

# *The Constitution—A Heavenly Banner*

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On the seventeenth day of September 1987, we commemorate the two-hundredth birthday of the Constitutional Convention, which gave birth to the document that Gladstone said is “the most wonderful work ever struck off at a given time by the brain and purpose of man” (*William Ewart Gladstone: Life and Public Services*, ed. Thomas W. Handford [Chicago: The Dominion Co., 1899], p. 323).

I heartily endorse this assessment, and today I would like to pay honor—honor to the document itself, honor to the men who framed it, and honor to the God who inspired it and made possible its coming forth.

## **Some Basic Principles**

To understand the significance of the Constitution, we must first understand some basic, eternal principles. These principles have their beginning in the premortal councils of heaven.

### *The Principle of Agency*

The first basic principle is agency. The central issue in the premortal council was: Shall the children of God have untrammelled agency to choose the course they should follow, whether good or evil, or shall they be coerced

and forced to be obedient? Christ and all who followed him stood for the former proposition—freedom of choice; Satan stood for the latter—coercion and force. The war that began in heaven over this issue is not yet over. The conflict continues on the battlefield of mortality. And one of Lucifer’s primary strategies has been to restrict our agency through the power of earthly governments.

Look back in retrospect on almost six thousand years of human history! Freedom’s moments have been infrequent and exceptional. We must appreciate that we live in one of history’s most exceptional moments—in a nation and a time of unprecedented freedom. Freedom as we know it has been experienced by perhaps less than one percent of the human family.

### *The Proper Role of Government*

The second basic principle concerns the function and proper role of government. These are the principles that, in my opinion, proclaim

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the proper role of government in the domestic affairs of the nation.

[I] believe that governments were instituted of God for the benefit of man; and that he holds men accountable for their acts in relation to them. . . .

[I] believe that no government can exist in peace, except such laws are framed and held inviolate as will secure to each individual the free exercise of conscience, the right and control of property, and the protection of life. . . .

[I] believe that all men are bound to sustain and uphold the respective governments in which they reside, while protected in their inherent and inalienable rights by the laws of such governments. [D&C 134:1–2, 5]

In other words, the most important single function of government is to secure the rights and freedoms of individual citizens.

### ***The Source of Human Rights***

The third important principle pertains to the source of basic human rights. Rights are either God-given as part of the divine plan, or they are granted by government as part of the political plan. If we accept the premise that human rights are granted by government, then we must be willing to accept the corollary that they can be denied by government. I, for one, shall never accept that premise. We must ever keep in mind the inspired words of Thomas Jefferson, as found in the Declaration of Independence:

*We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.*

*That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.*

### ***People Are Superior to Governments***

The fourth basic principle we must understand is that people are superior to the governments they form. Since God created people with certain inalienable rights, and they, in turn, created government to help secure and safeguard those rights, it follows that the people are superior to the creature they created.

### ***Governments Should Have Limited Powers***

The fifth and final principle that is basic to our understanding of the Constitution is that governments should have only limited powers. The important thing to keep in mind is that the people who have created their government can give to that government only such powers as they, themselves, have in the first place. Obviously, they cannot give that which they do not possess.

By deriving its just powers from the governed, government becomes primarily a mechanism for defense against bodily harm, theft, and involuntary servitude. It cannot claim the power to redistribute money or property nor to force reluctant citizens to perform acts of charity against their will. Government is created by the people. No individual possesses the power to take another's wealth or to force others to do good, so no government has the right to do such things either. The creature cannot exceed the creator.

### ***The Constitution and its Coming Forth***

With these basic principles firmly in mind, let us now turn to a discussion of the inspired document we call the Constitution. My purpose is not to recite the events that led to the American Revolution—we are all familiar with these. But I would say this: History is not an accident. Events are foreknown to God. His superintending influence is behind the actions of his righteous children. Long before America was even discovered, the Lord was moving and shaping events that would lead to the coming forth of the remarkable form of

government established by the Constitution. America had to be free and independent to fulfill this destiny. I commend to you as excellent reading on this subject Elder Mark E. Petersen's book *The Great Prologue* (Salt Lake City: Deseret Book Co., 1975). As expressed so eloquently by John Adams before the signing of the Declaration, "There's a Divinity which shapes our ends" (quoted in *The Works of Daniel Webster*, vol. 1 (Boston: Charles C. Little and James Brown, 1851), p. 133). Though mortal eyes and minds cannot fathom the end from the beginning, God does.

### **God Raised Up Wise Men to Create the Constitution**

In a revelation to the Prophet Joseph Smith, the Savior declared, "I established the Constitution of this land, by the hands of wise men whom I raised up unto this very purpose" (D&C 101:80). These were not ordinary men, but men chosen and held in reserve by the Lord for this very purpose.

