



Searching the Soul of a Nation

By W. Frederick Wooden



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To the reader: These sermons were only parts of services of worship with many components working together, all of which were designed to be experienced in a community context. In our "free pulpit" tradition, these concepts are intended not as truths to receive, but as spurs to your own thought and faith.

Preface

Every four years the United States elects a president. Each time the nation hopes the campaign will take on issues and ideals but each time it turns out to be a horse race or a fistfight. This short volume of essays, originally crafted as sermons, attempts to reclaim the mission of America, which I believe is expressed in the Preamble to the Constitution.

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Each essay lifts up one of the six clauses in this sentence and attempts to articulate its underlying purpose and premise. It then evaluates some current issue in its light. Whether you agree with my particular analysis or not I do hope you will find the premise of the book itself compelling. With so many politicians and pundits telling us what the issues are and what the values are, it seems to me surprising that no one has thought to go to the source our government itself for guidance and inspiration.

I wrote these essays before any candidate was chosen, because once that happens all our attention will be on the race and not on the purpose of the race itself. If you feel, as I, that we have been routinely distracted from the real questions; that the media and the culture are enthralled by the sport of politics more than the purpose of

government; that we are all victims of a giant shell game where we think we are voting about issues but are actually being manipulated by parties whose real goal is power; if you cannot tell what matters in the cloud of innuendo and double speak that is the dominant language of politics, I hope you will find these essays useful and even inspiring.

Each essay is preceded by 2 citations: first a passage from the Jewish or Christian scriptures which are so often cited as the basis for our government but rarely actually studied, and a quotation from someone in our history that sheds light on the issue. Each essay begins with a first person account that reminds us that ideals always have real outcomes. The collection closes with an imagined Inaugural Address of a future president, who takes up the challenge of these essays.

My hope is that those who read these will find some new clarity or understanding to sustain them as we face this choice again.

W. Frederick Wooden

Chapter 1 E pluribus unum... Or Not

Why do the nations conspire, and the peoples plot in vain? The kings of the earth set themselves, and the rulers take counsel together, against the Lord and his anointed, saying, 'Let us burst their bonds asunder, and cast their cords from us.'

– Psalm 2 Ref. p. 21

"A little rebellion now and then is a good thing. ...God forbid we should ever be 20 years without such a rebellion. The people cannot be all, and always, well informed. The part which is wrong will be discontented, in proportion to the importance of the facts they misconceive. If they remain quiet under such misconceptions, it is lethargy, the forerunner of death to the public liberty. ...And what country can reserve its liberties, if its rulers are not warned from time to time, that this people preserve the spirit of resistance? Let them take arms. The remedy is to set them right as to the facts, pardon and pacify them. What signify a few lives lost in a century or two? The tree of liberty must be refreshed from time to time, with the blood of patriots and tyrants. It is its natural manure."

Thomas Jefferson, Writing in November of 1787

After five years in Chicago – four spent studying for the ministry and one in the spiritual formation also called unemployment – I was called to a church of 90 members in a town of 900 people scattered over 68 square miles, one-third of it underwater. This was as far from big city life as I could imagine.

But it turns out that every town has its place in history, if not in the news. Somewhere between February 2 and February 4, 1787, the remnants of Shays' Rebellion, an uprising of farmers in Western Massachusetts were routed in the town. The commonwealth had raised taxes to pay the debts of the War of Independence. Lacking cash, they were forced to sell their land, which one had to own to be able to vote, which meant they had to sell their franchise to pay for the war which they fought to secure it.



There stands a marker in that town today, on the main road just north of the common. Most people do not notice it, and even more do not realize that this event is what prompted George Washington to come out of retirement and attend the soon to meet Convention in Philadelphia. Washington was elected President of that body and subsequently President under the instrument they created - The Constitution.

E Pluribus unum – ‘out of many, one’. This phrase graces every dollar bill and reflects that first clause in the preamble to that Constitution, “to form a more perfect union.” That issue was what Shays' Rebellion brought into high relief. Not only was every state printing its own money and raising its own militia, but each paid its own debts, levied its own duties and favored its own churches. What Benjamin Franklin noted of the men signing the Declaration was becoming true for the states in the new republic – either they must hang together or they will hang separately. That became evident when Daniel Shays mounted his farmers' rebellion in January of 1787.

Those farmers did not feel united with the

country. They saw the government literally forcing them to sell what they'd fought precisely to obtain. While politicians have always been the bane of "ordinary" folks, in 1787 cynicism sank to contempt, and the farmers' act of rebellion challenged the authority of the commonwealth itself. They had lost their fundamental trust in apparatus of the state. No doubt many of those farmers remembered a phrase from 1776: *"... to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed – that whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it."* But no one imagined it would happen again so soon.

The essential basis of representative democracy is trust between those who elect and those who are elected. The farmers of western Massachusetts did not trust their government. They believed their government was serving the private Boston bankers who loaned the money for the war at the expense of the livelihoods and citizenship of those in the countryside.

Today we hear about special interests and PACs and 527s – groups and individuals who give money to campaigns. Ordinary citizens feel dwarfed by their influence. While we can and do sympathize with Shays and friends, we are not quite ready to

take up arms yet. But what we have in common is that politics looks like a rigged game. And who willingly stays in a rigged game?

Undermine the trust that the people's government is really theirs and democracy falls.

Underneath the elegant phrase "to form a more perfect union" is the nervous fear that government can be corrupted – especially a government that depends on public trust. Undermine the trust that the people's government

is really theirs and democracy falls. This is no less true today than it was back in 1787. If we do not believe government is working for the people, then none of the other questions facing us today can be addressed. That is why *this* issue must be addressed first.

Nevertheless, Americans have remained a trusting people because every presidential election since Washington has been tested by innuendo and outright manipulation. James Monroe claimed that he lost an early election because he refused to buy votes by giving away whiskey. Thanks the Andrew Jackson, father of the modern Democratic party, a half century of federal elections were essentially funded by federal employees who gave kickbacks from their paychecks. As outsiders, the rising Republican Party finally banned federal employee politicking but instead went to corporations and demanded essentially protection money, threatening harmful legislation if their demands were not met. Later, after the first successful efforts to put a wall between business interests and government interests, they simply asked owners and investors to give privately.

In other words, our current corporate and special interest-dominated political funding system is just the latest chapter of a long sordid story. Laws have come and gone, but the golden rule – that is, ‘whoever has the gold makes the rules’ – is still in effect. We decry the decline of civility and statesmanship but civility and statesmanship never existed in the first place. Both are notions as delusional as the fabled “good old days.”

“...how we can hold such lofty ideals while accepting such base realities.”

But I am not writing either to praise or to bury American government. My interest is in asking how we can hold such lofty ideals while accepting such base realities. We bemoan the length and cost of

campaigns and yet praise the electoral process as essential to democracy. We decry manipulative political ads and the failure of the media to scrutinize honestly, but at the end of the day barely half of our citizens vote, and even the ones who *do* vote often turn a blind eye to what the elected do with the power we have handed them.

