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Religion, The Constitution, and Modern Rivals: Our Founders and Theirs

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The argument of this essay will be that our Constitution and politics are deeply informed by Christian understandings of the human condition, and that these understandings provided a deep sobriety in our politics sorely missed, often to catastrophic effect, by others: Indeed, that much of modernity, from the French Revolution through the Fascist and Marxist revolutions, has been characterized by a wild insobriety, producing terrible consequences, precisely because much of modernity has abandoned these understandings. Marx is the greatest modern founder after Rousseau. His understandings are found everywhere: in the churches, in the academy, in a myriad of regimes. He, and his revolutions, will provide the main contrast by which we may come to understand the depth of our debt to our founders.

The American founding was marked by both confidence and caution: confidence that a free people has the right to rule itself, and the capability; caution in a most careful structuring of institutions to empower the people's government to act, but to do so in a way that provides careful guards and precautions against tyrannical abuse of power. This confidence and caution have a number of sources: classical republican theory, British parliamentary and legal traditions, Enlightenment faith in reason and progress, natural rights contract theory, and certain Christian understandings. The last were not least. They were of fundamental importance in establishing both the confidence and the caution.

Confidence in the right and ability of people to govern themselves arrived early on these shores. It came with Calvinist settlers who believed in congregational church government, with believers covenanting with each other to form a congregation, calling or electing their own ministers and church officers, and retaining the power to remove those officers as well. And if covenants sufficed in the church, they sufficed as well in the state. Thus separatists, Calvinists who left the Anglican church to practice the true faith, first went to Holland, and then came here. We remember them as the Pilgrims who formed the Mayflower Compact, establishing by contract and consent in 1620 the institutions that were to govern them. The Pilgrims were quickly followed by Puritans who, having stayed in the Anglican Church to reform from within, nevertheless resolved upon an "errand into the wilderness" to practice the purified faith. Receiving a charter from Charles I in 1629, they too relied upon compacts and covenants to form their church and governmental polities.

The Calvinist emphasis upon covenants followed their understanding of the faith. God had bound himself to Adam, Moses and Abraham in covenants, and He had established a new covenant, the covenant of grace, with mankind through the "second Adam," Jesus. And if "the omnipotent Ruler of the universe freely contracted to limit His rule by following rational procedures and laws, then surely it is incumbent

upon man to disallow absolute government over himself in both church and state.”¹

How much is one to make of this religious emphasis upon covenant and compact, contracts and consent, elections in church and state? Some have made much of it. Very early, in 1603, James I of England, formerly James VI of Scotland, was confronted with a call for a General Assembly to reform the Anglican church by adopting the Presbyterian form of church polity. The call was for a reform abolishing church hierarchy and bishops, with elected ministers of equal rank (later appointed by synods but only upon approval by the congregation). James I responded that the Presbyterian form of ecclesiastical polity “as well agreeth with Monarchy, as God, and the Divell.” And he told the Anglican bishops: “If once you were out, and they in place, I knowe what would become of my *Supremacie. No Bishop, no King.*”² And in fact, when the Puritans gained control in the famous “Long Parliament,” they ended by executing James’s successor, Charles I.

If James I and his son, Charles I, can be forgiven for thinking these Calvinist ideas important, others, their heads less immediately at stake, have felt able to ignore these ideas almost entirely. Some, when speaking of American revolutionary and constitutional theory, seem to think Hobbes invented contract theory, and Locke the clearly republican version thereof. To them, the American founding is the Lockian founding.³ The difficulty with this is that Hobbes’ *Leviathan*, published in 1651, and Locke’s *Two Treatises of Government*, published in 1690, were long preceded by the Mayflower Compact, 1620, and the Massachusetts Bay Colony, with its charter, but also its internal covenants and contracts, in 1629. Americans were governing themselves by compact and consent, and doing it by God-given right as they understood it, long before either Hobbes or Locke wrote. It would perhaps be accurate to say that the Calvinists formed us to the usages and practices of self-government while Locke and Jefferson partly, but only partly, secularized the theory.

The Calvinist emphasis upon covenants, upon the right to form the ecclesiastical polity by coming together and basing it upon sacred contracts, and to form the civil polity in the same manner, to elect or approve ministers, to remove ministers and other church officers upon manifest unworthiness, to elect and remove civil magistrates as well, predated Hobbes and Locke, and helped to form the republican mind, as well as establishing republican practice. By the time of the revolution, and of the governmental arrangements which followed, Americans had confidence in the right and ability of the people to govern themselves.

