

THE
Jewish Veteran

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JEWISH WAR VETERANS OF THE UNITED STATES



AUGUST



1937



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HEBRAIC MORTAR

The Old Testament Influence on the Constitution

IN this year of the sesquicentennial of the adoption of the Constitution of the United States, the first national charter to provide for religious liberty, it is timely to recall the great influence the Hebrew Bible, or Old Testament, exerted upon the men who framed that great document. To understand the origin of this influence, it must be remembered that the Continental Congress, which governed the United States until the adoption of the Federal Constitution, leaned heavily on the sanctions of the Bible, and religion, which were its main strength, as its legislative authority was notoriously impotent.

Puritan New England, whence came the first spiritual and civil leaders of Colonial America, patterned its religion, daily life and government on the laws of Moses. Nourished on the Bible and the old Jewish moral and judicial traditions, the thinkers and preachers of New England were destined to become the chief molders of the future character of the United States. As James Truslow Adams, the eminent historian, pointed out, the Pilgrim Fathers were in spirit "Jews and not Christians. Their God was the God of the Old Testament, their laws the laws of the Old Testament, their guides to conduct the characters of the Old Testament."

Having suffered spiritual bondage and religious persecution in England, the New England colonists called themselves "Christian Israel." To them England was a modern Egypt. King James they hated as another Pharaoh. In the hazardous crossing of the Atlantic they saw the Red Sea. The barren shores of New England they hailed as the Promised Land. Very near to the Old Testament were the preachers of New England. It influenced their thinking, their nomenclature and their oaths. Viewing everything through Hebraic spectacles, it was natural for the New Englanders to pattern their earliest legal codes on Hebrew models. And by the time the Pilgrim Fathers had passed on the Hebraic tradition had become a potent force and spread far beyond New England. The writings of the Hebrew Prophets were passed on from generation to generation. In the absence of newspapers and other means of communication the pulpit was almost the only force for moulding character and ideals, and in the pulpit of pre-Revolutionary America the Old Testament was paramount.

Drawing freely on the Old Testament, the pastors ingrained in the people the love of liberty, opposition to monarchy and the passion for free government. Lecky, the British historian, has pointed out that "in the majority of instances, the early Protestant defenders of civil liberty derived their political principles chiefly from the Old Testament," thus indicating that the Hebraic tradition was one of the direct sources of the republican sentiment that led eventually to the American Revolution and the Constitution. During the struggle between the Col-

By **LOUIS A. FALK**

The influence of the Hebrew Bible on the men who wrote the American Constitution is traced in this fascinating historical survey by Comrade Falk, a member of the New Jersey Constitution Commission, in commemoration of the 150th anniversary of the adoption of the Federal Constitution.

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onies and England, the Old Testament inspired the preachers to point out the Biblical sanction for rebellion and to encourage the people's fight for freedom by citing the doctrines and history of Israel. Sermons comparing George III to Pharaoh and inferring that the same God who saved the Israelites from the Egyptians would free the Colonists from British tyranny were common on the eve of the Revolution.

The impression Hebrew ideas of government made on the minds of the people in preparing them for a government modelled after the ancient Hebrew commonwealth was revealed on May 31, 1775 when the Rev. Samuel Langdon, president of Harvard College, told the Congress of Massachusetts Bays that "the Jewish government according to the original constitution which was divinely established, if considered only in a civil way, was a perfect republic . . . The civil policy of Israel is doubtless an excellent ground model . . . at least some principal laws and orders of it may be copied in more modern establishments." And Dr. Ezra Stiles, president of Yale, told the Connecticut Assembly four years before the adoption of the Federal Constitution, that the states were "God's American Israel" and that the system of popular government then being developed in America was the fulfillment of Biblical prophecy.