What can I do, though, as someone who has no expertise in politics or history? Preachers look for the foundation – the basis on which one lives. When someone says one thing and does another it means there is some confusion about that basis. Either he is hypocritical and does not really believe what they say, or she is ignorant and does not really know what she believes. As someone of faith, I'd like to hope that people are simply ignorant.

Freedom is what we say the nation is about. But freedom has many meanings, a truth which plays out most notably in the conflation of freedom as both a political and economic word.

Political freedom means every citizen is equal to every other, because this is what keeps us free from tyranny. "One man one vote," was the phrase 50 years ago – referring to the subjugation of African Americans by laws that gave whites more power. Whenever one group has more power by law, those with less will be oppressed. Political freedom resides in the joint and equal ownership of the state by its citizens.

Economic freedom depends on inequality. We call it competition or free enterprise, but the essence is every person is independent of every other, free to take risks and enjoy the success or failure therefrom. Necessarily, this means some will be richer and some will be poorer; some will obtain more and some will get less.

Two different systems, each called freedom – and herein lies the problem. These systems are different, even antagonistic. The freedom of one is a threat to the freedom of the other. Political freedom needs equality to survive, while economic freedom dies if everyone is forced to be equal. And political freedom perishes if those with more money have more power.

This reality is most intensely visible during campaigns when the need to win votes requires vast sums of money – the source of which is, of course, wealthy people. In order to gain popular power, a candidate must be in debt to economic power.

We confuse the forum with the market. For the last generation neo-conservatism (a modern form of classical liberalism, ironically) has said that there is no difference between the political forum and the economic market. The rules of the latter are those of the former. To limit campaign finance is to stifle the freedom of those who wish to advance their ideas, and to require equal time for dissenting views is to inhibit market forces.

I disagree. We have two sorts of freedom, and like our bicameral government, they need to exist side by side in order to keep in check the excesses of the other. Right now, free market thinking is so strong that it amounts to a sort of theology, meaning that to disagree is to be a heretic, not just a dissident. What we need to answer this orthodoxy is more equality, more transparency, more accountability – all of which are the part of what we need to find the common cause and mutual trust that is the goal of “a more perfect union.”

For example, we need to reform our electoral process to one of regional and rotating primaries, proportional winnings not winner take all, and

“Democracy depends on everyone having a turn to speak.”

limited egalitarian media access. Democracy depends on everyone having a turn to speak. To favor some over others because they are earlier, bigger, or richer makes some appear to be more equal than others.

To prevent such an outcome, transparency is necessary. The income tax returns of all office holders, for example, should be open to public scrutiny, because the people need to believe with sincerity that their officials work for them alone. Major donors should be listed on advertisements so that we know who is buying and what it is that the office holders are selling. Shows have sponsors – why not candidates? If it is inevitable that strings will be pulled, then at least *show* the strings.

“To form a more perfect union,” first meant a union of the several states. Today it means a more perfect union of people with government, and government with its Constitutional purposes. Trust is the gravity that holds them both. The people must trust that their government is really of them, by them and for them. The government must trust that the purposes it serves are more important than the power and privilege it exercises in serving.

Honesty and trust are about integrity, which brings about unity. Look for honesty and integrity in the candidates you see. Look for it in the vote you cast. In the end, our government truly does reflect the trust we have in ourselves and in the principles that make us a nation.

Chapter 2 Rules Rule

“Moses came and told the people all the words of the Lord and all the ordinances; and all the people answered with one voice, and said, ‘All the words that the Lord has spoken we will do.’ And Moses wrote down all the words of the Lord. He rose early in the morning, and built an altar at the foot of the mountain, and set up twelve pillars, corresponding to the twelve tribes of Israel. He sent young men of the people of Israel, who offered burnt-offerings and sacrificed oxen as offerings of well-being to the Lord. Moses took half of the blood and put it in basins, and half of the blood he dashed against the altar. Then he took the book of the covenant, and read it in the hearing of the people; and they said, ‘All that the Lord has spoken we will do, and we will be obedient.’ ”

– Exodus 2

“In the government of this commonwealth, the legislative department shall never exercise the executive and judicial powers or either of them: the executive shall never exercise the legislative and judicial powers, or either of them: the judicial shall never exercise the legislative and executive powers, or either of them: to the end it may be a government of laws and not of men.”

From the Massachusetts Constitution, art. XXX (1780).

(Drafted by John Adams)

Back in my previous church, the police captain would come to our clergy meeting once a year. We were an interfaith group, defined by geography rather than theology, and that meant we were all in the same precinct. One of our members – an African American colleague – held an annual

service to honor the local police force. We were on good terms.

During one particular meeting, I asked a bold but honest question:

“Captain, why is it that so often I see patrol cars running red lights?”

“Well,” the captain replied, “officers need to be able to see all parts of the intersection, and so they might roll into a clear intersection before the light turns green.”

“Captain,” I said. “Even if that’s true, it still looks like they are too important to follow the rules. And when the police do not observe the law, that sends a mixed message, don’t you think? Nor does that explain why I often see their patrol cars double-parked outside the bagel store.”

“Establish justice.” What does this phrase mean? We have tolerated vast injustices in the course of our nation’s history – notably African slavery, which was written into the Constitution itself. Unwritten, but just as firm, was withholding the franchise from women. Redressing these injustices required amendments to the Constitution itself. And even now we are wrestling with the rights of immigrants, gay and lesbian citizens, privacy rights, religious freedom, and much, much more. As simple a concept as “justice” seems to be, making it *happen* is anything but.

One theory – that of the late John Rawls – is contained in his famous (and famously difficult) book, *Justice as Fairness*. His notion was that a just society would be one where everyone felt they were treated fairly. This would require a system where everyone could expect to enjoy comparable – not identical – liberties and opportunities similar

enough for each person to trust the system itself.

In Chapter 1, I spoke of trust as being the essential ingredient in a free society. Establishing justice means creating rules – i.e. laws – that protect the people and enable their trust. The first rule of such laws? The rule of law itself.

“For much of human history, rulers and law were synonymous,” says the U.S. Department of State in its Web site. *“Law was simply the will of the ruler. A first step away from such tyranny was the notion of rule by law... that even the ruler is under the law.”*

This idea is quite old, with roots in Plato and Aristotle and even Thomas Aquinas. The Magna Carta is evidence that people in the 13th Century believed there were principles higher than the will of the King.

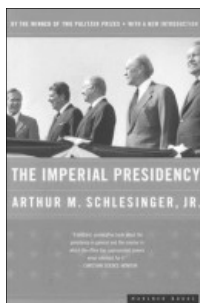
“Democracies went further by establishing the rule of law,” the State Department continues. *“Rule of law means that no individual, President or private citizen, stands above law.... Law should express the will of the people, not the whims of kings, dictators, military officials, religious leaders or self-appointed political parties.”*

There is more, but I will stop here ... because rule of law is what need to be reclaimed these days. This past year, Charles Savage, reporter for the Boston Globe, won a Pulitzer Prize for articles detailing the current administration's use of power in the wake of September 11, 2001. In his book titled *Takeover*, Savage details how “a perfect storm of political pressures” combined to bring a nascent idea into full bloom ... an idea long nurtured by Vice President Dick Cheney, who, since at least 1987, had argued that Congress should have no authority to limit Presidential power as to do so



affects national security, which in modern times requires the utmost speed, secrecy and decisiveness to be able to respond to global crises.