If there are, then, elements in Calvinism that produce confidence (Calvinists have been characterized as people “on their knees before God, on their feet before men”), there are others that produce great sobriety and caution. Calvinists were bound to be sober about men for they were orthodox Christians in believing that men were sinners. Understanding this, they understood, as did others, the need for strong government to compel men to behave. But Calvinists, more than others, drove the logic to its conclusion: if men are sinners, then no

one, neither rulers nor ruled, can be trusted with unrestrained power. John Cotton, for example, said it was necessary to limit the power given any man, in any office, secular or divine, whether of kings, princes, and magistrates, or officers of the church, or husband and wife or servant. "Let all the world learn," he said, "to give mortall men no greater power than they are content they shall use, for use it they will . . ." And he located the problem squarely within. Because "there is a straine in a mans heart that will sometime or other runne out to ex-cesse . . . It is necessary therefore, that all power that is on earth be limited . . ."4

These are sobering cautions for political life. They are reflected in the thought and actions of our deepest political thinkers and they deeply inform our institutions. Consider, for example, James Madison, the "Father of the Constitution," on human nature. The mischiefs and violence of faction, "the mortal diseases under which popular governments have everywhere perished," will remain a problem, he says, as long as "the reason of man continues fallible . . ." and "the connection subsists between his reason and his self-love."⁵ He mentions, as well, the unequal faculties of acquiring property.⁶ "The latent causes of faction are thus sown in the nature of man. . . ."7 Madison concludes, soberly: "The inference to which we are brought, is, that the *causes* of faction cannot be removed; and that relief is only to be sought in the means of controlling its *effects*."⁸ The radical solution, removing some ultimate cause, attempted with such zeal and passion in the subsequent revolutions, has uniformly failed, often in seas of blood.

Drawing again on this sober view of human nature, Madison says in *Federalist 51* that a "separate and distinct exercise of the different powers of government . . . is . . . essential to the preservation of liberty . . ."9 Indeed:

Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place. It may be a reflection on human nature, that such devices should be necessary to controul the abuses of government. But what is government itself but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external or internal controuls on government would be necessary.¹⁰

And Madison concluded: "This policy of supplying by opposite and rival interests, the defect of better motives, might be traced through the whole system of human affairs, private as well as public".¹¹

American institutions reflect both confidence and caution. As Madison put it in *Federalist 55*: "As there is a degree of depravity in mankind which requires a certain degree of circumspection and distrust: So there are other qualities in human nature, which justify a certain portion of esteem and confidence. Republican government presupposes the existence of these qualities in a higher degree than any other form."¹²

"[S]own in the nature of man," a "connection . . . between his

reason and his self-love," "the *causes* . . . cannot be removed," "[a]mbition must be made to counteract ambition," "the defect of better motives," "a degree of depravity in mankind," "if men were angels," "what is government itself but the greatest of all reflections on human nature?": There is a sobriety undergirding our institutions that does *not* stem from the Enlightenment. John Cotton can be proud.

But of what significance is all this? There seems nothing to remark about the American founding, it is so commonsensical, *until* one compares it with the French, Soviet, Chinese, Vietnamese, Cambodian, or Fascist revolutions and their foundings. The others, aiming so high, engaged in with such passion and fervor, have fallen extraordinarily short. The French Revolution, infused with Enlightenment confidence in reason, the perfectability of man, and progress; infused as well with Rousseau's romantic conception that man is by nature good, and only corrupted by bad institutions; informed by his view that the only actions of government that can make it legitimate are actions in conformity with the General Will, a will not necessarily to be found by a majority vote; informed, disastrously, with his belief that a person acting against the General Will, or mistaken about that will, can be "forced to be free," ended with the Jacobins, confident that they alone understood the people's genuine interests, establishing the terror in which they ended the republic and executed the elected representatives of the people.

Liberty, equality, and fraternity, in the hands of revolutionaries like these, inspired by naive and utopian hopes, informed by the most extraordinary insobriety about human nature and revolutionary leaders' rights, produced the first of those great revolutions promising a human rebirth, but ending in terror, blood, and tyrannical rule. Modernity, having jettisoned those understandings that made Americans sober and cautious, proceeded to produce revolution after revolution beginning in the wildest enthusiasm and hope, and ending in disappointment and disaster.

