

The **BOISI CENTER** *for*

RELIGION *and* AMERICAN PUBLIC LIFE

Symposium on Religion and Politics

Public Morality and Federalism

24 QUINCY ROAD, CHESTNUT HILL, MASSACHUSETTS 02467

TEL: 617.552.1861 FAX: 617.552.1863 EMAIL: PUBLIFE@BC.EDU WEB: WWW.BC.EDU/BOISI



BOSTON COLLEGE

BOISI CENTER
FOR RELIGION AND AMERICAN PUBLIC LIFE

Symposium on Religion and Politics

Public Morality and Federalism

Table of Contents:

Commonwealth Club Address Franklin Delano Roosevelt (1932)	I
The Four Freedoms Franklin Delano Roosevelt (1941)	8
The Great Society Lyndon Johnson (1964)	9
A Time for Choosing Ronald Reagan (1964)	13
Restore States Rights and Public Morality Pat Robertson (1986)	20

Franklin Delano Roosevelt

Commonwealth Club Address

delivered 23 Sept 1932, San Francisco, CA

I count it a privilege to be invited to address the Commonwealth Club. It has stood in the life of this city and state, and it is perhaps accurate to add, the nation, as a group of citizen leaders interested in fundamental problems of government, and chiefly concerned with achievement of progress in government through non-partisan means. The privilege of addressing you, therefore, in the heat of a political campaign, is great. I want to respond to your courtesy in terms consistent with your policy.

I want to speak not of politics but of government. I want to speak not of parties, but of universal principles. They are not political, except in that larger sense in which a great American once expressed a definition of politics, that nothing in all of human life is foreign to the science of politics...

The issue of government has always been whether individual men and women will have to serve some system of government of economics, or whether a system of government and economics exists to serve individual men and women. This question has persistently dominated the discussion of government for many generations. On questions relating to these things men have differed, and for time immemorial it is probable that honest men will continue to differ.

The final word belongs to no man; yet we can still believe in change and in progress. Democracy, as a dear old friend of mine in Indian, Meredith Nicholson, has called it, is a quest, a never-ending seeking for better things, and in the seeking for these things and the striving for better things, and in the seeking for these things and the striving for them, there are many roads to follow. But, if we map the course of these roads, we find that there are only two general directions.

When we look about us, we are likely to forget how hard people have worked to win the privilege of government. The growth of the national governments of Europe was a struggle for the development of a centralized force in the nation, strong enough to impose peace upon ruling barons. In many instances the victory of the central government, the creation of a strong central government, was a haven of refuge to the individual. The people preferred the master far away to the exploitation and cruelty of the smaller master near at hand.

But the creators of national government were perforce ruthless men. They were often cruel in their methods, but they did strive steadily toward something that society needed and very much wanted, a strong central state, able to keep the peace, to stamp out civil war, to put the unruly nobleman in his place, and to permit the bulk of individuals to live safely. The man of ruthless force had his place in developing a pioneer country, just as he did in fixing the power of the central government in the development of nations. Society paid him well for his services and its development. When the development among the nations of Europe, however, has been completed, ambition, and ruthlessness, having served its term tended to overstep its mark.

There came a growing feeling that government was conducted for the benefit of a few who thrived unduly at the expense of all. The people sought a balancing- a limiting force. There came gradually, through town councils, trade guilds, national parliaments, by constitution and by popular participation and control, limitations on arbitrary power.

Another factor that tended to limit the power of those who ruled, was the rise of the ethical conception that a ruler bore a responsibility for the welfare of his subjects.

The American colonies were born in this struggle. The American Revolution was a turning point in it. After the revolution the struggle continued and shaped itself in the public life of the country. There were those who because they had seen the confusion which attended the years of war for American independence surrendered to the belief that popular government was essentially dangerous and essentially unworkable. They were honest people, my friends, and we cannot deny that their experience had warranted some measure of fear. The most brilliant, honest and able exponent of this point of view was Hamilton. He was too impatient of slow moving methods. Fundamentally he believed that the safety of the republic lay in the autocratic strength of its government, that the destiny of individuals was to serve that government, and that fundamentally a great and strong group of central institutions, guided by a small group of able and public spirited citizens could best direct all government.

But Mr. Jefferson, in the summer of 1776, after drafting the Declaration of Independence turned his mind to the same problem and took a different view. He did not deceive himself with outward forms. Government to him was a means to an end, not an end in itself; it might be either a refuge and a help or a threat and a danger, depending on the circumstances. We find him carefully analyzing the society for which he was to organize a government. "We have no paupers. The great mass of our population is of laborers, our rich who cannot live without labor, either manual or professional, being few and of moderate wealth. Most of the laboring class possess property, cultivate their own lands, have families and from the demand for their labor, are enabled to exact from the rich and the competent such prices as enable them to feed abundantly, clothe above mere decency, to labor moderately and raise their families."

These people, he considered, had two sets of rights, those of "personal competency" and those involved in acquiring and possessing property. By "personal competency" he meant the right of free thinking, freedom of forming and expressing opinions, and freedom of personal living each man according to his own lights. To insure the first set of rights, a government must so order its functions as not to interfere with the individual. But even Jefferson realized that the exercise of the property rights might so interfere with the rights of the individual that the government, without whose assistance the property rights could not exist, must intervene, not to destroy individualism but to protect it.

You are familiar with the great political duel which followed, and how Hamilton, and his friends, building towards a dominant centralized power were at length defeated in the great election of 1800, by Mr. Jefferson's party. Out of that duel came the two parties, Republican and Democratic, as we know them today.

So began, in American political life, the new day, the day of the individual against the system, the day in which individualism was made the great watchword of American life. The happiest of economic conditions made that day long and splendid. On the Western frontier, land was substantially free. No one, who did not shirk the task of earning a living, was entirely without opportunity to do so. Depressions could, and did, come and go; but they could not alter the fundamental fact that most of the people lived partly by selling their labor and partly by extracting their livelihood from the soil, so that starvation and dislocation were practically impossible. At the very worst there was always the possibility of climbing into a covered wagon and moving west where the untilled prairies afforded a haven for men to whom the East did not provide a place. So great were our natural resources that

we could offer this relief not only to our own people, but to the distressed of all the world; we could invite immigration from Europe, and welcome it with open arms. Traditionally, when a depression came, a new section of land was opened in the West; and even our temporary misfortune served our manifest destiny.

It was the middle of the 19th century that a new force was released and a new dream created. The force was what is called the industrial revolution, the advance of steam and machinery and the rise of the forerunners of the modern industrial plant. The dream was the dream of an economic machine, able to raise the standard of living for everyone; to bring luxury within the reach of the humblest; to annihilate distance by steam power and later by electricity, and to release everyone from the drudgery of the heaviest manual toil. It was to be expected that this would necessarily affect government. Heretofore, government had merely been called upon to produce conditions within which people could live happily, labor peacefully, and rest secure. Now it was called upon to aid in the consummation of this new dream. There was, however, a shadow over the dream. To be made real, it required use of the talents of men of tremendous will, and tremendous ambition, since by no other force could the problems of financing and engineering and new developments be brought to a consummation.

So manifest were the advantages of the machine age, however, that the United States fearlessly, cheerfully, and, I think, rightly, accepted the bitter with the sweet. It was thought that no price was too high to pay for the advantages which we could draw from a finished industrial system. The history of the last half century is accordingly in large measure a history of a group of financial Titans, whose methods were not scrutinized with too much care, and who were honored in proportion as they produced the results, irrespective of the means they used. The financiers who pushed the railroads to the Pacific were always ruthless, we have them today. It has been estimated that the American investor paid for the American railway system more than three times over in the process; but despite that fact the net advantage was to the United States. As long as we had free land; as long as population was growing by leaps and bounds; as long as our industrial plants were insufficient to supply our needs, society chose to give the ambitious man free play and unlimited reward provided only that he produced the economic plant so much desired.