Shortly after President Kimball became President of the Church, he assigned me to go into the vault of the St. George Temple and check the early records. As I did so, I realized the fulfillment of a dream I had had ever since learning of the visit of the Founding Fathers to the St. George Temple. I saw with my own eyes the records of the work that was done for the Founding Fathers of this great nation, beginning with George Washington. Think of it, the Founding Fathers of this nation, those great men, appeared within those sacred walls and had their vicarious work done for them. President Wilford Woodruff spoke of it in these words:

*Before I left St. George, the spirits of the dead gathered around me, wanting to know why we did not redeem them. Said they, "You have had the use of the Endowment House for a number of years, and yet nothing has ever been done for us. We laid the foundation of the government you now enjoy, and*

*we never apostatized from it, but we remained true to it and were faithful to God."*

*These were the signers of the Declaration of Independence, and they waited on me for two days and two nights. . . .*

*I straightway went into the baptismal font and called upon Brother McCallister to baptize me for the signers of the Declaration of Independence, and fifty other eminent men. [Discourses of Wilford Woodruff, sel. G. Homer Durham (Salt Lake City: Bookcraft, 1946), pp. 160–61]*

These noble spirits came there with divine permission—evidence that this work of salvation goes forward on both sides of the veil.

At a later conference, in April 1898, after he became President of the Church, President Woodruff declared that "those men who laid the foundation of this American government and signed the Declaration of Independence were the best spirits the God of heaven could find on the face of the earth. They were choice spirits . . . [and] were inspired of the Lord" (CR, April 1898, p. 89). We honor those men today. We are the grateful beneficiaries of their noble work.

### **The Lord Approved the Constitution**

But we honor more than those who brought forth the Constitution. We honor the Lord who revealed it. God himself has borne witness to the fact that he is pleased with the final product of the work of these great patriots.

In a revelation to the Prophet Joseph Smith on August 6, 1833, the Savior admonished: "I, the Lord, justify you, and your brethren of my church, in befriending that law which is the constitutional law of the land" (D&C 98:6).

In the Kirtland Temple dedicatory prayer, given on March 27, 1836, the Lord directed the Prophet Joseph to say: "May those principles, which were so honorably and nobly defended, namely, the Constitution of our land, by our fathers, be established forever" (D&C 109:54).

A few years later, Joseph Smith, while unjustly incarcerated in a cold and depressing cell of Liberty Jail at Clay County, Missouri, frequently bore his testimony of the document's divinity: "The Constitution of the United States is a glorious standard; it is founded in the wisdom of God. It is a heavenly banner" (HC 3:304).

How this document accomplished all of this merits our further consideration.

### **The Document Itself**

The Constitution consists of seven separate articles. The first three establish the three branches of our government—the legislative, the executive, and the judicial. The fourth article describes matters pertaining to states, most significantly the guarantee of a republican form of government to every state of the Union. Article 5 defines the amendment procedure of the document, a deliberately difficult process that should be clearly understood by every citizen. Article 6 covers several miscellaneous items, including a definition of the supreme law of the land, namely, the Constitution itself. Article 7, the last, explains how the Constitution is to be ratified. After ratification of the document, ten amendments were added and designated as our Bill of Rights.

Now to look at some of the major provisions of the document itself. Many principles could be examined, but I mention five as being crucial to the preservation of our freedom. If we understand the workability of these, we have taken the first step in defending our freedoms.

### **Major Provisions of the Document**

The major provisions of the Constitution are as follows.

#### ***Sovereignty of the People***

First: Sovereignty lies in the people themselves. Every governmental system has a sovereign, one or several who possess

all the executive, legislative, and judicial powers. That sovereign may be an individual, a group, or the people themselves. The Founding Fathers believed in common law, which holds that true sovereignty rests with the people. Believing this to be in accord with truth, they inserted this imperative in the Declaration of Independence: "To secure these rights [life, liberty, and the pursuit of happiness], Governments are instituted among Men, deriving their just powers from the consent of the governed."

#### ***Separation of Powers***

Second: To safeguard these rights, the Founding Fathers provided for the separation of powers among the three branches of government—the legislative, the executive, and the judicial. Each was to be independent of the other, yet each was to work in a unified relationship. As the great constitutionalist President J. Reuben Clark noted:

*It is [the] union of independence and dependence of these branches—legislative, executive and judicial—and of the governmental functions possessed by each of them, that constitutes the marvelous genius of this unrivalled document. . . . It was here that the divine inspiration came. It was truly a miracle. [Church News, November 29, 1952, p. 12]*

The use of checks and balances was deliberately designed, first, to make it difficult for a minority of the people to control the government, and, second, to place restraint on the government itself.

#### ***Limited Powers of Government***

Third: The powers the people granted to the three branches of government were specifically limited. The Founding Fathers well understood human nature and its tendency to exercise unrighteous dominion when given authority. A constitution was therefore

designed to limit government to certain enumerated functions, beyond which was tyranny.

### *The Principle of Representation*

Fourth: Our constitutional government is based on the principle of representation. The principle of representation means that we have delegated to an elected official the power to represent us. The Constitution provides for both direct representation and indirect representation. Both forms of representation provide a tempering influence on pure democracy. The intent was to protect the individual's and the minority's rights to life, liberty, and the fruits of their labors—property. These rights were not to be subject to majority vote.