Lest we think this is a new development, let me remind you of the following historical landmarks: the Louisiana Purchase, the Emancipation Proclamation, the Panamanian Revolution and the Korean War—four major events in American history, all of them “illegal.” Congress, the Constitutional seat of law, did not authorize Jefferson to buy Louisiana, Lincoln to free the slaves, Roosevelt to assist the Panamanian Revolution, or Truman to send troops to Korea. Later laws recognized these acts, but when they occurred, they were illegal. Almost as soon as the Constitution was constituted,



its limits were apparent, and one of those limits was vesting foreign policy in the executive. In granting the President responsibility for military and external relations, the Constitution opened a door to the arrogation of power, toward what Arthur Schlesinger called “The Imperial Presidency.”

Schlesinger’s book of the same name, written following the fall of Richard Nixon, intended to show that even Nixon’s actions were not unprecedented. Both Lincoln and Roosevelt declared national states of emergency, both in response to military threats, which gave them vast powers to manage the economy, impose martial law, control communications and transportation, and more. Congress sustained them, and for good reason but at great cost to our country’s future. Savage’s book cites Supreme Court Justice Robert Jackson, who once warned that any claim of executive power, once validated, “lies about like a loaded weapon ready for the hand of any authority that can bring forward a plausible claim of an urgent need ...”

Sooner or later, there will always be another urgent need." Most people know the story of the children of Israel. Yes, the children of Israel – literally the descendants of Jacob called Israel – left Egypt after a series of signs and wonders that revealed the power of God. At the foot of Mount Sinai they heard the Ten Commandments and gave assent. Then, while Moses was on the mountain getting the details (the devil is always in the details isn't it?), the people gave in to idolatry and made the golden calf. God punished Israel by making them wander in the desert until all of those who left Egypt had died. Not even Moses was spared, for when they needed water at Meribah, God said to command the rock to yield water. Moses struck the rock instead, and for this God condemned Moses to die before entering the Promised Land.

The children of Israel were desperate. The terrain was uncertain and full of unknown dangers. They felt an urgent need to do *something*. Moses, meanwhile, was desperate at Meribah, surrounded by thirsty people in a wilderness he did not know. He felt the urgency of the moment. He paid for sacrificing principle to expedience.

Whenever we set aside our most basic of principles – virtue, honor, law – to deal with a matter "urgent", we flirt with tyranny.

We have paid for our own sacrifice, you and me. Whenever we set aside our most basic of principles – virtue, honor, law – to deal with a matter "urgent", we flirt with tyranny. I often endure such flirtations when I am late and waiting for the traffic light to change. Sometimes when my car is the only one at the intersection, I think, *I could just go*. But to do so would be wrong. My tardiness is my own fault, not the law's. What happens, though, when those who *represent* the law ignore it or put themselves above it? *I can run a red light*, a police officer might assure himself. *After all, I am a police officer – who's going to stop me?*

The moment even just one police officer goes from enforcing the law to *being* the law, the rule of law dies and with it, the belief that justice is possible.

The current administration mocks the very idea of the rule of law as it cloaks itself with the appearance of “urgency” and “emergency,” shrouding itself in secrecy while bullying those who question it. It has committed the idolatry of putting itself above the law, boldly signing laws that it does not intend to enforce and ignoring the legitimacy of 1100 pieces of legislation created by Congress. It has dissolved the border between foreign policy and domestic policy by saying that national security justifies unwarranted and unaccountable surveillance, giving itself permission to take any action the President sees fit to take.

He is, for all intents and purposes, an emperor – a title originally applied to Octavius Augustus, which was described his foreign policy powers in ancient Rome, but through which he came to exert complete control over the entire state. The Roman senate could have stopped Augustus, but it didn’t. The American Congress could and still can stop the President. Will it? In all our attention to the Presidential contest in November, are we at risk of overlooking the real guarantor of liberty and justice – that is, Congress. After all, who else stands between the President and the imperial temptations that office cannot escape?

East of Windsor Castle, in a copse of trees off a little meadow split by a simple two-lane road, is a small marker where King John may have signed the Magna Carta. Thousands pass it daily, most of them unaware that their citizen rights were born there. But justice does not reside exclusively at 1600 Pennsylvania Avenue, or even at on Capitol Hill. Justice lives here, on our streets, at our stop

lights, through *our* daily acts of decency and fairness. Shall we not demand as much respect for law in the halls of power as on our common streets?

If so, it is only we who can make it so. It is we who stand at the foot of the mountain, who must pledge allegiance. It is we who must establish justice ... for all.

*It is we who
must
establish
justice ...
for all.*

O Lord, open my lips, and my mouth will declare your praise.

For you have no delight in sacrifice; if I were to give a burnt-offering, you would not be pleased. The sacrifice acceptable to God is a broken spirit; a broken and contrite heart, O God, you will not despise. Do good to Zion in your good pleasure; rebuild the walls of Jerusalem, then you will delight in right sacrifices, in burnt-offerings and whole burnt-offerings; then bulls will be offered on your altar.

– Psalm 51

"... My faith in the Constitution is whole, it is complete, it is total. I am not going to sit here and be an idle spectator to the diminution, the subversion, the destruction of the Constitution." (Watergate Impeachment Hearings, 1974).

"... Just remember, the world is not a playground but a schoolroom. Life is not a holiday but an education."

"... If society today allows wrongs to go unchallenged, the impression is created that those wrongs have the approval of the majority."

"... We only want, we only ask, that when we stand up and talk about one nation under God, liberty, justice for everybody, we only want to be able to look at the flag, put our right hand over our hearts, repeat those words, and know that they are true."

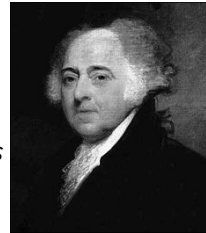
"... What the people want is very simple. They want an America as good as its promise."

- From the late Barbara Jordan, Member of Congress

A friend of my wife's, who is an elementary school teacher, departed from school one afternoon to a store to buy classroom supplies at a nearby store. As she loaded her purchases into the back seat with her purse on the roof, a young miscreant ran up, grabbed the purse and fled down the street. She pursued him down an alley, just like you see on the TV shows, whereupon he brandished a length of pipe to warn her off. Without missing a beat, she narrowed her eyes, pointed her finger at him and said, *"You put that thing down!"*

To her amazement, he did exactly that. My wife calls this "Using the 'teacher finger'."

As a preacher I hate broaching topics like politics. Each week I wonder how many congregants come looking for some scrap from the bread of life and went away instead lugging some cold intellectual stone. Why do it, then? The following words from John Adams are better than my own: *"I must study politics and war, that my sons may have liberty to study mathematics and philosophy. My sons ought to study mathematics and philosophy... commerce, and agriculture, in order to give their children a right to study painting, poetry, music, [and] architecture."*



The world around us, as blessed as it is, is still far from just or wise or good. The unfulfilled promise of liberty and justice for all must be addressed if we are to enjoy the fruits of the spirit. No time is better than now as the nation engages in the quadrennial vote for President. As a nation, we need to ponder at length and in depth the questions of our soul.