Nor were the clergy the only elements under the influence of the Old Testament. Benjamin Franklin and Thomas Jefferson, when named to a committee to adopt a seal for the United States after the signing of the Declaration of Independence, brought in as their first proposal a design depicting Pharaoh seated in an open chariot, a crown on his head and a sword in his hand, passing through the dividing waters of the Red Sea in pursuit of the Israelites; with rays of fire from a pillar of light beaming on Moses who was represented as standing on the shore extending his hand over the seas causing it to overwhelm Pharaoh. Beneath this scene was the motto: "rebellion to tyrants is obedience to God." Although this seal was never adopted, it was significant that the American Revolutionary leaders had so absorbed the history of the Hebrews that they were ready to make a Hebrew seal the emblem of the nation. It is also worthy of note that the words "proclaim liberty throughout the land, unto all the inhabitants thereof," inscribed on the Liberty Bell, were taken directly from the Old Testament.

During the years that the Continental Congress was in session it recognized the precepts of the Bible as sound political maxims. The Congress' proclamations and other state papers are filled with Biblical phrases. They invoked the name of "God," "Lord of Hosts," "Almighty God," "Nature's God," and "God and the Constitution." One of the first acts of Congress under the Articles of Confederation was to recommend the printing of an American Bible. On October 26, 1780, a resolution was adopted "that it be recommended to such states who may think it convenient for them that they take measures to procure one or more new and correct editions of the Old and New Testament to be printed and such states regulate their printers by law as to secure effectually the said books from being misprinted."

The working of the Hebrew spirit through the Bible upon American institutions during the critical formative period of early American history quite naturally paved the way for the adoption of a Constitution into which was breathed the idealism that suffused the Hebrew Prophets, thus demonstrating the widespread eagerness to link the passion for liberty with the history of Israel and the Old Testament prophecies. Under such circumstances it was inevitable that many persons should see a marked parallel between the Constitution of the new Republic and the form of government developed by ancient Israel. The late President Calvin Coolidge, a direct descendant of the New England Puritans, once said that the cement with which the builders of the American Constitution constructed that charter of American liberties was heavily mixed with Hebraic mortar.

These were no idle words. For shortly after the Constitution was completed in 1787 and submitted to the states for ratification the idea that the Constitution was based on the governmental structure of Israel found expression in a widely discussed book which sought to show that the Constitution's provision for a chief executive, a judiciary, a senate and a house of representatives were adaptations of the shofet, judges, sanhedrin and congregation of the Hebrew commonwealth.

The late Oscar Straus, in his famous book, "The Origin of the Republican Form of Government in the United States," asserted that "in the spirit and essence of our Constitution, the influence of the Hebrew commonwealth was paramount in that it was not only the highest authority for the principle, "rebellion of tyrants is obedience to God," but also because it was in itself a divine precedent for a pure democracy as distinguished from monarchy, aristocracy or any other form of government. By that means and to that extent, it had a decisive influence in guiding the American people in the selection of their form of government."

There is no gainsaying the fact, therefore,

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The Constitution

September 17th will be observed throughout the United States as the 150th anniversary of the adoption of the Federal Constitution. Elsewhere in this issue there is an exposition of what part the Jewish War Veterans will take in this momentous occasion in American history. Elsewhere, too, we publish articles recalling the intimate friendship between many of the men who wrote the Constitution and their Jewish contemporaries, and on the Hebraic influence upon the Constitution's authors.

Looking back over the century and half during which the Constitution has been the Magna Carta of American liberties and the fundamental law of the land, one is struck by the fact that it established on these shores a democracy whose primary belief is that men have worth apart from their previous condition or station of their present possessions. From the very beginning the Constitution has been the keystone of the tradition that has made our country the greatest bulwark of civil and religious liberty.

The original Constitution as drafted in Philadelphia in 1787 declared that "no religious test shall ever be required as a qualification to any office or public trust under the United States." The first amendment to the Constitution, which is part of the Bill of Rights, asserted that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

To those two sentences in the Constitution are traceable the complete absence of any official religious discrimination in the history of the United States. While we have had our share of religious hatred manifestations, never have they had the sanction or approval of the government, either federal, state or local. From time to time certain groups have agitated for amendments to the Constitution which would have the effect of vitiating the religious liberty established at the birth of the nation. But the Constitution stood as an insuperable bulwark against all such efforts.

Today the world is in a state of flux.