During this period of expansion, there was equal opportunity for all and the business of government was not to interfere but to assist in the development of industry. This was done at the request of businessmen themselves. The tariff was originally imposed for the purpose of "fostering our infant industry", a phrase I think the older among you will remember as a political issue not so long ago. The railroads were subsidized, sometimes by grants of money, oftener by grants of land; some of the most valuable oil lands in the United States were granted to assist the financing of the railroad which pushed through the Southwest. A nascent merchant marine was assisted by grants of money, or by mail subsidies, so that our steam shipping might ply the seven seas. Some of my friends tell me that they do not want the Government in business. With this I agree; but I wonder whether they realize the implications of the past. For while it has been American doctrine that the government must not go into business in competition with private enterprises, still it has been traditional particularly in Republican administrations for business urgently to ask the government to put at private disposal all kinds of government assistance.

The same man who tells you that he does not want to see the government interfere in business-and he means it, and has plenty of good reasons for saying so-is the first to go to Washington and ask the government for a prohibitory tariff on his product. When things get

just bad enough-as they did two years ago-he will go with equal speed to the United States government and ask for a loan; and the Reconstruction Finance Corporation is the outcome of it. Each group has sought protection from the government for its own special interest, without realizing that the function of government must be to favor no small group at the expense of its duty to protect the rights of personal freedom and of private property of all its citizens.

In retrospect we can now see that the turn of the tide came with the turn of the century. We were reaching our last frontier; there was no more free land and our industrial combinations had become great uncontrolled and irresponsible units of power within the state. Clear-sighted men saw with fear the danger that opportunity would no longer be equal; that the growing corporation, like the feudal baron of old, might threaten the economic freedom of individuals to earn a living. In that hour, our antitrust laws were born. The cry was raised against the great corporations. Theodore Roosevelt, the first great Republican progressive, fought a Presidential campaign on the issue of "trust busting" and talked freely about malefactors of great wealth. If the government had a policy it was rather to turn the clock back, to destroy the large combinations and to return to the time when every man owned his individual small business.

This was impossible; Theodore Roosevelt, abandoning the idea of "trust busting", was forced to work out a difference between "good" trusts and "bad" trusts. The Supreme Court set forth the famous "rule of reason" by which it seems to have meant that a concentration of industrial power was permissible if the method by which it got its power, and the use it made of that power, was reasonable.

Woodrow Wilson, elected in 1912, saw the situation more clearly. Where Jefferson had feared the encroachment of political power on the lives of individuals, Wilson knew that the new power was financial. He saw, in the highly centralized economic system, the depot of the twentieth century, on whom great masses of individuals relied for their safety and their livelihood, and whose irresponsibility and greed (if it were not controlled) would reduce them to starvation and penury. The concentration of financial power had not proceeded so far in 1912 as it has today; but it had grown far enough for Mr. Wilson to realize fully its implications. It is interesting, now, to read his speeches.

What is called "radical" today (and I have reason to know whereof I speak) is mild compared to the campaign of Mr. Wilson. "No man can deny," he said, "that the lines of endeavor have more and more narrowed and stiffened; no man who knows anything about the development of industry in this country can have failed to observe that the larger kinds of credit are more and more difficult to obtain unless you obtain them upon terms of uniting your efforts with those who already control the industry of the country, and nobody can fail to observe that every man who tries to set himself up in competition with any process of manufacture which has taken place under the control of large combinations of capital will presently find himself either squeezed out or obliged to sell and allow himself to be absorbed."

Had there been no World War -- had Mr. Wilson been able to devote eight years to domestic instead of to international affairs- we might have had a wholly different situation at the present time. However, the then distant roar of European cannon, growing ever louder, forced him to abandon the study of this issue. The problem he saw so clearly is left with us as a legacy; and no one of us on either side of the political controversy can deny that it is a matter of grave concern to the government.

A glance at the situation today only too clearly indicates that equality of opportunity as we have known it no longer exists. Our industrial plant is built; the problem just now is whether under existing conditions it is not overbuilt. Our last frontier has long since been reached, and there is practically no more free land. More than half of our people do not live on the farms or on lands and cannot derive a living by cultivating their own property. There is no safety valve in the form of a Western prairie to which those thrown out of work by the Eastern economic machines can go for a new start. We are not able to invite the immigration from Europe to share our endless plenty. We are now providing a drab living for our own people.

Our system of constantly rising tariffs has at last reacted against us to the point of closing our Canadian frontier on the north, our European markets on the east, many of our Latin American markets to the south, and a goodly proportion of our Pacific markets on the west, through the retaliatory tariffs of those countries. It has forced many of our great industrial institutions who exported their surplus production to such countries, to establish plants in such countries within the tariff walls. This has resulted in the reduction of the operation of their American plants, and opportunity for employment.

Just as freedom to farm has ceased, so also the opportunity in business has narrowed. It still is true that men can start small enterprises, trusting to native shrewdness and ability to keep abreast of competitors; but area after area has been preempted altogether by the great corporations, and even in the fields which still have no great concerns, the small man starts with a handicap. The unfeeling statistics of the past three decades show that the independent business man is running a losing race. Perhaps he is forced to the wall; perhaps he cannot command credit; perhaps he is "squeezed out," in Mr. Wilson's words, by highly organized corporate competitors, as your corner grocery man can tell you.

Recently a careful study was made of the concentration of business in the United States. It showed that our economic life was dominated by some six hundred odd corporations who controlled two-thirds of American industry. Ten million small business men divided the other third. More striking still, it appeared that if the process of concentration goes on at the same rate, at the end of another century we shall have all American industry controlled by a dozen corporations, and run by perhaps a hundred men. Put plainly, we are steering a steady course toward economic oligarchy, if we are not there already.

Clearly, all this calls for a re-appraisal of values. A mere builder of more industrial plants, a creator of more railroad systems, and organizer of more corporations, is as likely to be a danger as a help. The day of the great promoter or the financial Titan, to whom we granted anything if only he would build, or develop, is over. Our task now is not discovery or exploitation of natural resources, or necessarily producing more goods. It is the soberer, less dramatic business of administering resources and plants already in hand, of seeking to reestablish foreign markets for our surplus production, of meeting the problem of under consumption, of adjusting production to consumption, of distributing wealth and products more equitably, of adapting existing economic organizations to the service of the people. The day of enlightened administration has come.

Just as in older times the central government was first a haven of refuge, and then a threat, so now in a closer economic system the central and ambitious financial unit is no longer a servant of national desire, but a danger. I would draw the parallel one step farther. We did not think because national government had become a threat in the 18th century that therefore we should abandon the principle of national government. Nor today should we abandon the principle of strong economic units called corporations, merely because their

power is susceptible of easy abuse. In other times we dealt with the problem of an unduly ambitious central government by modifying it gradually into a constitutional democratic government. So today we are modifying and controlling our economic units.

As I see it, the task of government in its relation to business is to assist the development of an economic declaration of rights, an economic constitutional order. This is the common task of statesman and business man. It is the minimum requirement of a more permanently safe order of things.

Every man has a right to life; and this means that he has also a right to make a comfortable living. He may by sloth or crime decline to exercise that right; but it may not be denied him. We have no actual famine or death; our industrial and agricultural mechanism can produce enough and to spare. Our government formal and informal, political and economic, owes to every one an avenue to possess himself of a portion of that plenty sufficient for his needs, through his own work.