### *A Moral and Righteous People*

Fifth: The Constitution was designed to work with only a moral and righteous people. "Our constitution," said John Adams (first vice-president and second president of the United States), "was made only for a moral and religious people. It is wholly inadequate to the government of any other" (John R. Howe, Jr., *The Changing Political Thought of John Adams*, Princeton University Press, 1966, p. 185).

### **The Crisis of our Constitution**

This, then, is the ingenious and inspired document created by these good and wise men for the benefit and blessing of future generations. It is now two hundred years since the Constitution was written. Have we been wise beneficiaries of the gift entrusted to us? Have we valued and protected the principles laid down by this great document?

At this bicentennial celebration we must, with sadness, say that we have not been wise in keeping the trust of our Founding Fathers. For the past two centuries, those who do not prize freedom have chipped away at every major clause of our Constitution until today we face a crisis of great dimensions.

### *The Prophecy of Joseph Smith*

We are fast approaching that moment prophesied by Joseph Smith when he said:

*Even this Nation will be on the very verge of crumbling to pieces and tumbling to the ground and when the constitution is upon the brink of ruin this people will be the Staff up[on] which the Nation shall lean and they shall bear the constitution away from the very verge of destruction. [In Howard and Martha Coray Notebook, July 19, 1840, quoted by Andrew F. Ehat and Lyndon W. Cook, comps. and eds., *The Words of Joseph Smith* (Provo, Utah: Religious Studies Center, Brigham Young University, 1980), p. 416]*

### *The Need to Prepare*

Will we be prepared? Will we be among those who will "bear the Constitution away from the very verge of destruction"? If we desire to be numbered among those who will, here are some things we must do:

1. We must be righteous and moral. We must live the gospel principles—all of them. We have no right to expect a higher degree of morality from those who represent us than what we ourselves are. To live a higher law means we will not seek to receive what we have not earned by our own labor. It means we will remember that government owes us nothing. It means we will keep the laws of the land. It means we will look to God as our Lawgiver and the source of our liberty.

2. We must learn the principles of the Constitution and then abide by its precepts. Have we read the Constitution and pondered it? Are we aware of its principles? Could we defend it? Can we recognize when a law is constitutionally unsound? The Church will not tell us how to do this, but we are admonished to do it. I quote Abraham Lincoln:

*Let [the Constitution] be taught in schools, in seminaries, and in colleges; let it be written in primers, spelling-books, and in almanacs; let it be*

*preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice. And, in short, let it become the political religion of the nation.* [Complete Works of Abraham Lincoln, ed. John G. Nicolay and John Hay, vol. 1 (New York: Francis D. Tandy Co., 1905), p43]

3. We must become involved in civic affairs. As citizens of this republic, we cannot do our duty and be idle spectators. It is vital that we follow this counsel from the Lord: “Honest men and wise men should be sought for diligently, and good men and wise men ye should observe to uphold; otherwise whatsoever is less than these cometh of evil” (D&C 98:10). Note the qualities that the Lord demands in those who are to represent us. They must be good, wise, and honest. We must be concerted in our desires and efforts to see men and women represent us who possess all three of these qualities.

4. We must make our influence felt by our vote, our letters, and our advice. We must be wisely informed and let others know how we feel. We must take part in local precinct meetings and select delegates who will truly represent our feelings.

I have faith that the Constitution will be saved as prophesied by Joseph Smith. But it

will not be saved in Washington. It will be saved by the citizens of this nation who love and cherish freedom. It will be saved by enlightened members of this Church—men and women who will subscribe to and abide by the principles of the Constitution.

### **The Constitution Requires our Loyalty and Support**

I reverence the Constitution of the United States as a sacred document. To me its words are akin to the revelations of God, for God has placed his stamp of approval on the Constitution of this land. I testify that the God of heaven sent some of his choicest spirits to lay the foundation of this government, and he has sent other choice spirits—even you who hear my words this day—to preserve it.

We, the blessed beneficiaries, face difficult days in this beloved land, “a land which is choice above all other lands” (Ether 2:10). It may also cost us blood before we are through. It is my conviction, however, that when the Lord comes, the Stars and Stripes will be floating on the breeze over this people. May it be so, and may God give us the faith and the courage exhibited by those patriots who pledged their lives and fortunes that we might be free, in the name of Jesus Christ. Amen.

The Constitution: A Heavenly Banner. November 28, 2012. Posted by dadzoo. I have recently been reading a book entitled, "The Constitution: A Heavenly Banner". This book is a collection of Constitutional related speeches by Ezra Taft Benson, David O. McKay, J. Reuben Clark, Jr. and Bruce R. McConkie. The book gets its name from a speech by Ezra Taft Benson given at the Marriott Center at Brigham Young University on September 16, 1986. I would like to talk about this speech, and give what I feel are the bullet points or highlights of the speech. You can get a copy of the speech in HTML, or MP3 fo