"To ensure domestic tranquility" is the third clause in the Preamble to our Constitution – what I

call our national mission statement. When I hear the word ‘tranquility’ I think of a kind of peace that we recognize in those ancient words, *“and each man, under his vine and fig tree shall live in peace and be unafraid.”* The absence of fear is the baseline of tranquility, it would seem. When you live in fear – regardless of the reason—it is the very opposite of tranquility. And the cost of fear is high, not only for you and me in terms of personal spiritual and emotional well-being, but for society as a whole. Think of times when our nation was truly frightened. September 11, 2001, yes, but also eras like the Red Scare of Joseph McCarthy. A free society requires trust, engagement, confidence. Fear – at least as Franklin Roosevelt understood it – is the enemy of freedom. Ensuring domestic tranquility is essential.

*Fear ...
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freedom.*

On the other hand, complacency – merely sitting beneath that vine and fig tree, whittling and whistling away – is as corrosive as entrenched fear. We need a sense of purpose as well. No wonder then that leaders will use a crisis to build that sense of purpose. But doing so can quickly turn into what is known as “riding the tiger” – that is, something easier to get on than off. Once government stokes the engine of fear to galvanize purpose, it must also contend with the byproducts of that fear.

Judging by the actions of our government since the terrible attacks of September 11, I believe we are more frightened than determined. Our leaders are telling us that their sense of domestic tranquility is uncertain. Their fear –whether of terrorism itself or of the political costs of appearing to be “soft” on terrorism – caused them to *sacrifice the rule of law.*

Psychologist Abraham Maslow is famous for his theory of the hierarchy of needs, which states that

one's spiritual needs cannot be met if physical, social and material needs go begging. In the case of an entire nation, lofty abstract principles of freedom and justice cannot prevail when basic principles such as safety and security are uncertain.

But is this what is truly happening in America? Does terrorism threaten our existence as a nation? Think back to the Cold War, when the Soviet Union armed itself against us with obliterating power and deployed its considerable espionage skills. Did we then repeal the rule of law about search and seizure? No, we did not. In fact, during the 1970s, in response to executive excesses of those days, Congress called the President to account, notably expressed in the words of Barbara Jordan, and created systems that are now being gutted by the current Congress.

Let me be clear. Are we in more danger today than we were 30 years ago in 1978, when the Foreign Intelligence Surveillance Act was passed? Of course not. But our government is acting as if we are, and the result is a capitulation of freedom in the name of security. You may well know what Ben Franklin said about that: *"Any society that would give up a little liberty to gain a little security will deserve neither and lose both."* The enemy is fear. We are not so much under threat of terrorism itself as the *fear* of terrorism and the power of fear to strip us of our national soul in the name of protecting our national life. In my opinion, leaders who yield to fear are unworthy of their titles as leaders.

The other way government undermines domestic tranquility is by leveraging issues guaranteed to make people anxious. Consider taxes. What could be more universal (not to mention more annoying) than taxes? Until three years ago I did my own. But in 2005, I had no

choice but to hire an accountant, having to file no less than seven different forms in six separate jurisdictions. Taxes are a sore issue for us on many fronts.

First, As George Washington observed, taxes are always unpleasant and inconvenient. Second, they always seem too high. Third, they are truly Byzantine. And lastly, they have been a key issue in politics for the last quarter century. Anyone claiming to be conservative must “take the pledge”, as was articulated by George H. W. Bush during his infamous ‘No new taxes’ speech. The assumption is that taxes are bad, but I am here to question that assumption. No doubt, *paying* them feels bad. The tax system is unquestionably confusing, and preparing taxes is arduous. Government is relentless in collecting them, which is also unpleasant. But I question the assumption that paying taxes *at all* is bad. Sheer away the technical arguments and you will find that the underlying assumption of conservative politicians in general is the wickedness of taxation itself. This, I contend, is wrong.

What has this to do with domestic tranquility? Taxes are, as Justice Holmes once said, “the price we pay for civilization.” In a free and democratic nation, taxes are required of everyone. In a nation that says all people are created equal, the responsibilities for government must then be shared as equally as possible. Not only shared benefits but shared burdens are essential to the sense of common purpose we need for domestic tranquility. As part of our political system, taxes must be imposed fairly and equitably to be regarded as fair, which is essential to national unity.



The famous British Tory Prime Minister, Benjamin Disraeli, observed that when

the general community is taxed to the benefit of a particular class, "it is plunder." The unfairness of taxes was behind the War of Independence and Shay's Rebellion, which prompted the Constitution. And later the Whiskey Rebellion was about unfair taxes, which Washington led as General and Commander-in-Chief (the only time a President has led a military expedition, by the way).

When the state taxes citizens inequitably it divides the nation and in so dividing, weakens it. Who would support a government that plays favorites, after all? This idea of "fairness" is nothing fancy. We all acquire a sense of fairness as kindergarteners when we learn to take turns, raise our hands, share our toys, etc. Looking at our current tax policy through the lens of a kindergarten classroom, then, we might be tempted to ask everyone to pay the same amount or portion because no one person or group should be excused or burdened. But people differ vastly from one another, so what can we do to make sure some people do not become, as George Orwell penned it, "more equal than others?"

Think of a horserace. Some horses carry extra weight to make sure none have an undue advantage as that is the only way to ensure a fair race. This seems to me the basis for making laws in general and taxes in particular. You'll recall our two kinds of freedom in America: political and economic. Both are needed, but they differ, and confusion between the two is where many of our problems come from. Regarding taxes, we believe we should reward people who work hard and succeed by not making taxes too high. That's the **economic** freedom principle. **Politically**, however, we need all taxpayers to believe they are sharing the load equitably or some will sense favoritism, which means we are not democratic but aristocratic, where some are entitled to more power

and wealth. The progressive tax principle straddles these conflicting principles.

Current policy assumes economic freedom is equivalent to political freedom as I said earlier, a form of that old saw, *'What's good for General Motors is good for the USA.'* In other words, lower is always better, right? But just as propping up GM did not save the company itself or serve the nation, so serving wealth by favoring it with lower taxes will not help the nation's unity – unity which is essential to domestic tranquility. We need tax reform, but not in the direction we currently face. Fortunately, two pundits – one on the left and one on the right – both had the same idea recently and when that happens, I pay attention.

Robert Reich and David Brooks both believe we need to raise taxes on the highest incomes and use that money to expand the Earned Income Tax Credit, which ensures that working low-income people do not fall into poverty. They also believe the law needs to index the alternative minimum tax, which was created to make sure wealth did not slip by unnoticed but now affects middle-income people more because it was never indexed for inflation.

A fair tax system does is not a flat tax or a punitive tax, nor one that forgives even modest earners from paying or expects the wealthy to do it all. A fair tax system prevents wild extremes of wealth and poverty, which by their nature tear the fabric of a free and democratic society. Our periods of greatest long-term growth have been in times when the gaps among upper-, middle- and lower-income people were much smaller than they are now. And our times of greatest weakness have been when the extremes became untenable; and preludes to recession and depression. A free and democratic society cannot tolerate unlimited

extremes of wealth any more than it can tolerate unlimited extremes of behavior.