Every man has a right to his own property; which means a right to be assured, to the fullest extent attainable, in the safety of his savings. By no other means can men carry the burdens of those parts of life which, in the nature of things afford no chance of labor; childhood, sickness, old age. In all thought of property, this right is paramount; all other property rights must yield to it. If, in accord with this principle, we must restrict the operations of the speculator, the manipulator, even the financier, I believe we must accept the restriction as needful, not to hamper individualism but to protect it.

These two requirements must be satisfied, in the main, by the individuals who claim and hold control of the great industrial and financial combinations which dominate so large a part of our industrial life. They have undertaken to be, not business men, but princes-princes of property. I am not prepared to say that the system which produces them is wrong. I am very clear that they must fearlessly and competently assume the responsibility which goes with the power. So many enlightened business men know this that the statement would be little more than a platitude, were it not for an added implication.

This implication is, briefly, that the responsible heads of finance and industry instead of acting each for himself, must work together to achieve the common end. They must, where necessary, sacrifice this or that private advantage; and in reciprocal self-denial must seek a general advantage. It is here that formal government-political government, if you choose, comes in. Whenever in the pursuit of this objective the lone wolf, the unethical competitor, the reckless promoter, the Ishmael or Insull whose hand is against every man's, declines to join in achieving and end recognized as being for the public welfare, and threatens to drag the industry back to a state of anarchy, the government may properly be asked to apply restraint. Likewise, should the group ever use its collective power contrary to public welfare, the government must be swift to enter and protect the public interest.

The government should assume the function of economic regulation only as a last resort, to be tried only when private initiative, inspired by high responsibility, with such assistance and balance as government can give, has finally failed. As yet there has been no final failure, because there has been no attempt, and I decline to assume that this nation is unable to meet the situation.

The final term of the high contract was for liberty and the pursuit of happiness. We have learnt a great deal of both in the past century. We know that individual liberty and individual happiness mean nothing unless both are ordered in the sense that one man's

meat is not another man's poison. We know that the old "rights of personal competency" - the right to read, to think, to speak to choose and live a mode of life, must be respected at all hazards. We know that liberty to do anything which deprives others of those elemental rights is outside the protection of any compact; and that government in this regard is the maintenance of a balance, within which every individual may have a place if he will take it; in which every individual may find safety if he wishes it; in which every individual may attain such power as his ability permits, consistent with his assuming the accompanying responsibility...

Faith in America, faith in our tradition of personal responsibility, faith in our institutions, faith in ourselves demands that we recognize the new terms of the old social contract. We shall fulfill them, as we fulfilled the obligation of the apparent Utopia which Jefferson imagined for us in 1776, and which Jefferson, Roosevelt and Wilson sought to bring to realization. We must do so, lest a rising tide of misery engendered by our common failure, engulf us all. But failure is not an American habit; and in the strength of great hope we must all shoulder our common load.

Franklin D. Roosevelt
“Four Freedoms”
Address to Congress
January 6, 1941

In the future days, which we seek to make secure, we look forward to a world founded upon four essential human freedoms.

The first is freedom of speech and expression -- everywhere in the world.

The second is freedom of every person to worship God in his own way -- everywhere in the world.

The third is freedom from want -- which, translated into world terms, means economic understandings which will secure to every nation a healthy peacetime life for its inhabitants -- everywhere in the world.

The fourth is freedom from fear -- which, translated into world terms, means a world-wide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor-- anywhere in the world.

That is no vision of a distant millennium. It is a definite basis for a kind of world attainable in our own time and generation. That kind of world is the very antithesis of the so-called new order of tyranny which the dictators seek to create with the crash of a bomb.

To that new order we oppose the greater conception -- the moral order. A good society is able to face schemes of world domination and foreign revolutions alike without fear.

Since the beginning of our American history, we have been engaged in change -- in a perpetual peaceful revolution -- a revolution which goes on steadily, quietly adjusting itself to changing conditions -- without the concentration camp or the quick-lime in the ditch. The world order which we seek is the cooperation of free countries, working together in a friendly, civilized society.

This nation has placed its destiny in the hands and heads and hearts of its millions of free men and women; and its faith in freedom under the guidance of God. Freedom means the supremacy of human rights everywhere. Our support goes to those who struggle to gain those rights or keep them. Our strength is our unity of purpose.

To that high concept there can be no end save victory.

[From *Congressional Record*, 1941, Vol. 87, Pt. I.]

Lyndon Baines Johnson

The Great Society

Delivered 22 May 1964, Ann Arbor, MI

President Hatcher, Governor Romney, Senators McNamara and Hart, Congressmen Meader and Staebler, and other members of the fine Michigan delegation, members of the graduating class, my fellow Americans:

It is a great pleasure to be here today. This university has been coeducational since 1870, but I do not believe it was on the basis of your accomplishments that a Detroit high school girl said (and I quote), "In choosing a college, you first have to decide whether you want a coeducational school or an educational school." Well, we can find both here at Michigan, although perhaps at different hours. I came out here today very anxious to meet the Michigan student whose father told a friend of mine that his son's education had been a real value. It stopped his mother from bragging about him.

I have come today from the turmoil of your capital to the tranquility of your campus to speak about the future of your country. The purpose of protecting the life of our Nation and preserving the liberty of our citizens is to pursue the happiness of our people. Our success in that pursuit is the test of our success as a Nation.

For a century we labored to settle and to subdue a continent. For half a century we called upon unbounded invention and untiring industry to create an order of plenty for all of our people. The challenge of the next half century is whether we have the wisdom to use that wealth to enrich and elevate our national life, and to advance the quality of our American civilization.

Your imagination and your initiative and your indignation will determine whether we build a society where progress is the servant of our needs, or a society where old values and new visions are buried under unbridled growth. For in your time we have the opportunity to move not only toward the rich society and the powerful society, but upward to the Great Society.

The Great Society rests on abundance and liberty for all. It demands an end to poverty and racial injustice, to which we are totally committed in our time. But that is just the beginning.

The Great Society is a place where every child can find knowledge to enrich his mind and to enlarge his talents. It is a place where leisure is a welcome chance to build and reflect, not a feared cause of boredom and restlessness. It is a place where the city of man serves not only the needs of the body and the demands of commerce but the desire for beauty and the hunger for community. It is a place where man can renew contact with nature. It is a place which honors creation for its own sake and for what it adds to the understanding of the race. It is a place where men are more concerned with the quality of their goals than the quantity of their goods.

But most of all, the Great Society is not a safe harbor, a resting place, a final objective, a finished work. It is a challenge constantly renewed, beckoning us toward a destiny where the meaning of our lives matches the marvelous products of our labor.

So I want to talk to you today about three places where we begin to build the Great Society -- in our cities, in our countryside, and in our classrooms.

Many of you will live to see the day, perhaps 50 years from now, when there will be 400 million Americans -- four-fifths of them in urban areas. In the remainder of this century urban population will double, city land will double, and we will have to build homes and highways and facilities equal to all those built since this country was first settled. So in the next 40 years we must re-build the entire urban United States.

Aristotle said: "Men come together in cities in order to live, but they remain together in order to live the good life." It is harder and harder to live the good life in American cities today. The catalog of ills is long: there is the decay of the centers and the despoiling of the suburbs. There is not enough housing for our people or transportation for our traffic. Open land is vanishing and old landmarks are violated. Worst of all expansion is eroding these precious and time honored values of community with neighbors and communion with nature. The loss of these values breeds loneliness and boredom and indifference.

