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Prelude to Independence Religious Liberty: Man's

Link to Man



AN ADDRESS BY GRAYSON L. KIRK



Preface

The Prelude to Independence

THE six-week period from May 15 through July 4, 1776, was momentous in the history of America. Known as the Prelude to Independence, the decisions made during that brief time had far-reaching implications on the political, religious and social thinking not only of America but also of the world.

It started on May 15, 1776, in Williamsburg, when the Virginia Convention of Delegates, meeting in the colonial Capitol, passed a unanimous resolution instructing the Virginia delegates in the Continental Congress at Philadelphia to "declare the United Colonies free and independent states, absolved from all allegiance to, or dependence upon, the crown or parliament of Great Britain."

This significant action touched off a series of fast-moving events in Virginia. The proposal for final separation made it necessary for Virginians, who had declared themselves free of the tyranny of the British ruler, to reaffirm, as a basis for future government, their rights as individuals which they had cherished under British rule and which had been built up since the Magna Carta.

On June 12, therefore, the Virginia Convention passed the Virginia Declaration of Rights. This Declaration later became the basis for the first ten amendments to the United States Constitution, the so-called Federal Bill of Rights.

The May 15 Resolution and the June 12 Declaration led to a logical further step, and on June 29, the Convention of Delegates adopted the Virginia State Constitution, based on the concepts in the Virginia Declaration of Rights. This first Virginia constitution became the model for state constitutions in the United States.

Later that same day, the Delegates took the final step to self-government. Patrick Henry was elected first governor of the Commonwealth of Virginia, and the "Palace" in Williamsburg, formerly occupied by Royal Governors, was designated his official residence.

ii THE CONCEPT OF RELIGIOUS FREEDOM

By the time the Virginia legislators met in Williamsburg in the spring of 1776, the struggle for religious freedom in America was already a century and a half old. But in nine of the thirteen colonies there still were established Churches deriving support and special privileges from the State. In three other colonies the acceptance of state theological doctrines was a necessary qualification for office holders. Even where there was tolerance of dissent, there were discriminatory provisos written into law. Only in the tiny colony of Rhode Island was there complete freedom and complete separation.

And outside this narrow strip of American colonies stretching along the Atlantic seaboard, all the major nations of Christendom had established Churches.

Yet, throughout all the years since the original settlement, there was deep in the consciousness of Americans a conviction that somehow human freedom was indivisible, that political and religious freedom went hand in hand—both part of the God-given heritage of all men.

In the minds of many of the legislators meeting in Williamsburg in 1776, no problem was of greater importance than this idea that every man should be free to hold his own religious beliefs and that the Church and State should be separate.

Perhaps the most original of all the great political concepts that America has given the world, the principle of religious freedom came to fruition in Williamsburg with the adoption of the Virginia Declaration of Rights by the 1776 Convention of Delegates. In this memorable document, George Mason wrote an eloquent and influential assertion of those basic liberties without which no man has real freedom. Prominent among them was the gentle Mason's statement that "all men should enjoy the fullest toleration in the exercise of religion according to the dictates of conscience." This was not enough for the alert and liberty-loving mind of James Madison, who at twenty-five was holding his first public office. The idea of mere tolerance was repugnant to him because it implied that, if the State had the power to "tolerate" one's religious views, it might also have the power *not* to tolerate them. With the injection of Madison's positive vigor into its language the religious freedom clause states: "all men are equally entitled to the free exercise of religion."

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This clause, concluding the Virginia Declaration of Rights--many assertions of which were to find their way shortly into the Declaration of Independence and eventually into the Federal Bill of Rights-enlarged the whole concept of freedom of religion.

THE CONCEPT OF RELIGIOUS FREEDOM iii

It was no longer a matter of the State having the power to allow or disallow a man's religious views and practices. With simple clarity the Declaration of Rights pronounced it a fundamental freedom of the individual—not something he was "allowed," but something to which he was entitled. Sixteen years later when it became in substance the first provision of the first clause of the First Amendment to the Constitution of the United States, complete freedom of religion was written into a national constitution for the first time in the long history of mankind.