Ideas definitely hostile to our form of government are abroad. From overseas come proposals which would reshape American ideals and change the conditions under which we live. Even at home there are not lacking those who look with longing on foreign forms of government and would, if they could, implant them here. Standing as a colossus in their way is the Constitution which in these troubled and confused times is more than ever important as a steadying and saving factor in the lives of the men and women of this republic and as an exemplary influence in the lives of other peoples.

To citizens who rightfully cherish the Constitution as the supreme guardian, the sesquicentennial of that immortal document should be an occasion for a re-dedication to the ideals so nobly expressed in the Constitution. It should be an occasion for giving expression to our determination to resist any tampering with that document that is likely to undermine or impair the sacred guarantees of religious and civil freedom. J.W.V. is proud of its share in this celebration.

Investigation Wanted

The curious unconcern with which American public opinion has passed over the opening of Camp Nordland, a Nazi camp at Andover, N. J., the 21st such camp to be established in this country under the auspices of the German-American Bund, has been attributed to the characteristic American habit of letting every fool have his day. Free speech and free assemblage are two of our most prized rights in this country. We who enjoy them would not deny them to others. But even in our great democracy these cherished possessions are and always have been subject to certain limitations. Free speech is no license to preach sedition. Free assemblage is no permit to organize in behalf of a foreign government. The statute books of every state contain laws which prohibit public gatherings for certain unlawful and criminal purposes.

These are undeniable facts. Yet no one seems to think it important to look into the objectives of the 21 Nazi camps that dot the country. Ostensibly they are gathering places for the children of German-Americans where they may engage in sports and other outdoor activities during the summer and where their elders may congregate for weekend recreation, speeches and exercise. But anyone who has ever visited one of these camps knows that there's more to them than that. In the first place the flag of a foreign nation is everywhere and the campers salute it reverently. The anthem of a foreign land is on everyone's tongue. Speech in the foreign tongue is promoted. Speeches attacking American institutions and various groups of American citizens are a commonplace. The youngsters attending the camps ranging from two years upward are inoculated with ideas alien to America. The older campers partake of military drill and wear uniforms closely resembling, if not actually those of a foreign country. How

long would these foreign nations tolerate such actions in their land?

These, we submit, are violations of the spirit, if not the letter of the right of free assemblage and free speech. Technically they may not be breaking any law but in effect they constitute a serious danger which warrants investigation. Equally important is the fact that many of these camps, maintained by an organization which admits its sympathy for, if not allegiance to a foreign government, are located near ammunition factories, and other vital wartime industrial plants. It is alleged they are subsidized by foreign governments. This is no accident but a part of an organized plan. That too requires looking into. Americans should awaken!

Palestine Partitioned

Not since the Nazi regime came into power in Germany has the Jewish world been so deeply stirred as it is by the decision of the British Government to partition Palestine into Jewish and Arab states and to abandon the existing Palestine Mandate in favor of a new one which would give England control over the strategic military areas of the Holy Land.

So many factors enter into the situation that it would be risky to make any predictions as to the ultimate outcome. But a number of things are clear. In the first place partition is a public confession of failure on the part of the British Government. It is an admission that the great British Empire could not adjudicate the differences, real or fancied, between Jews and Arabs. It brands England as being guilty of unwillingness or inability to make any serious attempt to carry out the letter and spirit of the Mandate and the Balfour Declaration. It means that England is perfectly willing and anxious to enjoy the benefits of the Palestine Mandate without accepting any of its responsibilities.

As for the Jewish attitude toward partition it has not yet crystallized definitely. Few Zionist leaders will accept the plan in its present form, for they are not deceived by the lure of a Jewish state which is a state in name only.

There remains yet the League of Nations and the governments party to the Mandate. Although there is little doubt that the League will approve partition, this approval may be dependent on granting some of the Jewish demands. Poland and Roumania are said to be determined to block League approval unless the Jewish state is made big enough to absorb a substantial number of Polish and Roumanian Jews. The United States, which must be consulted before any change in the Mandate is made, is definitely sympathetic to Zionist aspirations, but hardly likely to permit itself to become involved more than necessary. Thus, as things now stand, the partition scheme may become a fact, but not immediately and probably not in its present form. What its effect will be on world Jewry is unpredictable but that it is one of the most significant happenings in contemporary Jewish history no one can deny.