The greatest founder of the last century and a half was Karl Marx. His ideas, in endless permutations, have swept the world. Yet the nations claiming his mantle are not a lovely lot. The Soviet Union remains a one party state that, under Lenin, quickly dispersed the elected representatives of the people, destroyed the other parties, and killed many of their members. It is a state that quickly ended freedom of opponents to speak, publish, assemble, or organize. It is a state, formed in the name of the workers, that destroyed all independent trade unions, and prevents them to this day; a state, originally composed mainly of farmers, that promised farmers land, and then, when it was strong enough, forced the farmers, over their furious resistance, on to collective or state farms, a policy that led to a deliberate policy of starvation in the Ukraine, a famine that took millions of lives,¹³ and fed additional millions of farmers and their families into the vast system of forced labor camps, the "Gulag," where still more millions died. It is a state that persecuted the religious for trying to practice their faith and forbids teaching the young religion even to this day. It is a state that, at the height of Stalin's purges in the mid-thirties, executed, usually by a bullet in the base of the skull, perhaps 40,000 people a month.¹⁴ It is a

state that has largely sealed its borders to its own people. And it has done all this in the name of Marx and his disciple, Lenin.

The viciousness of the Soviet state, though it did not begin with Stalin, has sometimes been explained as the aberration of one man, Stalin. But that cannot explain why a good system full of men of good will put up with Stalinism for decades, and, even more telling, it doesn't explain why so many Marxist regimes have produced similar "aberrations." China, under Mao, we now know, also executed millions during the period of the "rectification" campaigns and collectivization of agriculture.¹⁵ China, under Mao, also ended free trade unions, forced farmers into an agricultural system that many bitterly resisted, again with the death of millions (official Chinese sources admit 10 million died of starvation under Mao).¹⁶ China also destroyed opposition parties, virtually halted higher education for a period of years under the Red Guards, closed every church in China but two for nearly ten years,¹⁷ destroyed the vast monastary system in Tibet,¹⁸ sealed its borders and, in general, acted very much indeed like Stalinist Russia.

Vietnam followed many of the same policies, ending free trade unions, opposition parties, free speech and press, collectivizing agriculture in the North against bitter resistance, briefly trying some of the same agricultural policies in the South, but backing off, like China. Vietnam also gave the world a new term, "boat people," as very large numbers fled to sea, vast numbers there to perish.

But none of the Marxist regimes, not even Stalin's, quite matched the horrors of Cambodia. David Hawk, anti-Vietnam War activist, U.S. executive director of Amnesty International from 1974 to 1978, says that: "From the middle of 1975 to the end of 1978, between one million and three million Cambodians, out of a population of about seven million, died at the hands of Pol Pot's Khmer Rouge."¹⁹ Whole categories of people were executed including members of the former government, army personnel, "intellectuals," as well as many ethnic groups—ethnic Indians, Chinese, Vietnamese. Hawk tells of his own interview with Heng Chan, a peasant. "His wife had been of Vietnamese descent. He told me that the Khmer Rouge had killed not only her, but five of their sons, three of their daughters, three of their grandchildren, and sixteen other members of his wife's family."²⁰ And like the Soviets and the Chinese, these "Paris-educated ideologues" attacked religion.

The Khmer Rouge policy toward Buddhism was one of the most brutal and thoroughgoing suppressions of religion in modern history. The monkhood was disrobed, disbanded, and destroyed. Of an estimated pre-1975 population of forty thousand to sixty thousand monks, only eight hundred to one thousand survived and returned to their former monastery sites . . .²¹

External conquest ended this genocidal slaughter.

Will there be other Soviet Unions, Chinas, Cambodias? Is Ethiopia, perhaps, next? Is there an insobriety in Marx and Engels that can, in part, account for this sequence of regimes? Let us turn to the most

famous statement of the Marxist fundamentals, *The Communist Manifesto*, and see.

Note first what Marx and Engels (hereafter Marx) think of the various classes and groups that compose society. What does Marx think of the bourgeoisie? It is the practitioner of "naked, shameless, direct, brutal exploitation." What does he think of the "lower middle-class, the small manufacturer, the shopkeeper, the artisan, the peasant . . .?" "[T]hey are reactionary, for they try to roll back the wheel of history."²²

What, then, does Marx think of his fellow socialists? The "feudal socialism" of aristocrats is "half lamentation, half lampoon . . . but always ludicrous in its effect . . ."²³ The socialism of petty bourgeoisie and peasant is "both reactionary and Utopian," ending "in a miserable fit of the blues."²⁴ German or "true" socialism is "the bombastic representative of the petty bourgeois Philistine," its literature "foul and enervating."²⁵

Conservative socialists, "economists, philanthropists, humanitarians, improvers of the condition of the work class, organizers of charity, members of societies for the prevention of cruelty to animals, temperance fanatics, hole and corner reformers of every imaginable kind," are "desirous of redressing social grievances in order to secure the continued existence of bourgeois society."²⁶ Critical-Utopian Socialists and Communists, finally, are useful at first, but their "disciples have, in every case, formed mere reactionary sects."²⁷

Marx's words drip with scorn for reformers and rival socialists. He categorizes the bulk of every society (the bourgeoisie plus the "lower middle-class, the small manufacturer, the shopkeeper, the artisan, the peasant . . .") as exploiters or reactionaries who would "try to roll back the wheel of history."²⁸ But if Marx lacked confidence in others, he certainly did not lack confidence in his Communists. Consider what he has to say in his section on "Proletarians and Communists."

