freedom of religion?**



Should "sharia-practicing" Muslims, as well as intolerant enforcers of previously unheard of sexual agendas be allowed to **demand freedoms for themselves -- while bullying others to surrender their freedoms?**



Employing the tactic of "psychological projection," **intolerant groups accuse their opponents of what they are guilty of.**



An example was cited in "Congress Committing High Crime and Misdemeanor in Impeachment" (Ryan Saavedra, *DailyWire.com*, 12/4/19), where those pushing impeachment were guilty of the "abuse of power" that they were accusing the President of:



**“George Washington University Law School professor Jonathan Turley slammed ... the House Judiciary Committee, suggesting that Congressional Democrats would be committing the high crimes and misdemeanors — not President Donald Trump — with the way that they are conducting their impeachment efforts ...**

If this Committee elects to seek impeachment on the failure to yield to congressional demands in an oversight or impeachment investigation, it will have to distinguish a long line of cases where prior presidents sought the very same review while withholding witnesses and documents,' **Turley** said, according to his prepared remarks.

'Basing impeachment on this obstruction theory would itself be an **abuse of power -- by Congress.**'”

Practicing "psychological projection," hateful organizations even put up websites where they post lists of those they hate.





Addressing entrenched, deep-state politicians and bureaucrats usurping power from the people, **Eisenhower** addressed the Governors' Conference, June 24, 1957:



"The **National Government** was itself the **creature of the States ...**

Yet today it is often made to appear that **the creature, Frankenstein-like, is determined to destroy the creators.**"

--

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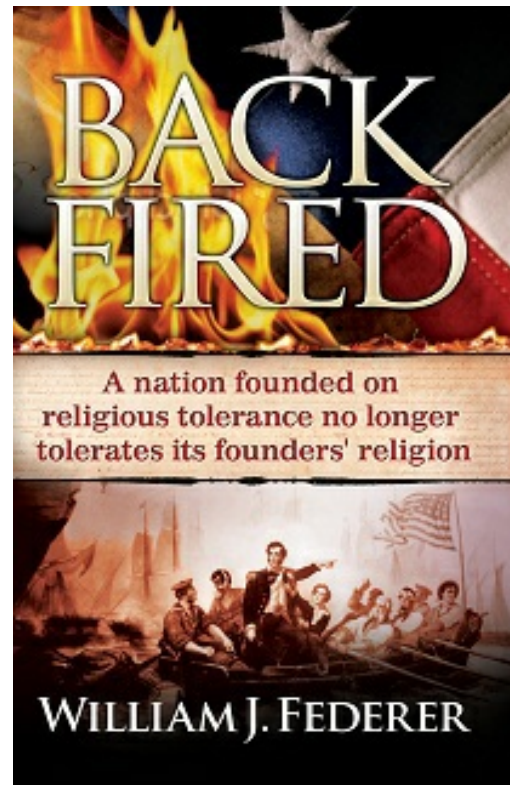


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