Foreword

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EACH year, in order to remind men of our basic concepts of liberty and individual rights, Colonial Williamsburg commemorates the Prelude to Independence Period. The American Concept of Religious Freedom was the theme of the commemoration this year.

The principle address in ceremonies conducted at the colonial Capitol on May 15 was delivered by Dr. Grayson L. Kirk, the distinguished President of Columbia University. *Religious Liberty—Man's Link to Man* was the subject of Dr. Kirk's address.

Because of the timeliness of Dr. Kirk's significant message, Colonial Williamsburg is honored to publish and distribute his text in full. The address was broadcast in the United States on May 15. It also was broadcast to other peoples by the Voice of America and Radio Free Europe. T this time in history, when liberty is denied to many millions of the world's peoples, it is urgently necessary that we reaffirm our belief in the individual's inalienable right to worship according to his conscience. I hope your commemorative ceremony will confirm all of you in this belief, which our founding fathers proclaimed, and for which they fought, nearly two centuries ago.

> -From a message to the Trustees of Colonial Williamsburg by PRESIDENT DWIGHT D. EISENHOWER, May 15, 1955.

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Religious Liberty: Man's Link to Man

I CANNOT turn to the substance of my task today without first expressing to you and to your associates how greatly I am honored by your invitation to participate in this annual ceremony.

The men here in Williamsburg who played so great a part in building not only the political but the moral structure of our nation were in every sense challenging men. Today they challenge us still. On this May afternoon which has become a significant event of the Williamsburg year and which to America is a far more important anniversary than most of our countrymen realize, those men challenge us again. Ours is the responsibility and the duty to continue the profound adventure which had its beginnings here. Once more they ask that we who are assembled here attempt, however haltingly, to point the way ahead as they did in their day.

These ceremonies perform a national service of more than modest proportions. In the busy pre-occupations of modern life, beset by all the complexities and the harrassments of our world, we tend overly much to take for granted, or sometimes to undervalue, those principles upon which our society is founded. We forget that a sense of the heritage of the past gives us the perspective which we need today. Even more, it gives us the criteria with which to judge affairs and issues before our nation.

The setting of Williamsburg is ideal for such a renewal of faith. To all Americans, Williamsburg is more than a city in which generosity and imagination have combined to recreate the stately beauty of a bygone century. This is one of the great shrines, not only of American, but of human liberty. It is to the shrine, rather than to the city, that we bring our tribute and our gratitude today.

A hundred and seventy-nine years have passed since the men of Virginia met here and set forth their views concerning the natural and proper order of society. The immediate effect of their work was made manifest in Philadelphia a few weeks later when all the colonies joined in that historic

declaration which elaborated the Williamsburg document. The lasting effects of their courage are still with us today and indeed with the peoples of the world wherever the freedoms of mankind have found constitutional expression. It is not too much to say that millions of men who have never heard of Williamsburg now live safer, happier, and better lives because of what was said and done here.

A DECLARATION OF RIGHTS

The men who met here had more than courage and determination. They had vision. And men must have both if they are to build for the future. Courage without vision may be blind. Vision without courage may be impotent in the face of opposition. The two, in combination, are likely to be irresistible.

Let us remember that these leaders were men of substance. Their cultural ties with Georgian England were close. They were no less vulnerable than many of their fellow colonists to England's commercial and fiscal policies. One might have thought that they would have had much to lose and little to gain from revolutionary adventure. But because they had vision and principle they did not seek to buy economic protection at the price of political servitude.