Consider this little observed fact: Organized crime is a business. We make it a crime but they are in it for the money. A completely free economy would accept such businesses as the price of economic freedom. But we consider organized crime to be a threat to society even though it is a business. Why? Because the way they do business being instability to society by way of killings and other violence that undermines the fabric of society itself.

If the famous Laffer Curve of supply side economics says that as taxes approach 100 percent, economic activity dwindles to zero, so the 'Wooden Curve' of demand side politics says that as taxes approach zero percent, political unity dwindles to zero. Unless all have a stake – an equitable stake –there is no nation at all. Insuring Domestic Tranquility means playing fair, and "playing fair" boils down to taking turns and raising hands and all that other stuff we learned so long ago as kindergarten students.

"Just remember," Barbara Jordan once said, "the world is not a playground but a schoolroom. Life is not a holiday but an education."

Maybe we ought to elect a few kindergarten teachers to office sometime soon. We clearly need a refresher course.



Chapter 4 The Making of War

*My soul clings to the dust; revive me according
to your word.
When I told of my ways, you answered me; teach
me your statutes.
Make me understand the way of your precepts, and
I will meditate on your wondrous works.
My soul melts away for sorrow; strengthen me
according to your word.
Put false ways far from me; and graciously teach
me your law.
I have chosen the way of faithfulness; I set your
ordinances before me.
I cling to your decrees, O LORD; let me not be put
to shame.
I run the way of your commandments, for you
enlarge my understanding.*

- Psalm 119: vs. 25-32

*... Why should men love the Church? Why
should they love her laws?*

*She tells them of Life and Death, and of all that
they would forget.*

*She is tender where they would be hard, and hard
where they would be soft.*

*She tells them of Evil and Sin, and other unpleasant
facts.*

They constantly try to escape

From the darkness outside and within

*By dreaming of systems so perfect that no one will
need to be good....*

- From 'Choruses From The Rock' By T.S. Eliot

This year I have conducted videotaped interviews of the oldest members of my church in order that their stories can become part of our larger story. One of the most memorable was with a gentleman who had served in World War II as so many of his generation did. He had come ashore at Normandy on the second day. When I asked him what the experience had been like, he paused for some time, clearly collecting himself as the memories flooded back.

“You know that movie, *Saving Private Ryan?*” he finally said.

“Yes,” I replied.

“It was like that.” That was all he could say.

This one should be easy – **“provide for the common defense.”** We are currently engaged in two difficult and divisive wars. Each began on shaky ground, particularly the war in Iraq. Proving that the reasons for and subsequent carrying-out of these wars were far from what our Founders would have ever wanted was obvious, I thought. And yet, as I researched how these two wars began, a quite unexpected and troubling truth emerged.

Both the war in Afghanistan and the war in Iraq meet the Constitutional and legal test for legitimacy. Using the criteria of ‘Just War Theory’ – which says a war may be justified if enacted by legitimate authority, for a just case, with right intent – both of our current wars qualify in terms of that process. The Constitution gives Congress the power to declare war, which they defined through the War Powers Act of 1973 in response to Presidential overstepping in Vietnam. Our President followed the rules of that law. In addition, there was support from NATO, whose treaty is binding on the nations enrolled, and from

the U.N. I delved into each of those actions, including a suit filed by members of the armed forces (*Doe vs. Bush*) asking the federal court to enjoin the invasion of Iraq because it violated the Constitution. The court refused for reasons that made far too much sense.

And yet I believe both wars, particularly the war in Iraq, are horribly wrong, both in their origins and in their outcomes. But as someone who supports Just War Theory as an idea, this puts me in a bind.

'Dreaming of systems so perfect that no one will need to be good.' T. S. Eliot penned these lines in the 1934, perhaps in sardonic response to the various socialisms growing in that era. But his words are larger than the time in which he wrote them. When I read those lines in the 1970s, I heard an indictment of the liberal's faith in legislation and regulation to right the wrongs of the past. More than a decade later those words came to me again, this time as a caustic comment on the language of political correctness.



Eliot was a conservative, rejecting not only his Unitarian ancestry but his American nationality, to become an ardent high church Anglican and Briton. But that does not mean he was wrong to name the hubris of liberalism. His mistake – indeed conservatism's mistake – was to assume hubris was only a liberal disease.

The problem with the wars in Iraq and Afghanistan is not that they violate laws but that they ignore nature – specifically human nature. Eliot was right. There are no systems that insure we make good decisions. In 1648, following the English Civil War, Parliament tried and executed King Charles for treason – all within the rules and traditions of Parliament. Caesar Augustus unraveled the Republic through its own laws, and

even Adolf Hitler came to power quite legally. History is full of disquieting reminders that one can follow all the rules and still be wrong, even wicked.

Then something occurred to me. The preamble to our Constitution is not law, it is theology. Scholars talk of civil religion, the beliefs we attach to our nation surrounding its creation, history, destiny – beliefs which convey values rather than rules. The preamble is about values, and we should think of it as we do the utterances of prophets rather than legal definition. To do so makes it stronger, as the preamble is the meaning of America to which government and the people are accountable. Our laws cannot make us do the right thing. At best, they hinder us from doing the wrong thing long enough to prevent grave errors. To do the right thing means holding out something poetic – dare I say transcendent? – as Isaiah or Jeremiah or the psalmist did:

'My soul clings to the dust; revive me according to your word. My soul melts away for sorrow; strengthen me according to your word. Put false ways far from me... I have chosen the way of faithfulness.'

What a stirring reminder these words are of the task each of us face in confronting the immensity of responsibility. I feel the cadences of ancient voices within me; I feel their words shaping my own:

*I look upon the carnage of these wars and feel
revulsion.
Is this my country, mired and hemmed in?
Why are we fighting? (Spare me the official words,
as they have so often changed.)
Tell me, you who presume to know –
Must a nation be unraveled half a globe away that
I should be safer?
Are we so weak, and they so strong, that even after*

their tyrant is removed we are still in danger?

*I ask for wisdom to sort the wheat and chaff of
experts and pundits.*

*They conjure authority from words that reek of
knowledge yet serve only to puff themselves up
with prestige.*

*Call me back to simple words with deep demands.
Is this in service to the common defense?*

*Draw for me a straight line between the blood of
their children and the safety of my own.*

*Show me that death in their sand protects my lawn,
my city, my life.*



The words of the Preamble are **our** prophet

words, which is why we make children learn them by heart. Do we even bother to do that anymore these days? How can we take things to heart that are not in our hearts? How can we speak with authority when our ears are literally plugged up with noise? Should we not all know as firmly as our own names the words of the preamble, the premise of the Declaration, the Gettysburg

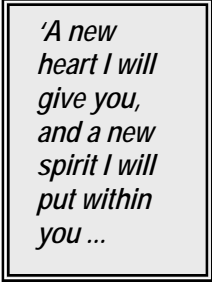
Address, Emma Lazarus' sonnet to the lady in the harbor, King's words spoken from the Lincoln Memorial? Shall not the dreams of Walt Whitman and the laments of Langston Hughes—the words of Anne Bradstreet and Harriet Beecher Stowe and Sojourner Truth and Frederick Douglass and Chief Seattle and Chief Joseph—be as present in our minds as Britney Spears or Mos' Def?