And our society will never be great until our cities are great. Today the frontier of imagination and innovation is inside those cities and not beyond their borders. New experiments are already going on. It will be the task of your generation to make the American city a place where future generations will come, not only to live, but to live the good life. And I understand that if I stayed here tonight I would see that Michigan students are really doing their best to live the good life.

This is the place where the Peace Corps was started.

It is inspiring to see how all of you, while you are in this country, are trying so hard to live at the level of the people.

A second place where we begin to build the Great Society is in our countryside. We have always prided ourselves on being not only America the strong and America the free, but America the beautiful. Today that beauty is in danger. The water we drink, the food we eat, the very air that we breathe, are threatened with pollution. Our parks are overcrowded, our seashores overburdened. Green fields and dense forests are disappearing.

A few years ago we were greatly concerned about the "Ugly American." Today we must act to prevent an ugly America.

For once the battle is lost, once our natural splendor is destroyed, it can never be recaptured. And once man can no longer walk with beauty or wonder at nature his spirit will wither and his sustenance be wasted.

A third place to build the Great Society is in the classrooms of America. There your children's lives will be shaped. Our society will not be great until every young mind is set free to scan the farthest reaches of thought and imagination. We are still far from that goal. Today, 8 million adult Americans, more than the entire population of Michigan, have not finished 5 years of school. Nearly 20 million have not finished 8 years of school. Nearly 54 million -- more than one quarter of all America -- have not even finished high school.

Each year more than 100,000 high school graduates, with proved ability, do not enter college because they cannot afford it. And if we cannot educate today's youth, what will we do in 1970 when elementary school enrollment will be 5 million greater than 1960? And high school enrollment will rise by 5 million. And college enrollment will increase by more than 3 million.

In many places, classrooms are overcrowded and curricula are outdated. Most of our qualified teachers are underpaid and many of our paid teachers are unqualified. So we must give every child a place to sit and a teacher to learn from. Poverty must not be a bar to learning, and learning must offer an escape from poverty.

But more classrooms and more teachers are not enough. We must seek an educational system which grows in excellence as it grows in size. This means better training for our teachers. It means preparing youth to enjoy their hours of leisure as well as their hours of labor. It means exploring new techniques of teaching, to find new ways to stimulate the love of learning and the capacity for creation.

These are three of the central issues of the Great Society. While our Government has many programs directed at those issues, I do not pretend that we have the full answer to those problems. But I do promise this: We are going to assemble the best thought and the broadest knowledge from all over the world to find those answers for America.

I intend to establish working groups to prepare a series of White House conferences and meetings -- on the cities, on natural beauty, on the quality of education, and on other emerging challenges. And from these meetings and from this inspiration and from these studies we will begin to set our course toward the Great Society.

The solution to these problems does not rest on a massive program in Washington, nor can it rely solely on the strained resources of local authority. They require us to create new concepts of cooperation, a creative federalism, between the National Capital and the leaders of local communities.

Woodrow Wilson once wrote: "Every man sent out from his university should be a man of his Nation as well as a man of his time."

Within your lifetime powerful forces, already loosed, will take us toward a way of life beyond the realm of our experience, almost beyond the bounds of our imagination.

For better or for worse, your generation has been appointed by history to deal with those problems and to lead America toward a new age. You have the chance never before afforded to any people in any age. You can help build a society where the demands of morality, and the needs of the spirit, can be realized in the life of the Nation.

So, will you join in the battle to give every citizen the full equality which God enjoins and the law requires, whatever his belief, or race, or the color of his skin?

Will you join in the battle to give every citizen an escape from the crushing weight of poverty?

Will you join in the battle to make it possible for all nations to live in enduring peace -- as neighbors and not as mortal enemies?

Will you join in the battle to build the Great Society, to prove that our material progress is only the foundation on which we will build a richer life of mind and spirit?

There are those timid souls that say this battle cannot be won; that we are condemned to a soulless wealth. I do not agree. We have the power to shape the civilization that we want. But we need your will and your labor and your hearts, if we are to build that kind of society.

Those who came to this land sought to build more than just a new country. They sought a new world. So I have come here today to your campus to say that you can make their vision our reality. So let us from this moment begin our work so that in the future men will look back and say: It was then, after a long and weary way, that man turned the exploits of his genius to the full enrichment of his life.

Thank you. Good-bye.

Ronald Reagan

A Time for Choosing

Delivered 27 October 1964, Los Angeles, CA

Thank you and good evening. The sponsor has been identified, but unlike most television programs, the performer hasn't been provided with a script. As a matter of fact, I have been permitted to choose my own words and discuss my own ideas regarding the choice that we face in the next few weeks.

I have spent most of my life as a Democrat. I recently have seen fit to follow another course. I believe that the issues confronting us cross party lines. Now, one side in this campaign has been telling us that the issues of this election are the maintenance of peace and prosperity. The line has been used, "We've never had it so good."

But I have an uncomfortable feeling that this prosperity isn't something on which we can base our hopes for the future. No nation in history has ever survived a tax burden that reached a third of its national income. Today, 37 cents out of every dollar earned in this country is the tax collectors share, and yet our government continues to spend 17 million dollars a day more than the government takes in. We haven't balanced our budget 28 out of the last 34 years. We've raised our debt limit three times in the last twelve months, and now our national debt is one and a half times bigger than all the combined debts of all the nations of the world. We have 15 billion dollars in gold in our treasury; we don't own an ounce. Foreign dollar claims are 27.3 billion dollars. And we've just had announced that the dollar of 1939 will now purchase 45 cents in its total value.

As for the peace that we would preserve, I wonder who among us would like to approach the wife or mother whose husband or son has died in South Vietnam and ask them if they think this is a peace that should be maintained indefinitely. Do they mean peace, or do they mean we just want to be left in peace? There can be no real peace while one American is dying some place in the world for the rest of us.

We're at war with the most dangerous enemy that has ever faced mankind in his long climb from the swamp to the stars, and it's been said if we lose that war, and in so doing lose this way of freedom of ours, history will record with the greatest astonishment that those who had the most to lose did the least to prevent its happening. Well I think it's time we ask ourselves if we still know the freedoms that were intended for us by the Founding Fathers.

Not too long ago, two friends of mine were talking to a Cuban refugee, a businessman who had escaped from Castro, and in the midst of his story one of my friends turned to the other and said, "We don't know how lucky we are." And the Cuban stopped and said, "How lucky you are? I had someplace to escape to." And in that sentence he told us the entire story. If we lose freedom here, there's no place to escape to. This is the last stand on earth.

And this idea that government is beholden to the people, that it has no other source of power except the sovereign people, is still the newest and the most unique idea in all the long history of man's relation to man.

This is the issue of this election: whether we believe in our capacity for self government or whether we abandon the American revolution and confess that a little intellectual elite in a far distant capitol can plan our lives for us better than we can plan them ourselves.

You and I are told increasingly we have to choose between a left or right. Well I'd like to suggest there is no such thing as a left or right. There's only an up or down: [up] man's old aged dream, the ultimate in individual freedom consistent with law and order, or down to the

ant heap of totalitarianism. And regardless of their sincerity, their humanitarian motives, those who would trade our freedom for security have embarked on this downward course.