How do Communists stand in relation to other working-class parties? They "always and everywhere represent the interests of the movement as a whole."²⁹ "They have no interests separate and apart from those of the proletariat as a whole."³⁰ What extraordinary claims! If they are true, then opposition to Communists is always mistaken or factional and against the interest of the movement as a whole.

How then do the Communists stand in relation to the working-class itself, to the proletariat? Marx asserts that "they have over the great mass of the proletariat the advantage of clearly understanding the line of march, the conditions, and the ultimate general results of the proletarian movement."³¹ If, then, the great mass of the proletariat disagrees with the Communists, it is because they do not understand the line of march and their own interests. The party, not the proletariat, is the judge.

The bourgeoisie are oppressors. The middle-class, the small manufacturers, the shopkeepers, the artisans, the peasants—cumulatively the majority of every then existing society—are reactionaries resisting the great wheel of history. Resistance to the Communist lead by other working-class parties or socialists is error or nar-

row factionalism. Resistance by the proletariat is failure to understand their own true interests. The source of Leninist excesses, the foundation for that arrogant vanguardism of Lenin, Stalin, Mao, Fidel, and Pol Pot, was laid by the founders themselves, Marx and Engels.

The Communist party alone can be trusted to know the line of march. What, then, is the line of march? What is the cure for social evils? Marx and Engels say that their program "may be summed up in a single sentence: Abolition of private property."³² "The proletariat will use its political supremacy to wrest, by degrees, all capital from the bourgeoisie, to centralize all instruments of production in the hands of the state . . ." ³³ This will require "despotic inroads on the rights of property . . ." ³⁴ (This proved quite prophetic. To centralize all instruments of production in the state meant that the property of the bourgeoisie, the small manufacturers, the artisans, the mom and pop retailers, the farmers all had to be seized, against their will—which, since these together always made a majority, had to be done despotically, as it has been done, again and again.)

The famous ten point program to follow the revolution continues this focus on property relations. It suggests abolition of property in land (consider what that has meant for relations between Communist states and farmers), heavy graduated income tax and abolition of inheritance, a state monopoly of credit (an enormous centralization of power), centralization of the means of communication and transportation, establishment of industrial armies, especially for agriculture (would farmers or workers choose that?), combination of agriculture and manufacturing, redistribution of population, and free public schools for all (aimed at then prevalent religious education?). What one notices in all this is the enormous centralization of power in the hands of the state and the impossibility that this program could be carried out by majority votes. Marx and Engels are the legitimate fathers of the tyrannies constructed in their names.

Marx and Engels do say that the revolution will be democratic, for the state will be in the hands of the proletariat.³⁵ But how in fact will the proletariat rule? How will they effectively impose their will on the government? What will the structure or the process be? Will there be safeguards for a free press, free speech, fair elections, an organized opposition? Will there be a written constitution, a bill of rights, separation of powers, an independent judiciary? What safeguards will there be against abuse of power by the party vanguard? Marx and Engels are entirely silent on this.

Consider now our founders and theirs. Our founders believed that if the King of the universe was willing to make Himself a constitutional monarch by binding Himself in covenants with man, then no man or group of men had the right to absolute rule over other men. They believed, then, in government by contract and consent, by right, and they implemented their beliefs. But they were marked by caution, too, for they understood men to be sinners, none to be trusted with unchecked power, so they gave us a system of government marked by written constitutions, separation of powers, checks and balances, bills of rights, independent judiciaries, federalism, and active but limited republican government.

It has not been perfect. The balance of power tends toward stalemate, and once to civil war. But its worst failures—failures in respect to blacks, women, native Americans—were precisely for those not included in the elaborate structure designed to prevent abuse by non-angelic men. The failings derived, that is, from a failure to apply the founders' principles to all, not from a failure of the principles themselves.