How can we defend our nation when the people do not know what they are defending? . We should commit to memory at least some of the great utterances of America. Learn America by heart. Make it part of you. What our Constitution asks us to defend is not our physical safety. No Constitution needs to say that. So it must be for something more. I cannot tell you for what it is for,

I can tell you for what it is *not*.

It is not the right to Hi Def TV or low mileage cars or high caliber rifles or low interest mortgages. We should not send death into streets filled with women and children to preserve power or wealth, or to gain or retain prestige. Only when the soul of the nation is at stake should we unleash the terrible sword of war; only when the great words of our Constitution are in danger of being obliterated.

By that standard, the war in Afghanistan and the war in Iraq are perverse. But the people do not know this, because they do not know who they are. They have forgotten, if ever they knew. *'A new heart I will give you, and a new spirit I will put within you; and I will remove from your body the heart of stone and give you a heart of flesh. I will put my spirit within you.'*



'A new heart I will give you, and a new spirit I will put within you ...

Thus said Ezekiel centuries ago, when Israel was in exile. America itself is in exile. It is in exile from itself, having sold its heart as the price for promises of comfort and the comforts of power. Now, with an economy running on the fumes of deception and wars legally justified by ultimately false fears; now, living with laws that protect our freedoms by taking them from us, the only thing we may have left to defend is the national soul itself.

Friends, this cannot be done by any but us. Not by Congress, not by the President, not by the courts. None can save the national soul but the people themselves. We must take the Preamble to heart, learn it by heart, speak it from the heart, and defend it with our heartfelt words and deeds. This is as inalienable as life, liberty and the pursuit of happiness. But if we do not know it, we are exiles in our own land.

'I will remove from your body the heart of stone

and give you a heart of flesh,' says the ancient prophet. November is coming. We have but little time to find the beating heart. *'I will put my spirit within you.'*

O may it be so.

Chapter 5 Don't Cough on Me

I was glad when they said to me, 'Let us go to the house of the Lord!'

Our feet are standing within your gates, O Jerusalem.

Jerusalem—built as a city that is bound firmly together. To it the tribes go up, the tribes of the Lord, as was decreed for Israel, to give thanks to the name of the Lord. For there the thrones for judgment were set up, the thrones of the house of David.

Pray for the peace of Jerusalem: 'May they prosper who love you. Peace be within your walls, and security within your towers.'

For the sake of my relatives and friends I will say, 'Peace be within you.'

For the sake of the house of the Lord our God, I will seek your good.

- Psalm 122

"We are no different from those who have gone before us. We in our time must make certain that the genius of the Constitution and of our government shall not perish, that it shall belong to the young and to those who come after us in the same general form that it has been received by us.

"Now, in doing this, Abraham Lincoln said something... of a very profound character. "The legitimate function of government," he said, "is to do for the individuals what they cannot do for themselves..." In this we find the expression of his great heart, his determination that government should be interested in people... in their privileges, in their rights. Everything that went to enrich their

life or to damage that life was a legitimate concern of government, and when necessary, government would directly intervene.

“So that here we have, really, the compound, the overall philosophy of Lincoln: in all those things which deal with people, be liberal, be human. In all those things which deal with the people's money or their economy, or their form of government, be conservative—and don't be afraid to use the word.

- From President Eisenhower, February 5th, 1955

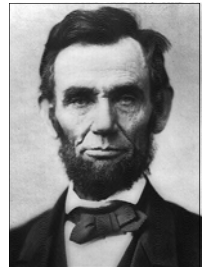
Our third son was born on March 4, 1988, and died six months later, spending every day of his brief life in a Neonatal Intensive Care Unit. During that time, my church was undergoing a financial crisis and wondering whether it could afford to keep me employed. That included health coverage. Talk about being frightened. My son's death was a cruel relief. When the last bills came some weeks after he died we had paid somewhere around \$2,500 overall. But the actual cost – and remember this was 20 years ago – was \$500,000.

Among the six clauses of the Preamble to the Constitution is **“promote the general welfare.”** This is one of the reasons for our form of government and for the nation itself. Clearly, the founders had a more benevolent idea of welfare in mind. Before the 1970s, welfare was as benign as farewell, and similar in meaning – that is, to seek good outcomes. That great Tory, Benjamin Disraeli said, “Power has only one duty – to secure the social welfare of the People.” Lincoln's Secretary of State, William Seward remarked, “The Constitution devotes the national domain to union, to justice, to defense, to welfare and to liberty.”

When did “welfare” become a dirty word? That’s a rhetorical question, because I know the answer. It was during the election of 1980, when Ronald Reagan campaigned on undoing the ‘welfare state’, a calculated term as it evoked the colloquial meaning of welfare, meaning AFDC, or what used to be called ‘relief.’ Ronald Reagan was fond on trotting out the story of the “welfare queen” in her Cadillac – i.e. the woman who had children just to get more money so she would not have to work; an image that subtly evoked our racism, sexism and other prejudices.

Welfare became a dirty word when it became a synonym for black unmarried women with children and unemployed boyfriends even though most recipients of welfare were – and still are – white children under the age of 18.

What has been lost in the transformation of welfare from social good to socialist evil is the principle that there *is* a general welfare, a common good that government has a unique – and dare I say inalienable – role. Dwight Eisenhower no less affirmed this, quoting one of our strongest national leaders, Abraham Lincoln: *“The legitimate function of government is to do for individuals what they cannot do for themselves.”* That seems to me a good description of what the ‘general welfare’ entails.



When I ask people what national issue they feel most strongly about, the most cited is health care. Judging by the presidential campaign, health care is now exceeded only by the impending recession, outranking the two wars we are fighting, climate change and civil liberties.

Of course, this makes perfect sense. Everyone has a very personal stake in health care, after all. If you are sick, or someone close to you is sick, it

defines your life. Those with cancer spend months undergoing treatment, not mention planning for it, recovering from it, and so on. The worst part of aging is undoubtedly the decline in health, from loss of strength and ability to the increase in pain and malaise.

But what role should the government play when it comes to health care? Should it even have a role? Is national health care part of the mandate to “promote the general welfare”? If not, why not? If so, to what extent?

The answer is hard to figure out, judging by the reams of paper devoted to the issue. But the question of whether or not the government has a role to play is not something that can be calculated, because it is a moral question. So let me state that I believe health care is within the mandate “promote the general welfare”, as it clearly falls within Lincoln’s definition: “to do for individuals what they cannot do for themselves.”

None of us can be our own physicians, after all, not even physicians. While we can and should take responsibility for our physical well being, we cannot actually control it nor can we fully address it when we are already ill. But to what extent should the state be involved? That’s the dilemma. With all the attention focused on insurance and expenses, let me approach this issue from a different angle to propose a fresh point of view.

In the Roman forum there is a hole in the *via sacra* (‘Sacred Road’) and a sign indicating that this hole goes down to the *cloaca maxima*, the great sewer. Long ago, this pipe drained what had been a marsh full of mosquitoes and malaria and allowed for a town to grow there, funneling refuse and sewage into the Tiber.