In this vote harvesting time, they use terms like the "Great Society," or as we were told a few days ago by the President, we must accept a greater government activity in the affairs of the people. But they've been a little more explicit in the past and among themselves; and all of the things I now will quote have appeared in print. These are not Republican accusations. For example, they have voices that say, "The cold war will end through our acceptance of a not undemocratic socialism." Another voice says, "The profit motive has become outmoded. It must be replaced by the incentives of the welfare state." Or, "Our traditional system of individual freedom is incapable of solving the complex problems of the 20th century." Senator Fulbright has said at Stanford University that the Constitution is outmoded. He referred to the President as "our moral teacher and our leader," and he says he is "hobbled in his task by the restrictions of power imposed on him by this antiquated document." He must "be freed," so that he "can do for us" what he knows "is best." And Senator Clark of Pennsylvania, another articulate spokesman, defines liberalism as "meeting the material needs of the masses through the full power of centralized government."

Well, I, for one, resent it when a representative of the people refers to you and me, the free men and women of this country, as "the masses." This is a term we haven't applied to ourselves in America. But beyond that, "the full power of centralized government" this was the very thing the Founding Fathers sought to minimize.

They knew that governments don't control things. A government can't control the economy without controlling people. And they know when a government sets out to do that, it must use force and coercion to achieve its purpose. They also knew, those Founding Fathers, that outside of its legitimate functions, government does nothing as well or as economically as the private sector of the economy.

Now, we have no better example of this than government's involvement in the farm economy over the last 30 years. Since 1955, the cost of this program has nearly doubled. One fourth of farming in America is responsible for 85% of the farm surplus. Three fourths of farming is out on the free market and has known a 21% increase in the per capita consumption of all its produce. You see, that one fourth of farming that's regulated and controlled by the federal government. In the last three years we've spent 43 dollars in the feed grain program for every dollar bushel of corn we don't grow.

Senator Humphrey last week charged that Barry Goldwater, as President, would seek to eliminate farmers. He should do his homework a little better, because he'll find out that we've had a decline of 5 million in the farm population under these government programs. He'll also find that the Democratic administration has sought to get from Congress [an] extension of the farm program to include that three fourths that is now free. He'll find that they've also asked for the right to imprison farmers who wouldn't keep books as prescribed by the federal government. The Secretary of Agriculture asked for the right to seize farms through condemnation and resell them to other individuals. And contained in that same program was a provision that would have allowed the federal government to remove 2 million farmers from the soil.

At the same time, there's been an increase in the Department of Agriculture employees. There's now one for every 30 farms in the United States, and still they can't tell us how 66 shiploads of grain headed for Austria disappeared without a trace and Billie Sol Estes never left shore.

Every responsible farmer and farm organization has repeatedly asked the government to free the farm economy, but how are farmers to know what's best for them? The wheat farmers

voted against a wheat program. The government passed it anyway. Now the price of bread goes up; the price of wheat to the farmer goes down.

Meanwhile, back in the city, under urban renewal the assault on freedom carries on. Private property rights [are] so diluted that public interest is almost anything a few government planners decide it should be. In a program that takes from the needy and gives to the greedy, we see such spectacles as in Cleveland, Ohio, a million and a half dollar building completed only three years ago must be destroyed to make way for what government officials call a "more compatible use of the land."

The President tells us he's now going to start building public housing units in the thousands, where heretofore we've only built them in the hundreds. But FHA [Federal Housing Authority] and the Veterans Administration tell us they have 120,000 housing units they've taken back through mortgage foreclosure.

For three decades, we've sought to solve the problems of unemployment through government planning, and the more the plans fail, the more the planners plan. The latest is the Area Redevelopment Agency.

They've just declared Rice County, Kansas, a depressed area. Rice County, Kansas, has two hundred oil wells, and the 14,000 people there have over 30 million dollars on deposit in personal savings in their banks. And when the government tells you you're depressed, lie down and be depressed.

We have so many people who can't see a fat man standing beside a thin one without coming to the conclusion the fat man got that way by taking advantage of the thin one. So they're going to solve all the problems of human misery through government and government planning. Well, now, if government planning and welfare had the answer and they've had almost 30 years of it shouldn't we expect government to read the score to us once in a while? Shouldn't they be telling us about the decline each year in the number of people needing help? The reduction in the need for public housing?

But the reverse is true. Each year the need grows greater; the program grows greater. We were told four years ago that 17 million people went to bed hungry each night. Well that was probably true. They were all on a diet. But now we're told that 9.3 million families in this country are poverty stricken on the basis of earning less than 3,000 dollars a year. Welfare spending [is] 10 times greater than in the dark depths of the Depression. We're spending 45 billion dollars on welfare. Now do a little arithmetic, and you'll find that if we divided the 45 billion dollars up equally among those 9 million poor families, we'd be able to give each family 4,600 dollars a year. And this added to their present income should eliminate poverty. Direct aid to the poor, however, is only running only about 600 dollars per family. It would seem that someplace there must be some overhead.

So now we declare "war on poverty," or "You, too, can be a Bobby Baker." Now do they honestly expect us to believe that if we add 1 billion dollars to the 45 billion we're spending, one more program to the 30 odd we have and remember, this new program doesn't replace any, it just duplicates existing programs do they believe that poverty is suddenly going to disappear by magic? Well, in all fairness I should explain there is one part of the new program that isn't duplicated. This is the youth feature. We're now going to solve the dropout problem, juvenile delinquency, by reinstating something like the old CCC camps [Civilian Conservation Corps], and we're going to put our young people in these camps. But again we do some arithmetic, and we find that we're going to spend each year just on room and board for each young person we help 4,700 dollars a year. We can send them to Harvard for 2,700! Course, don't get me wrong. I'm not suggesting Harvard is the answer to juvenile delinquency.

But seriously, what are we doing to those we seek to help? Not too long ago, a judge called

me here in Los Angeles. He told me of a young woman who'd come before him for a divorce. She had six children, was pregnant with her seventh. Under his questioning, she revealed her husband was a laborer earning 250 dollars a month. She wanted a divorce to get an 80 dollar raise. She's eligible for 330 dollars a month in the Aid to Dependent Children Program. She got the idea from two women in her neighborhood who'd already done that very thing.

Yet anytime you and I question the schemes of the dogooders, we're denounced as being against their humanitarian goals. They say we're always "against" things we're never "for" anything. Well, the trouble with our liberal friends is not that they're ignorant; it's just that they know so much that isn't so.

Now we're for a provision that destitution should not follow unemployment by reason of old age, and to that end we've accepted Social Security as a step toward meeting the problem. But we're against those entrusted with this program when they practice deception regarding its fiscal shortcomings, when they charge that any criticism of the program means that we want to end payments to those people who depend on them for a livelihood. They've called it "insurance" to us in a hundred million pieces of literature. But then they appeared before the Supreme Court and they testified it was a welfare program. They only use the term "insurance" to sell it to the people. And they said Social Security dues are a tax for the general use of the government, and the government has used that tax. There is no fund, because Robert Byers, the actuarial head, appeared before a congressional committee and admitted that Social Security as of this moment is 298 billion dollars in the hole. But he said there should be no cause for worry because as long as they have the power to tax, they could always take away from the people whatever they needed to bail them out of trouble. And they're doing just that.

A young man, 21 years of age, working at an average salary his Social Security contribution would, in the open market, buy him an insurance policy that would guarantee 220 dollars a month at age 65. The government promises 127. He could live it up until he's 31 and then take out a policy that would pay more than Social Security. Now are we so lacking in business sense that we can't put this program on a sound basis, so that people who do require those payments will find they can get them when they're due that the cupboard isn't bare? Barry Goldwater thinks we can.

At the same time, can't we introduce voluntary features that would permit a citizen who can do better on his own to be excused upon presentation of evidence that he had made provision for the nonearning years? Should we not allow a widow with children to work, and not lose the benefits supposedly paid for by her deceased husband? Shouldn't you and I be allowed to declare who our beneficiaries will be under this program, which we cannot do? I think we're for telling our senior citizens that no one in this country should be denied medical care because of a lack of funds.