These men did not believe that there was any virtue in the chaos of anarchy. They believed wholeheartedly in the principle that liberty derives from orderly and just government. They insisted that such a government should rest upon the consent of the governed, and they held with equal conviction and passion that the individual citizen enjoys by natural inheritance certain fundamental rights which no government, however constituted, can legitimately invade. Thus it was that the final Resolution of May 15, 1776, ordered that "a committee be appointed to prepare a DECLARATION OF RIGHTS, and such a plan of government as will be most likely to maintain peace and order in this colony, and secure substantial and equal liberty to the people." Here was coupled a project for a plan of government and a bill of rights, each to complement the other. Here in this single sentence was set down the essence of the American philosophy of law, order, and freedom-all three inter-related, all equal, all fundamental, and all underpinned by a sublime ethical precept. Here in one document were the canons of political liberty and an unmistakable assertion of religious freedom. With such a heritage, Americans of every generation are bound to think badly of governments which recognize no limitations upon the scope or nature of their authority over their citizens. Less than a month later, the Virginia Convention did adopt a Bill of Rights. Before the end of June, a state constitution had been agreed upon. Within the span of six weeks there had been prodigious work, soundly conceived and eloquently expressed. These achievements were to serve as a guide to later constitution-making at both federal and state levels. The debt of America to the men of Williamsburg is immense, and we acknowledge it with profound gratitude.

This Virginia Bill of Rights specified many a freedom of man against the State for which men in earlier centuries had fought and died. In this document one can recall the English Barons at Runnymede and John Milton struggling through the mists of blindness to cry out again against the iniquities of a licensed press. Here are the Roundheads battling against the Stuarts, and here are the common men of many a land fighting to gain the protection of law against the caprice of privilege.

FREEDOM OF RELIGION

But the Williamsburg Bill was more than a repository of past victories in the struggle for human freedom. It was more than a determination of men to secure for themselves these guarantees of justice and equity which they had been unable to get from the British Crown. At Williamsburg, and later in the Virginia Statute of 1786, there was proclaimed a new right of prime importance, the right of religious freedom.

If this seems banal to us today, let us remember that of all the thirteen colonies only Rhode Island had enjoyed full religious freedom. Nine colonies had established Churches. Three others had provisions restricting the holding of public office to persons of stated theological beliefs. Throughout the western world the principle of the established Church, accompanied by varying degrees of tolerance for dissenters, still reigned supreme. The memories of religious persecution were still fresh in the minds of men, for many a Christian of many a creed had lately slaughtered his fellow Christians of another creed—and all in the name of the Prince of Peace.

But the American colonies had not been really hospitable to the notion of enforced religious conformity. Hither had come persecuted sects from many a foreign country, and here, somewhere, they had all found asylum and freedom to worship according to their beliefs. There was always the frontier where dissenters could go, and the frontier by definition was beyond the reach of centralized ecclesiastical and political authority. Even in the older communities of the seaboard the enlightenment of the eighteenth

century had shattered the bonds of dogma and freed the minds of those men who were to become the founding fathers.

Perhaps, too, there was something in the innermost nature of the emerging American character which was hostile to attempts to fix by decree the forms through which men could express their convictions about their relationship with the universe. Many years later Charles Dickens wrote in his *American Notes*, "I cannot hold with other writers . . . that the prevalence of various forms of dissent in America is in any way attributable to the non-existence there of an established church; indeed, I think the temper of the people, if it admitted to such an Institution being founded amongst them, would lead them to desert it, as a matter of course, merely because it *was* established."

One feature of this Virginia declaration had special significance. It was not content merely to proclaim religious tolerance, for this could have been compatible with the continued existence of an established Church. True religious freedom, these Virginians held, was more than tolerance; it was emancipation from all coercion; it fixed the neutrality of the State and it proclaimed that the right to worship should be free from all civil penalties and disabilities. This was true religious freedom.

It is wholly appropriate that on this Sunday of remembrance, we recall with pride this bold stand that hereafter, and in this land, each man should be free to seek communion with the Creator of the Universe after his own fashion and without let or hindrance by temporal authority. It was revolutionary doctrine. It was, and is, American doctrine. No foundation stone of our society is more significant.

PROBLEMS OF OUR TIME

But it is not enough that we assemble to pay tribute to what was done here eighteen decades ago. We must deal with the problems of our own time as our forefathers dealt with theirs, and we shall deserve the gratitude of our children only if we endeavor to be as courageous and as wise as our fathers were. In our time and in our way we must try to be the founding fathers of the America of the future. Since we cannot with safety shirk our responsibilities, we can only hope, in all humility, that we can be in some measure equal to the task before us.