No one person did that. The Roman people did.

That was the beginning of public health. For the most part, public health is about sewers, water filtration, fluoridation, vaccinations and other dull stuff. What you may not know – and what is so important – is that there is a uniformed Public Health Corps in this country, a quasi-military organization, the head of which we call Surgeon General.

Clearly, there is a longstanding role for government in securing the public health. We do not expect individuals to lay their own sewer pipes or test their own water or make sure their medicines are sound or to spray for mosquitoes.

Sure, some of us could do that, but most cannot, and what's more, unless we all have sanitation, water, pure food and drugs, none of us are safe. Thus government has a unique ability and inalienable responsibility to insure that the "commons" we all must share, (air, water, land, food, etc.) are reliably safe and sound.

... government has a unique ability and inalienable responsibility to insure that the "commons" we all must share, ... are reliably safe and sound.

How does this inform the debate around health care? Well, if the government should insure that apples are safe and sound no matter where they are sold, then it should insure that health care is safe and sound no matter where it is sold. If this sounds like limiting the economic liberty of the health care industry, I can assure you it does. We limit the economic freedom of grocers – that's why clean food is more expensive than not. Healthy cattle and clean slaughterhouses are more expensive than sick and dirty ones. But the cost to the nation, both in illness and lives, is greater than the lost profit. We license physicians and lawyers and impose professional limits for the same reason – to ensure reliable quality, because what lawyers and physicians do affects the community at large.

In a sense, the whole business of government is insurance – insuring safety from enemies, safety from crime, safety from injustice. This might sound like an argument for uniform single payer insurance, but it is not. Let us not forget that the federal government is not alone in insuring well-being. International alliances prevent wars and the need for armed action. States and cities pass laws and enforce them locally. Voluntary associations police medical, legal and other professions. It's called **federalism**, the theory that a nation is a covenant between several parties – individual citizens, voluntary associations like churches and businesses, towns, cities, counties, states and the nation at large. We disperse power because, as Lord Acton said, power tends to corrupt. Hence our checks and balances in the Constitution itself. Any health care system that subverted this would fail. But that does not mean we cannot do better. And while I am no expert at all, here are some ideas our country's leaders may want to consider it comes to national health care:

1. Make vaccinations and routine, non-emergency medical and dental care universal and without fee. Prevention would save billions, and everyone needs to see physicians and dentists. Make the triage level free. This should include prenatal care.
2. Provide full coverage for children to age 18. Few children really need much in the way of health care, so the cost on a national scale would be small, and no child should have to get sicker simply because his or her parents are unable to pay.
3. Provide basic coverage for adult needs such as urgent care and common tests and treatments, paid by an income-based tax just as we do Medicare now. This should include catastrophic

level coverage set high, leaving a large area between.

4. This area in between is where additional, market-driven insurance options can be added to meet various needs and circumstances, including Medicare, which could be opened to the general public.
5. Create national standards and practices for record-keeping to ensure accuracy and consistency as well as reduce duplication and cost.
6. Pay at least half the cost of health care education such as medical school, and subsidize residencies as well, to make decent salaries and hours possible. In return, every physician, nurse and other licensed health care professional would provide those free examinations and routine care and wellness services, like vaccinations.

In short, make health care, like our government, federal in the sense of having several tiers. In our system of government, basic needs such as sewers and water are provided without fee at all. Routine needs, like a driver's license, cost everyone the same no matter who you are. Those who want to drive a truck or a bus need to pay more. Everyone is in the system, which disperses cost and risk, but you can add what you need or choose not to. Then you simply pay the cost for your choices. We pay for this through standardization, subsidies of education in return for service, using tobacco and alcohol and gun and automobile fees to offset their health risks. By assuming some risks, the government makes private insurers more stable, which, in turn, helps their cost structure.

Not very spiritual concepts compared to the

other chapters, is it? But you might be surprised to learn how much of the Bible is absorbed in just such questions. Perhaps we need to remember that religion is not just learning how to feel good but how to *do* good. Religion is work as well as repose, action as well as contemplation. Any religion that does not help you do this is a sham.



Ancient words may not have the same impact now. *'For the sake of the house of the Lord our God, I will seek your good.'* sounds awfully lofty. Instead, consider these words from Mother Jones, who said, "Pray for the dead and work like hell for the living."

Chapter 6 The Truth Will Set You Free

... and after throwing their cloaks on the colt, they set Jesus on it. As he rode along, people kept spreading their cloaks on the road. As he was now approaching the path down from the Mount of Olives, the whole multitude of the disciples began to praise God joyfully with a loud voice for all the deeds of power that they had seen, saying, 'Blessed is the king who comes in the name of the Lord! Peace in heaven, and glory in the highest heaven!' Some of the Pharisees in the crowd said to him, 'Teacher, order your disciples to stop.' He answered, 'I tell you, if these were silent, the stones would shout out.'

- From Luke 19

'If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be. The functionaries of every government have propensities to command at will the liberty and property of their constituents. There is no safe deposit for these but with the people themselves; nor can they be safe with them without information. Where the press is free, and every man able to read, all is safe.'

- From Thomas Jefferson,
letter to Colonel Charles Yancey, January 6, 1816

Thirty-one years ago I was a student minister in the Boston area. Among the clergy there were several who had been part of my childhood, including one individual whom my mother had supported in a denominational election 10 years prior. He lost that election and was serving a smaller church, and we now happened to

be sharing a room at a clergy gathering in Scituate on the south shore.

It was a lovely inn, and I was sure I was out of my league, surrounded by these 'luminaries' of my childhood, including my roommate. Still, it wasn't long before I began to get the sense that my boyhood image of said luminaries had been somewhat inaccurate – again, this included my roommate. I could not say exactly what prompted this feeling; I only knew that it was there.

Years later I met my roommate again. He had "come out" by that time, and suddenly it became obvious that what had bothered me so many years ago was the fact that he had been hiding, and though I did not know *what* he was hiding at the time, I did know that he *was* hiding something ... if only from himself. The deception was palpable in his manner. It made me uneasy. Now, though, there was no hiding and we could be friends – indeed we did become great friends and looked forward to catching up with each other at annual meetings in the years that followed.

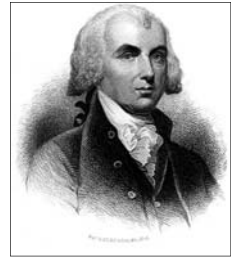
Then came a year when he was not there. AIDS, I learned – he had contracted it during his closeted years. I found myself wondering if he would have become infected had he not had to keep his secret. I found myself wondering how many like him had died because they could not bear to tell their truth.

Palm Sunday is the conclusion of Lent, and thus the end of the Christian season of soul searching. I wrote these chapters during that interval, noting the juxtaposition of a season of personal soul searching just as the nation began its *own* search for new direction. The latter process is far from spiritual. But America is a nation premised on spiritual ideology – life, liberty, the pursuit of

happiness – rather than ethnicity or language or sect. We are a people formed around hopes and dreams; a spirit that took flesh as it were. We need to think about what America means, not just the current heap of issues.