But I think we're against forcing all citizens, regardless of need, into a compulsory government program, especially when we have such examples, as was announced last week, when France admitted that their Medicare program is now bankrupt. They've come to the end of the road.

In addition, was Barry Goldwater so irresponsible when he suggested that our government give up its program of deliberate, planned inflation, so that when you do get your Social Security pension, a dollar will buy a dollar's worth, and not 45 cents worth?

I think we're for an international organization, where the nations of the world can seek peace.

But I think we're against subordinating American interests to an organization that has become so structurally unsound that today you can muster a two thirds vote on the floor of the General Assembly among nations that represent less than 10 percent of the world's

population. I think we're against the hypocrisy of assailing our allies because here and there they cling to a colony, while we engage in a conspiracy of silence and never open our mouths about the millions of people enslaved in the Soviet colonies in the satellite nations.

I think we're for aiding our allies by sharing of our material blessings with those nations which share in our fundamental beliefs, but we're against doling out money government to government, creating bureaucracy, if not socialism, all over the world. We set out to help 19 countries. We're helping 107. We've spent 146 billion dollars. With that money, we bought a 2 million dollar yacht for Haile Selassie. We bought dress suits for Greek undertakers, extra wives for Kenya[n] government officials. We bought a thousand TV sets for a place where they have no electricity. In the last six years, 52 nations have bought 7 billion dollars worth of our gold, and all 52 are receiving foreign aid from this country.

No government ever voluntarily reduces itself in size. So, governments' programs, once launched, never disappear. Actually, a government bureau is the nearest thing to eternal life we'll ever see on this earth.

Federal employees number two and a half million; and federal, state, and local, one out of six of the nation's work force employed by government. These proliferating bureaus with their thousands of regulations have cost us many of our constitutional safeguards. How many of us realize that today federal agents can invade a man's property without a warrant? They can impose a fine without a formal hearing, let alone a trial by jury? And they can seize and sell his property at auction to enforce the payment of that fine. In Chico County, Arkansas, James Wier overplanted his rice allotment. The government obtained a 17,000 dollar judgment. And a U.S. marshal sold his 960 acre farm at auction. The government said it was necessary as a warning to others to make the system work.

Last February 19th at the University of Minnesota, Norman Thomas, six times candidate for President on the Socialist Party ticket, said, "If Barry Goldwater became President, he would stop the advance of socialism in the United States." I think that's exactly what he will do. But as a former Democrat, I can tell you Norman Thomas isn't the only man who has drawn this parallel to socialism with the present administration, because back in 1936, Mr. Democrat himself, Al Smith, the great American, came before the American people and charged that the leadership of his Party was taking the Party of Jefferson, Jackson, and Cleveland down the road under the banners of Marx, Lenin, and Stalin.

And he walked away from his Party, and he never returned til the day he died because To this day, the leadership of that Party has been taking that Party, that honorable Party, down the road in the image of the labor Socialist Party of England.

Now it doesn't require expropriation or confiscation of private property or business to impose socialism on a people. What does it mean whether you hold the deed or the title to your business or property if the government holds the power of life and death over that business or property? And such machinery already exists. The government can find some charge to bring against any concern it chooses to prosecute. Every businessman has his own tale of harassment. Somewhere a perversion has taken place. Our natural, unalienable rights are now considered to be a dispensation of government, and freedom has never been so fragile, so close to slipping from our grasp as it is at this moment.

Our Democratic opponents seem unwilling to debate these issues. They want to make you and I believe that this is a contest between two men that we're to choose just between two personalities.

Well what of this man that they would destroy and in destroying, they would destroy that which he represents, the ideas that you and I hold dear? Is he the brash and shallow and trigger happy man they say he is? Well I've been privileged to know him "when." I knew him long before he ever dreamed of trying for high office, and I can tell you personally I've never

known a man in my life I believed so incapable of doing a dishonest or dishonorable thing.

This is a man who, in his own business before he entered politics, instituted a profit sharing plan before unions had ever thought of it. He put in health and medical insurance for all his employees. He took 50 percent of the profits before taxes and set up a retirement program, a pension plan for all his employees. He sent monthly checks for life to an employee who was ill and couldn't work. He provides nursing care for the children of mothers who work in the stores. When Mexico was ravaged by the floods in the Rio Grande, he climbed in his airplane and flew medicine and supplies down there.

An ex GI told me how he met him. It was the week before Christmas during the Korean War, and he was at the Los Angeles airport trying to get a ride home to Arizona for Christmas. And he said that [there were] a lot of servicemen there and no seats available on the planes. And then a voice came over the loudspeaker and said, "Any men in uniform wanting a ride to Arizona, go to runway such and such," and they went down there, and there was a fellow named Barry Goldwater sitting in his plane. Every day in those weeks before Christmas, all day long, he'd load up the plane, fly it to Arizona, fly them to their homes, fly back over to get another load.

During the hectic split second timing of a campaign, this is a man who took time out to sit beside an old friend who was dying of cancer. His campaign managers were understandably impatient, but he said, "There aren't many left who care what happens to her. I'd like her to know I care."

This is a man who said to his 19 year old son, "There is no foundation like the rock of honesty and fairness, and when you begin to build your life on that rock, with the cement of the faith in God that you have, then you have a real start." This is not a man who could carelessly send other people's sons to war. And that is the issue of this campaign that makes all the other problems I've discussed academic, unless we realize we're in a war that must be won.

Those who would trade our freedom for the soup kitchen of the welfare state have told us they have a utopian solution of peace without victory. They call their policy "accommodation." And they say if we'll only avoid any direct confrontation with the enemy, he'll forget his evil ways and learn to love us. All who oppose them are indicted as warmongers. They say we offer simple answers to complex problems. Well, perhaps there is a simple answer not an easy answer but simple: If you and I have the courage to tell our elected officials that we want our national policy based on what we know in our hearts is morally right.

We cannot buy our security, our freedom from the threat of the bomb by committing an immorality so great as saying to a billion human beings now enslaved behind the , "Give up your dreams of freedom because to save our own skins, we're willing to make a deal with your slave masters." Alexander Hamilton said, "A nation which can prefer disgrace to danger is prepared for a master, and deserves one." Now let's set the record straight. There's no argument over the choice between peace and war, but there's only one guaranteed way you can have peace and you can have it in the next second surrender.

Admittedly, there's a risk in any course we follow other than this, but every lesson of history tells us that the greater risk lies in appeasement, and this is the specter our well meaning liberal friends refuse to face that their policy of accommodation is appeasement, and it gives no choice between peace and war, only between fight or surrender. If we continue to accommodate, continue to back and retreat, eventually we have to face the final demand the ultimatum. And what then? When Nikita Khrushchev has told his people he knows what our answer will be? He has told them that we're retreating under the pressure of the Cold War, and someday when the time comes to deliver the final ultimatum, our surrender will be voluntary, because by that time we will have been weakened from within spiritually, morally, and economically. He believes this because from our side he's heard voices pleading for

"peace at any price" or "better Red than dead," or as one commentator put it, he'd rather "live on his knees than die on his feet." And therein lies the road to war, because those voices don't speak for the rest of us.

You and I know and do not believe that life is so dear and peace so sweet as to be purchased at the price of chains and slavery. If nothing in life is worth dying for, when did this begin just in the face of this enemy? Or should Moses have told the children of Israel to live in slavery under the pharaohs?