Our founders' modern rivals, however, have produced failure after catastrophic failure, and the cause can be located precisely in their founding principles. Marx and Engels, for example, had confidence, but it was an extraordinary confidence in themselves and their understanding, not a confidence in their fellow men. Sure of themselves beyond all reason, and of their party, they scorned others, ignored their right to give or withhold consent, and, like the Jacobins of the French revolution and the Duces and Fuhrers of the Fascist revolutions, showed not the slightest understanding of their own or the vanguard's fallibility and human frailty, and they suggested no steps to limit their own power. The result has been extraordinary arrogance and abuse.

But the failure to check the vanguard was to be expected, for Marx and Engels had an extraordinarily shallow and simplistic understanding of the human condition. Evil entered the world, they believed, through a damning institution, private ownership of the means of production. With its elimination, they believed, virtually all human woes would cease. How simple, if true. Father Ernesto Cardenal, Nicaraguan Cultural Affairs Minister, believes it still. "Private property is the original sin that lead to all forms of injustice."³⁶ But the remedy has been tried, and it does not cure. Despite Herculean efforts and Hitlerian cruelties, there is no New Man, no heaven on earth, and all the old evils live on.

One must finally say to Marxists, as John Cotton or James Madison might have, "Private property is power, but why, if men are angels, would that power be abused? Private property is power, but if power leads to abuse, then how can the concentration of virtually all power—political, military, economic, communications, transportation, education—in the same and almost entirely unchecked hands be a cure?"

How utterly naive Marx finally was, and how arrogant. We were marvellously fortunate in our founders.

FOOTNOTES

¹A. J. Beitzinger, *A History of American Political Thought* (New York: Dodd, Mead and Co., 1972), p. 41.

²Beitzinger, p. 35, and Alan Pendleton Grimes, *American Political Thought*, rev. ed. (New York: Holt, Rinehart and Winston, 1955, 1960), p. 15.

³Allan Bloom, *The Closing of the American Mind: How Higher Education Has Failed Democracy and Impoverished the Souls of Today's Students*. (New York: Simon and Schuster, 1987), pp. 157-72.

⁴Perry Miller and Thomas H. Johnson, eds., *The Puritans*, 1938, 2 vols., rev. ed (New York: Harper and Row, 1963), pp. 212, 213.

⁵Alexander Hamilton, James Madison, and John Jay, *The Federalist Papers* (New York: Mentor/New American Library, 1961), pp. 77, 78.

⁶Hamilton, Madison, Jay, p. 78.

⁷Hamilton, Madison, Jay, p. 79.

⁸Hamilton, Madison, Jay, p. 80.

- ⁹Hamilton, Madison, Jay, p. 321.
- ¹⁰Hamilton, Madison, Jay, p. 322.
- ¹¹Hamilton, Madison, Jay, p. 322.
- ¹²Hamilton, Madison, Jay, p. 346.
- ¹³Alexandr I. Solzhenitsyn, *The Voice of Freedom*. (Washington: AFL-CIO, 1975), p. 8, and Alexander Motyl, "Private Property Called Original Sin," *Religious News Service. Common Sense* (Memphis, July, 1983), p. 24.
- ¹⁴Solzhenitsyn, p. 9.
- ¹⁵Peter Berger, *Pyramids of Sacrifice: Political Ethics and Social Change* (Garden City: Doubleday/Anchor, 1976), pp. 94-95, 169, and Fox Butterfield, *China: Alive in the Bitter Sea* (New York: Bantam, 1983), p. 350.
- ¹⁶Miriam London and Iven E. London, "Eminentoes: Peking Duck," *The American Spectator* (July, 1982), p. 24.
- ¹⁷Butterfield, p. 424.
- ¹⁸Butterfield, p. 430.
- ¹⁹David Hawk, "The Killing of Cambodia," *New Republic*, Vol. 15
- ²⁰Hawk, p. 20.
- ²¹Karl Marx and Friedrich Engels, *The Communist Manifesto: Including Principles of Communism and an Essay by Paul M. Sweezy and Lio Huberman* (New York: Monthly Review Press, 1964), p. 6
- ²²Marx and Engels, pp. 20, 21.
- ²³Marx and Engels, pp. 42, 43.
- ²⁴Marx and Engels, p. 47.
- ²⁵Marx and Engels, pp. 51, 52.
- ²⁶Marx and Engels, p. 52.
- ²⁷Marx and Engels, p. 58.
- ²⁸Marx and Engels, p. 20, 21.
- ²⁹Marx and Engels, p. 25.
- ³⁰Marx and Engels, p. 25.
- ³¹Marx and Engels, p. 26.
- ³²Marx and Engels, p. 27.
- ³³Marx and Engels, p. 39.
- ³⁴Marx and Engels, p. 39.
- ³⁵Marx and Engels, pp. 39, 40.
- ³⁶Motyl, p. 3.