When Colonel Thomas Nelson carried the Virginia Resolutions of 1776 to Philadelphia, it took him twelve days to make the journey. Today, a courier could go, not to Philadelphia but to London, not in twelve days but in twelve hours. And if he wished to convey the news faster, the telephone would be at hand. A few scant years ago that part of the world which is not rimmed by the Atlantic was, to us, remote, exotic, and beyond the perimeter of our national concerns. Today our people are profoundly agitated over the future disposition of Quemoy and Matsu, of Kashmir and Vietnam. On this shrunken globe, the Far East is now much nearer than the Near East was to our fathers.

The import of these staggering changes in the lives of men is clear. As never before in human history, the peoples of all lands now are condemned to share a common fate or a common future.

The dangers of a common fate are borne to our ears by the reverberations from Nevada and Siberia. By unlocking the innermost secrets of the structure of the material universe, men now have the power to destroy whole civilizations, to lay waste the fairest portions of the earth, and to blast the lives of children yet unborn. Since these powers can be used either to destroy or to build, our responsibility is perhaps greater than that of any generation since time began.

If we seek to build, and not to destroy, we will not find the blueprint of a peaceful and prosperous earth merely by trying to develop international institutions of greater and greater power. All institutions with effective authority reflect the maximum willingness of the majority of their citizens to be bound by them. No institution, freely adopted, can operate except on the basis of such a clearly defined area of agreement. It is my judgment that the present charter of the United Nations substantially reflects such a staked-off area of agreement and contains as much authority as the member peoples are at present prepared to give to it. That is why it is naive to believe that any panacea will be found at the present time through tinkering with the charter. The United Nations in its present form is enormously useful to all mankind. But it is idle to believe that our sadly divided world is now prepared drastically to remodel and extend the authority of the UN. Even if by some chance such were the case, I would be apprehensive of the results because the answers to the problems of our time are not to be found through structural changes in world organization. The answers can only be found in the minds and hearts of men.

THE HAND OF HISTORY

If this is true, then we must ask ourselves: What hope is there that the men of our time, sensing the implications and responsibilities of a diminished globe, will undertake to cast off their ancient hatreds and fears and

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THE PRELUDE TO INDEPENDENCE

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determine to live as brothers? The time for decision could be short, and the hand of history lies heavily upon us, but men made the history of the past, and men, for good or ill, will make the history of the future.

I have indicated that the answer to the dilemma of our time is not to be found in organizational or legal developments because these mechanisms can only be effective when men have a sufficient sense of community to want to live under a system of law and a common administrative structure. Our question, therefore, is: How do men of diverse races and tongues develop such a sense of community that they can live together confidently in peace and friendly competition?

It would be sheer arrogance if I were to pretend that I had an answer to a problem of such staggering proportions. But I am sure that we will make progress in our search only if we begin to think more about the underlying unities which men have in common and less about those divisive forces and policies which flame daily in the headlines of our newspapers.

The first of these unities is spiritual. Obviously, it is not apparent, at least at the outset, in the realm of theological speculation. Over many centuries the races of men have developed numerous and vastly different systems of belief concerning the nature of the universe and the forms through which man's relationships with his Creator should be expressed. These differences have given rise to bloody conflict in past ages, as have the lesser differences within the ranks of Christendom. But it is to be doubted if we shall see the like again. The days of religious wars are over and finished. Men of different faiths now have a degree of tolerance toward each other which in other days would not have been believed possible and might not have been approved if thought possible. Throughout a large part of the civilized world the state is either divorced from authority over religious matters or, if not, it has developed a policy of tolerance toward dissenters which generally stops short of actual persecution.

Parenthetically, we should note that the cause of civilization is badly served when a State uses its despotic power to discourage all forms of religious worship. To attempt to prevent men from freely expressing one of the deepest forces in their nature is not only short-sighted, it is a violation of the true responsibilities of statesmanship.

