

March 6<sup>th</sup>, 2022

USA was definitely a Christian nation at its founding. Protestant Christianity influenced not only law but also culture. Many times over this has been expressed. Pres. Carter in 1976, told reporters, “We have the responsibility to shape government to...exemplify the will of God.” “This is a Christian nation,” Pres. Truman told the Pope. A 1931 Supreme Court decision called USA a “Christian nation.” That didn’t mean the United States should force belief, nor that all were Christians, and holding contrary opinions is protected by the First Amendment. Moreover, Christianity presumes that many will reject faith; coercion won’t work. Jesus never called down fire from heaven upon those who didn’t believe. He just let them walk away. What He taught was a matter of the heart. Without the Holy Spirit, no one can come to faith nor will change themselves meaningfully.

That brings up an important issue. What ethical standard should the civil magistrate use to make moral judgments about civil activity? Where does the Law come from? **John Witherspoon** was a Scottish Presbyterian pastor invited to become college president at the struggling Presbyterian seminary in New Jersey in 1768. As a young man, he had been involved in defending Protestantism in Scotland against the Jacobite rising, which wanted a Catholic seated on the throne of England/Scotland. Captured as a prisoner of war, he was imprisoned by the Jacobites for a time and thus decided to learn divinity. He became a strong supporter of Republicanism, the idea that people should vote freely for representatives who act upon national affairs, and he published in support of Common Sense Realism, that society has social institutions derived from family, small government, and voluntary associations that precede establishment of a state. The state is duty-bound to protect Christians and their Christian mission (Rom. 13:1-4, I Tim. 2:1-2). The state should allow religion to flourish, doing nothing to interfere with it. There is an intrinsic connection between morality and good government. That is, atheism/deism cannot define a particular morality. Atheism holds morals as relative and optional. But this leads to ethical anarchy. Is it okay to murder? Steal? Lie under oath? While the state shouldn’t proscribe how to believe, it does have something to say about how people act. Instead of a state church (like Europe), nations should have an agreed-upon ethics of living. This became the way Americans looked at Law.

And the reason why they thought this way was largely due to Witherspoon and writer John Locke of the 17<sup>th</sup> century. Witherspoon came to New Jersey to find a poorly financed college, few books in the library, and no admission for anyone other than a Presbyterian. He put 300 of his own books in the library, bought science equipment, changed financing, and admitted other denominational adherents. Thus Princeton University was born. And it became the most influential of all American colleges in civil affairs. James Madison was one of Witherspoon’s students who went on to write most of the Constitution. His students also included a future Vice President, 38 Senators, 49 Representatives, 10 cabinet officers, 56 state legislators, 34 judges plus 3 more that became Supreme Court Justices. Did I mention 12 members of the Continental Congress? Long troubled by the Crown placing bishops in positions and constantly granting more power to the Anglican church, Witherspoon watched the King involve itself in micromanagement of the colonies. He’d had enough. He got elected to the Continental Congress in 1775 and was immediately named chaplain by John Hancock who presided. That’s because he was the only clergyman. He was still the only pastor among the 56 men who signed the Declaration of Independence. In the dark days of 1777, he closed the college. The British destroyed it and Witherspoon lost a son in battle. After the war, he was part of the team who wrote the Articles of

Confederation, and when that floundered, he supported Madison in writing the Constitution. He was elected to a seat in New Jersey's congress for one term. Perhaps Witherspoon is most responsible for the British miss-interpretation of the early Revolution as a movement among Presbyterian clergy.

Virtue, he argued, could be deduced through the development of the moral sense, an ethical compass instilled by God in all human beings and developed through religious faith or civil sociability that follows that faith.