Should Christ have refused the cross? Should the patriots at Concord Bridge have thrown down their guns and refused to fire the shot heard 'round the world? The martyrs of history were not fools, and our honored dead who gave their lives to stop the advance of the Nazis didn't die in vain. Where, then, is the road to peace? Well it's a simple answer after all.

You and I have the courage to say to our enemies, "There is a price we will not pay." "There is a point beyond which they must not advance." And this is the meaning in the phrase of Barry Goldwater's "peace through strength." Winston Churchill said, "The destiny of man is not measured by material computations. When great forces are on the move in the world, we learn we're spirits not animals." And he said, "There's something going on in time and space, and beyond time and space, which, whether we like it or not, spells duty."

You and I have a rendezvous with destiny.

We'll preserve for our children this, the last best hope of man on earth, or we'll sentence them to take the last step into a thousand years of darkness.

We will keep in mind and remember that Barry Goldwater has faith in us. He has faith that you and I have the ability and the dignity and the right to make our own decisions and determine our own destiny.

Thank you very much.

Restore States Rights and Public Morality

Pat Robertson

Yale University Law School, March 25, 1986

James McGregor Burns wrote a book called *Power to Lead* in which he indicated that we have a serious crisis of leadership among the states. He calls for a restructuring of the constitutional system that has endured for almost 200 years.

At the same time, Senator Robert Dole is bringing before the United States Senate on Thursday a balanced budget amendment to the United States Constitution. If that fails to get the required 2/3 majority needed for approval, there is also a move to call a constitutional convention. That proposal is only two states short of approval. So we may have, in the next couple of years, either a balanced budget amendment or a constitutional convention -- about 200 years after the first one. There are people who predict dire results from such events. Others think it would be a triumph of our republican form of government. But in any event, a convention could open up some kind of a Pandora's box.

What the Authors Had in Mind

When I was at law school, I studied constitutional law for a whole year. I read a thick book of cases on constitutional law. I did all kinds of research. But I confess to you, I never read the Constitution. I graduated without anybody asking me about that. This past weekend, I set out to remedy that. And, I began to get a feeling of what the framers of the Constitution of the United States intended. I have always assumed that we have a separation of powers -- separate, but essentially equal powers. The legislature was one power, the executive was another power and the judiciary was another, and essentially, they were co-equal. None was supposed to be above or below the other. But as I read this document, I found something entirely different. In terms of just lines and copy and text, there are 255 lines of copy addressing the legislature. There are 114 lines of copy addressing the chief executive and there are 44 lines addressing the court system, the Supreme Court particularly. And as I got more deeply involved in it, I said this looks a great deal like the articles of incorporation for the Christian Broadcasting Network that gave powers to a board of directors, who in turn are able to choose the chief executive who in turn is in charge of the daily business of the operation. But that executive is extremely limited in what he can do. For example, in my organization, I can't appoint a vice president without the permission of the board of directors.

Likewise, the U.S. Constitution says the President of the United States can't appoint anybody unless the Congress approves it. And although he is in charge of the military, the Commander in Chief of the military of the United States, he does not have the power to levy armies. That's given to Congress. He doesn't have the power to raise any money. That's given to the Congress. He doesn't have the power to coin money. That's given to the Congress. He doesn't have the power to set the value of money. That's given to the Congress. In case the president gets out of line, the impeachment power is given to the Congress. This is where our framers intended the seat of power in Washington to be.

Congress Has Lost its Power

Now I have spoken to Congressmen about their duties and responsibilities and one of them, Congresswoman Millicent Fenwick said, "We just frankly can't trust each other enough to do that." Well, she is no longer in the House of Representatives, but she knew her colleagues better than I do. I believe there has been an abdication of power. The framers gave most of the power to the Congress united. But Congress has lost this power -- a change triggered, perhaps, by the Great Depression when the imperial presidency emerged. In 1932, Franklin Roosevelt, one of the great communicators, learned how to lobby Congress and sometimes go over the heads of congressmen. For his first hundred days in office, the Congress essentially gave Roosevelt almost anything he asked for because of the crisis. And today, there is an incredible centralization of power in Washington in the executive branch of government as opposed to the legislative branch where constitutional framers meant for the power to reside.

During the Watergate era, the power of the executive was diminished. But there has been a resurgence in executive power. I read a recent editorial in *The Wall Street Journal* that said Ronald Reagan should spend a \$100 million on the Contras whether Congress likes it or not because the President is in charge of foreign affairs. But the Constitution gives that power to Congress. And it seems that somewhere down the line, Congress has got to reestablish itself as, in a sense, the leading branch of the government.

Congress also holds power with respect to the judicial branch of government. Congress had the power to establish all the interior courts in the United States. The judges of the Supreme Court system were given a designated number of cases that they could deal with, and the Congress had the power to impeach the justices. The justices were not to serve for life, they were to serve for good behavior. Congress has the privilege under the Constitution to establish the appellate jurisdiction of the Supreme Court which means they can determine essentially the category of certain cases that will come up to the court on review. Congress has the power by a simple majority vote to contract the number of Supreme Court justices or expand it because they have done so on several occasions in the history of the United States. Congress today could expand the Supreme Court to 12 members. That's all they would have to do, a simple majority. So Congress was envisioned as a repository of vast power by the authors of the Constitution.

Power Shifts to Supreme Court

Now, we have seen in our day, the power shift first from Congress to the Presidency, and then under Chief Justice Earl Warren, it moved over to the Supreme Court. And in today's world, the Supreme Court has taken a power, in my view, which the Constitution never gave it. Here are a few of the statements of some of the framers of our government and those who were involved in the presidency in the early days of our nation. I think it is very significant in terms of what these people intended our government to look like.

Thomas Jefferson, 1820, Sept. 28. Letter to William Jarvis. He said, "You seem to consider the judges as the ultimate arbiters of all Constitutional questions, a very dangerous doctrine indeed, and one which would place us under the despotism of an oligarchy. The Constitution has erected no such single tribune, knowing that whatever hands confided with the corruptions of time and

party, its members would become despots. It has more wisely made all the departments coequal and co-sovereign within themselves..."

James Madison, 1788. He wrote that in the state constitutions, and, indeed, in the federal one also, no provision is made for the case of a disagreement in expounding the laws; and as the courts are generally the last in making the decision, it results to them by refusing or not refusing to execute a law to stamp it with its final character. This makes the judiciary department paramount in fact to the legislature which was never intended and can never be proper.

Abraham Lincoln at his first Inaugural March 4, 1861. He said, "I do not forget the position assumed by some that Constitutional questions are to be decided by the Supreme Court. Nor do I deny that such decisions must be binding in any cases of the parties to the suit as to the object of that suit...(but) if the policy of the government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court, the instant they remain an ordinary litigation between parties in personal actions, the people will have ceased to be their own rulers having to that extent practically resigned their government into the hands of that eminent tribunal."

An Unelected Oligarchy

Now that's precisely what happens in a case. If two parties go to law, you and I must be their attorneys or relinquish standing in that case. We have no voice in it. We have no ability to discuss it. It is not open to public debate. We cannot vote on it. Our legislators can't vote. Our Congressmen can't vote. But that case works its way up through the federal system. As Lincoln says, "if that dispute between two parties is settled by the Supreme Court, is that irrevocably then the supreme law of the land?" Well the Constitution is very clear that it should be no such thing. The supreme law of the land would be the constitution, laws made under the constitution, treaties, etc. But the Supreme Court, regrettably, in our lifetime, has excelled at making by its own decisions what is called the supreme law of the land. And that was never intended. It was warned against. This doctrine of judicial review, started innocently in the early Marbury vs. Madison case, little by little is working its way through the system, until in our day and age, the Supreme Court has become essentially an unelected oligarchy of five people, who, as Lincoln said, "have taken away the liberties of hundreds of people."