But toleration among religious faiths, while a great achievement, is not enough. The men of Virginia realized that tolerance, being essentially negative, is not a sufficient basis for the development of any sense of spiritual unity.

ETHICAL UNITY A BOND

If we are to search, as I think we must, for a more positive bond of unity, we will find it in those ethical precepts which are an integral part of all great religious faiths. Each in its own way has distilled from its beliefs many a basic truth in the proper relationship of all men toward each other. The greatest of these is the principle which we know as the Golden Rule, which is set forth as a summary of right conduct in virtually all the great systems of religion and philosophy.

Thus, for example, one may read in the Mahabharata, "Do naught to others which, if done to thee, would cause thee pain: This is the sum of duty." The Buddhists say in the Sacred Books, "Is there a deed, Rahula, thou dost wish to do? Then bethink thee thus, 'Is this deed conducive to my own harm, or to other's harm, or to that of both? Then such a deed must thou surely not do.'" The followers of Confucius, in like manner, say, "What you do not want done to yourself, do not do unto others." Familiar to us are the similar precepts of Judaism; and Jesus Christ taught them to his followers in simple, unforgettable words. We can find them, or their ethical counterparts, in many another creed.

Here, we are all on common ground. Here in the simple words of the Golden Rule is set forth the principle basic to a sense of the ethical unity of mankind. There are times when a return to first principles is not mere naivete but the beginning of wisdom. Perhaps, in a world of cloven atoms, such a time has now been reached. No longer can we safely allow the gap between the ethical convictions of mankind and their political conduct to be of such suicidal proportions. Let us now begin to consider how much we are alike in our hopes and our aspirations and our basic ethical beliefs. Let us undertake to build a world in which, for the first time in history, men, despite all their differences, will manifest openly an underlying sense of brotherhood. It is such a sense which has made possible the maintenance of peace within the state. Without it there can be no hope for permanent peace among the nations.

THE SPIRITUAL BASIS OF A COMMUNITY

These two principles—widest religious tolerance and a strengthened sense of our common ethical foundations of belief—need not deter any man from following his own faith or from peacefully urging his own convictions upon others. But, taken together, these two, when practiced, will bring to the world that understanding, that desire to live and let live,



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which is the spiritual basis of any community. The world is now too small for violence, but it is not too large for sympathy and understanding and mutual respect among all its peoples.

Such a new spirit will never flourish except through mutuality and reciprocity. It is not enough for the so-called "advanced" peoples to be tolerant through condescension. Those who were the recipients of it in the past no longer desire such largesse. Peoples hitherto politically dependent or industrially retarded today allow their pride in new achievements to cause them to be fiercely and openly intolerant of industrially mature civilizations. They, too, must learn, and soon, as must we all, that in this shrinking world men have a common fate. To escape it, each must merit the tolerance and understanding of the other. We must know, and never forget, that if we allow the foul horsemen of Fear and Hatred and Bigotry to ride across the world, they could leave behind them little more than a cloud of atomic dust.

But it is not fear alone which should bring us together. Let us remember the positive assets which we can realize through tolerance and understanding. Let us think of the world's immense technical capacity to better the material lot of peoples the world over, once the cloud of war is lifted. Let us remember that we have, in the United Nations, a political instrument which can build upon a sound beginning to undertake such tasks as peaceful nations, fortified by an awareness of community, may wish to assign to it. Let us remember what civilization, despite war, has accomplished, and let us see what civilization without war can do.

And so we come back from the round world to Williamsburg. The basic hypothesis of the experiment proclaimed here was that men do have enough good-will, enough intelligence, enough energy, enough tolerance and fortitude so that they may go about their daily work with hope and faith, and not in fear and despair. Let us take heart from the example of those men who met here in our nation's beginnings. As they extended outward from this city to all the American colonies, their brilliant expressions of commonly shared convictions, tolerant of one another's differences, let us emphasize before the world today the common moral law of men of good-will everywhere, ignoring our differences and strengthening our unity. The spirit that will guide us through our present perplexities is not the spirit of militancy but the spirit that, in all eras, has led men sooner or later to the love of God through the love of their fellow men.

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