



Law: Liberty's Framework

What would football be without rules? It would be mayhem and chaos. Millions of Americans know the rules/laws of football very well. But do they even know or have as much passion for the laws that affect all of their wealth, their children, and everything they do in the biggest game of all – the game of life?

For centuries America's laws were the foundation of a liberty never before known. These laws were few, just, and merciful. They were based upon what was referred to as the Divine Law, the Laws of God, the Laws of Good and Evil, the Ten Commandments, or what George Washington called the Eternal Rules of Order and Right.

Our forefathers knew the historical proven truth that only a society following God's precepts can be truly blessed. Our ancestors left us a strategy to restore our nation if we were ever to fall away from this truth. This matrix of liberty is portrayed on the Forefathers Monument in Plymouth, Massachusetts. It teaches us that a restoration of a just society under the rule of law is the only hope of maintaining liberty and avoiding tyranny.

America's liberty and lasting constitutional republic

was the fruit of 1,000 years of development of Christian civil laws based upon the Scriptures. Living in the 9th century, Alfred the Great, England's greatest King was a devout and wise believer. He wrote many of the laws of Moses, beginning with the Ten Commandments and selections of the gospels as the first laws of the Common Laws of England.



Three centuries later, in 1215, the Magna Carta carried on this development of the rule of law based on the same Biblical foundations as the English Common Law. This document became the cornerstone of the constitution of England. It was written to limit the wicked King John and all other future rulers from controlling the church, imprisoning any of the people without due process, and taking their wealth from them through over-taxation and oppressive regulations.

Four centuries later, after many struggles and much persecution, the story of liberty emerged again in England. The Bible began to be translated and distributed for all people to read. It is at this moment that the Pilgrims from Scrooby, England, entered the stage of history. They became the conduit of freedom that birthed our blessed nation of liberty under law.

“Law” from the Forefather's Monument

“We live under the only government that ever existed, which was formed by the deliberate consultations of the people. Miracles do not cluster, and what has happened once in 6,000 years, may not happen again. Hold on to the Constitution, for if the American Constitution should fail, there will be anarchy throughout the world.”

- Daniel Webster, 1805

A COVENANT PEOPLE UNDER LAW

WORLD HISTORY INSTITUTE

March | 2026



BEFORE THE JUDGES

FERDINAND BRÜTT, 1903

Coming to America in 1620, the Pilgrims followed the common law legal tradition of England. They wrote the Mayflower Compact in which they agreed to establish just laws in a new land. Their civil laws reflected their Biblical faith and were voted in by free elections of the people. The settlers who immigrated in the coming decades followed the compact theory of law of the Pilgrims. As early as 1638, the Connecticut Constitution, which was the model for the U.S. Constitution, stated, *“The choice of public magistrates belongs unto the people, by God’s allowance.... The privilege of election.... must not be exercised according to their humors [whims], but according to the blessed will and law of God.”*

As the colonies grew and charters and laws were written, each one of the Ten Commandments was

adopted as law by 12 of the 13 original colonies. Even Rhode Island, the only exception, established the last six of the Ten Commandments in its legal structure.

The Ten Commandments and the “rule of law” were the people’s choice as the foundation of law for America’s founding generation. America’s 6th president, John Quincy Adams, says, “From the day of the Declaration... they [the American people] were bound by the laws of God, which they all, and by the laws of the Gospel, which they nearly all, acknowledge as the rules of their conduct.”

The United States Constitution was also based on these unchanging principles. The Constitution derives its fundamental, world-changing concepts from the Hebrew republic and Laws of God.

“We have this day restored the Sovereign to Whom alone men ought to be obedient. He reigns in heaven and... from the rising to the setting sun, may His kingdom come.”

FORSAKEN FOUNDATIONS

These Biblical principles include the three branches of government, the separation of powers, checks and balances, the right of trial by jury and equality of all people before the law. The Constitution also severely limits the power of the national government and directs almost all powers in the nation down to the states and the people.

Only after the Civil War, and the founding of Harvard Law School with its first dean, Christopher Columbus Langdell, did America's legal system begin to shift away from its Biblical foundations. Harvard jettisoned 900 years of Christian legal theory and the wisdom of William Blackstone's Commentaries which were the standard of the age. Langdell, a devout evolutionist, applied Darwin's theory to law, creating a new religious foundation for "justice." He taught an ever-changing, evolutionary set of laws, adjusted by the judges to fit the whims of their own religious preference. Case law, not divine wisdom and justice, was the new plum line of truth. Judges and legislatures, especially in the 20th century, slowly began to reinterpret and pervert justice based on a new religion, secular humanism (man is god).

John Jay, America's first Chief Justice of the Supreme Court, clearly stated the solution for our downward spiral into humanistic law and tyranny. He said, *"No human society has ever been able to maintain both order and freedom, both cohesiveness and liberty apart from the moral precepts of the Christian Religion applied and accepted by all the classes. Should our republic ere forget this fundamental precept of governance, men are certain to shed their responsibilities for licentiousness and this great experiment will then surely be doomed."*

We need not give up. The future is not in the hands of elite humanists or even in the hands of "the people," our hope rests in the unstoppable force of the

covenant people of God – the church – awakened and empowered by the "King over all the earth". (Ps. 47:2)

As Samuel Johnson said, *"The hidden origin of all power, all [per]suasion, and all purpose, is the assemblage of the covenant people: the church."*

- Dr. Marshall Foster
1945-2022



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Moses and the Tables of the Law
Benjamin West, 1780

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