Let's look again at the constitution's intent to empower the legislature. With Congress holding such power, the states got nervous. They reasoned that relinquishing so much power to the Congress threatened state sovereignty. After all, this is a United States of America. It is not one vast democracy of homogeneous people. It is Maryland. It is Connecticut. It is Massachusetts. It is New York. These are separate states. So the Constitution was enhanced by the Bill of Rights. The first point in the Bill of Rights, the First Amendment to the Constitution, said "Congress shall pass no law respecting the establishment of religion or prohibiting the free exercise thereof." There were certain states at that time that had established religions. Massachusetts was a case in point. They had a state religion. And they didn't want this enormously powerful Congress to superimpose a religious system on their state system. To guarantee the states retained critical rights, the tenth amendment said, "All the power that is not expressly delegated

to the federal government is reserved for the states." The intent? The people, i.e. the states, have delegated power. They gave up some powers, but they did not give up all powers because they are sovereign states.

Now, what's happened? Following the Civil War, there were amendments added to the Constitution dealing with the subject of slavery and the terrible deprivation of rights of certain citizens of the United States. Those amendments ensure that if you're a citizen of the United States, you have to be treated as such. Your rights for equal protection under the law cannot be denied.

What Rights Remain for the States?

Now, did the Fourteenth Amendment incorporate the First Amendment and the rest of the Bill of Rights into the Constitution? (The Fourteenth Amendment reads in part: "No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.") Did it do it or didn't it? Well, the people who were in the Congress who passed that amendment didn't seem to think so five or six years later.

An explicit attempt to impose those national requirements on all states was denied when Congress refused to consider an amendment proposed in 1875. So the same essential Congress that passed the Fourteenth Amendment said "The Fourteenth Amendment does not embrace the First Amendment and apply it to the states." It was very simple, and they voted it down. That was the law of the land. That was the law in accordance with the Constitution. That was the law voted by the Congress..until somehow, the Supreme Court began to discover things. Thus began a rather long and tortuous process.

Now, what do we have today? Well, we have had two egregious breaches of that concept established by Congress and reiterated in 1875. The Supreme Court has ruled indeed, that the Fourteenth Amendment does bring the First Amendment and make it apply to the states. Instead of saying Congress shall pass no law, it says state legislatures shall pass no law. School boards may pass no law. Local city councils may pass no law. Nobody, in the state government at any level may pass a law that in any way establishes a religion.

Meaning of "Established Religion" Clear

In the days of the Constitution, an established religion meant just what my forefathers fought about in Virginia. An established religion was a religion where the state paid the clergy and where there were civil liabilities to those who did not belong to that religion; where such things as marriages could only be performed with the blessing of a particular church; where, unless a person was a member thereof, he or she was denied the right to hold public office, etc. That's an established religion. All the people of the framers knew it was to take one sect and prefer it above another.

But in no way would that have been considered by the framers of our Constitution to prohibit a child from saying grace in the first grade or kindergarten over milk and cookies. In no way would it have been applied as it was in El Paso, Texas, in the case of a legally blind Vietnamese child who was saying her Rosary on a school bus and teaching the principle of Rosary beads to some of her fellow bus riders. She was told she was establishing a religion under the Constitution. And no way would that have to do with the holding of a Bible study group voluntarily on a high school campus after hours as was the case with Williamsport, N.Y. students. No way would it include a case in the University of Missouri school system where a group of religious students were denied equal access to the facilities of the university even though the Nazi party, the Maoist party, the Communist party, the Staff Club, every other club had access to those facilities.

The Court Has Done What Congress Cannot

Daniel Moynihan, US senator from New York, has said that the current treatment of the First Amendment is an intellectual scandal. And there is no question in the history of the United States of America that the courts have done what Congress has never been permitted to do. Congress could never pass a law prohibiting the free exercise of religion. But the courts have successfully, in the district court level, in the circuit court level, in the Supreme Court level, restricted the right of religious people to involve themselves in their faith. And in so doing, they have violated the time-honored customs of this country clearly intended by the framers of the Constitution.

There is one other case that deals with the same basic issue. And before I talk about this, I want to state personally that I firmly believe in contraceptives. But there was a law in Connecticut a few years ago that prohibited the sale of contraceptives. And so somebody sued the state. The claim was that the prohibition was unconstitutional in that it denied basic rights. Well, there is nothing in the Constitution that says you have the right to have contraceptives. How do you go about justifying this? Well, William O. Douglas, who was formerly a professor at Yale University, discovered a penumbra (a vague glow produced in a solar eclipse) around the Fourteenth Amendment of a right to privacy. And so, before long, you read in *The New York Times* that there is a constitutional right to privacy.

No Constitutional Right to Privacy

According to Robert Bork, also a professor at Yale, there is no right to privacy -- it never existed in the Fourteenth Amendment. Hard cases make bad laws. This was a hard case about what was seen as a terrible statute. The judges wanted to take it off the books and send it back to the legislature and say we cannot deal with it, there is nothing in the constitution that gives you this right. But if you want to go back to your legislature, go back and ask them to reverse their laws, or go and elect some different legislators and let them repeal it for you. That is the Democratic process in our country. You can't make laws, and you cannot create the Supreme Court as a super legislature, that is wrong, and that is what has been done.

The impact of this shift has been enormous. Having put the right of privacy in the constitution, it was one step beyond that for the Supreme Court to negate the laws of 50 states with *Roe v. Wade*. It is a terrible law, whether you are pro-life or not. It is improper constitutional procedure.

Proper constitutional procedure would conclude that if the Court sees nothing that deals explicitly with the issue, the legislatures of the states have spoken. With no precedent whatsoever, justices began to rule with medical evidence, and as Justice Sandra Day O'Connor said, in a recent decision on this, how can we build current medical theory into the U.S. Constitution, because medical opinion changes. And so they said life begins at the first trimester, or maybe the second. It was a very confusing kind of decision. Five Justices negated the laws of 50 states and they did it on the strength of a penumbra. There was no other justification. They had some sociological research from the Rockefeller Foundation that had nothing to do with constitutional law, nothing to do with theological canon law, nothing from science. They just felt it was time to permit abortion.

No Religion Equals No Public Morality

This country desperately needs moral guidance. Parents see 250,000 crimes being committed every month. They see 27 million functional illiterates. They see 50 percent of black young people of inner cities not being able to read or write, and they sense a crisis in education. We know we must restore morality. George Washington said, "Forbid us to expect public morality in the absence of religious principle." If you don't have some form of religion, you're not going to have public morality. But the court has stripped us of the ability to muster this morality. Justices don't let children pray and, at the same time, they go overboard to protect pornography. But what about the rights of all the people to engage in what they know is correct for their children, or their states? These are matters that should be handled by their legislature.

Could this problem be solved? It certainly could. It could be solved very easily by a majority vote of Congress or in a number of other ways. It seems to me there must be a restoration of constitutional balance. We must go back to the original intent of the framers. The constitution is not a sociological document that can be changed by every sociological whim and fancy that comes along. It must be a document we can rest upon.

I believe the people of this country can be trusted. And it seems like Jefferson warned, Lincoln warned, Madison warned, we have an imbalance right now in our constitution because there are a number of social actions coming into the process. But we are seeing a political groundswell right now which is caused by an imbalance of what the original framers intended. I believe we are going to see this country return to the intent of the framers. We will not have to use some draconian methods that have been suggested by several. We won't need a constitutional crisis. This nation will come together, and it is my fervent prayer that we once again become one nation under God.