I come now to the last of the clauses in the preamble: **“Secure the blessings of liberty for ourselves and our posterity.”**

Notice that the founders did not say “secure liberty,” but “secure the *blessings* of liberty,” which is not only more poetic but implies gifts greater than freedom itself. Freedom, essential as it is, is not the end but the beginning. One of the first actions our nation’s first Congress undertook (led by the Constitution’s most ardent supporter, James Madison) was to amend the document with what became known as the Bill of Rights. Our founders knew that freedom alone – undefined, inarticulate – was not enough. You might say that this last clause is the ultimate purpose of America – to secure the blessings of liberty. Conservative columnist George F. Will said as much, and I agree –those final words of the iconic pledge of allegiance say it all for me, *liberty and justice for all*.

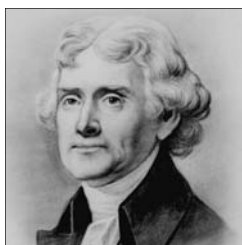


Palm Sunday, like freedom, is also a beginning not an end. The four gospels vary in details but the substance of the action is the same. Jesus arrives in a parody of kingly authority, provokes official anger and fear from religious authorities, has a final meal with his disciples, and is arrested, convicted, and then executed.

What has this to do with the blessings of liberty? Well, right after he answers the rebukes of the Pharisees, the story says, “As he came near and saw the city, he wept over it, saying, ‘If you, even you, had only recognized on this day the things that

make for peace! But now they are hidden from your eyes.”

Since September 11, 2001, our government has been ever more hidden from our eyes. Congress held its first secret session in 25 years, closing its doors because the subject was national security and its members wanted utmost privacy to allow for utmost honesty. Now, I know there are details that must be kept confidential, and that not all details are useful to share with all people. But the act of Congress closing its doors only adds to the sense



that those in power wish to make the workings of power less visible. Let us remember the words of Thomas Jefferson:

“If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be. The functionaries of every government have propensities to command at will the liberty and property of their constituents. There is no safe deposit for these but with the people themselves; nor can they be safe with them without information. Where the press is free, and every man able to read, all is safe.”

To which I would add, “And the government open to view.” After all, as U.S. District Judge Damon Keith said, “Democracy dies behind closed doors.”

You know what? Freedom does, too. *“But we are at war,”* they say, which explains why more details need to be kept secret. Well, even if that is true, my own spiritual ancestor – the Unitarian founder William Ellery Channing – observed that in war the first casualty is Truth. What we have going on right now is a false war with real casualties, including that of truth.

"There are weapons of mass destruction in Iraq."

"Our government does not torture."

I believe, with a terribly heavy heart and every longing to be wrong, that this administration, with both the active and passive support of Congress, believes itself to be unaccountable. Its cause is just, they believe, and therefore they are not answerable to the puny likes of you and me. Yes, we vote, but as we are unable to see what is actually going, we have no way to know exactly what it is we are voting on.

My brilliant wife once taught me a lesson about toddlers. You do not ask them if they wish to drink their milk, but if they wish to drink it from the blue cup or the red cup. Our current government treats us similarly, as nettlesome toddlers, allowing us pro forma acts of choice which ultimately amount to no more than choosing between the red cup or the blue cup both of which, you and I know, are false choices.

Freedom consists of making *real* choices. Yet we live in a world awash in false ones. Our government is not alone here, only the biggest purveyor. Consider some of the following choices "we the people" are making these days:

- *American Idol*. More votes are cast in that electoral process than in most presidential elections.
- Cable television. Does it give us more real choices ... or just more ways to watch commercials?
- Speaking of commercials, advertising campaigns devote countless time and money telling us which toothpaste, detergent, cereal, or automobiles we must buy. How much of *your* time and money gets spent pondering such choices?

No wonder we allow government to deceive us.

We are so surrounded by false choices, it seems we wouldn't know a real one if it bit us on the rump.

"... Then he entered the temple and began to drive out those who were selling things there; and he said, 'It is written, "My house shall be a house of prayer"; but you have made it a den of robbers."

This is undoubtedly what prompted the powers that be to arrest Jesus and try him on charges of blasphemy. They rightly understood that Jesus was accusing them of betraying the very religion that was entrusted to them. He had to be silenced.

We don't need to do that now. The truth can be hidden far more easily than before thanks to official secrets, closed courts, closed sessions, national security letters, rendition, executive privilege. But in this media-saturated society, the truth sometimes lies in plain sight. Remember the scene from *E.T.* – the clever alien hiding in the closet, so well camouflaged by a menagerie of adorable toys and colorful diversions? We are, as Neil Postman said "*Amusing Ourselves to Death*," allowing our small personal desires for pleasure and comfort to triumph over the harder, less pleasant, less comfortable matters called duty, honor, virtue, responsibility.

*It's time to
grow up,
America.*

In a word, adulthood. It's time to grow up, America. And that means learning the truth about ourselves, our government, our world. No, it's not pretty or pleasant. No, it is not entertaining. And there is no one source that can be trusted. You have to think for yourself; analyze, question, compare for yourself.

The good news is these choices are *real*, and those who are free make real choices. As Jefferson reminded us, only the people can protect their freedom. We must speak truth to power, demand

truth from power, call power to account. The halls of power have become havens for the robber barons of this age. They pillage not only our money, but our rights and our freedoms. They enforce the law of 'might makes right'. It is time to clean the temples of power, to make it a place for *all* the people. But beware, for those who say so out loud may find they go from being honored with palms to pelted with stones.

Believe it or not, they are the lucky ones.

Chapter 7 To Preserve, Protect and Defend

I waited patiently for the Lord; he inclined to me and heard my cry. He drew me up from the desolate pit, out of the miry bog, and set my feet upon a rock, making my steps secure. He put a new song in my mouth, a song of praise to our God. Many will see and fear, and put their trust in the Lord. Happy are those who make the Lord their trust, who do not turn to the proud, to those who go astray after false gods.

- Psalm 40, 1-5

"Anybody who wants the Presidency so much that he'll spend two years organizing and campaigning for it, is not to be trusted with the office."

- From David Broder, Columnist

January 20, 1961, was a cold day, even for Washington D.C. But how often does one get to see the inauguration of a President? So we all piled into our gray, four-door Willys – the one with the chrome grille that was supposed to look like an airplane – and headed for the parade route.

The firm where Dad worked was housed in a tall building right on Pennsylvania Avenue and offered a good view of the city. He shepherded us up to his tenth-floor office so we could stand at the window and watch history unfold before our eyes. Of course, for my brother and I, the parade in and of itself was unspectacular. Parades in this city were certainly nothing new, after all. Not when you're a D.C. kid.

Dad's office machines, on the other hand, were irresistible – particularly the giant calculators with their rows of buttons begging to be pushed to magically produce grand sums and totals. Somewhere in the midst of spilling juice, jamming the machines and being sort of bored by it all, we were called to the window, my brother and I, so we could see the new President and First Lady. My folks were both Democrats, so there was a feeling of joy in the air, and we all cheered to see them as they slowly passed. Even from the tenth floor I could recognize them – John F. and Jacqueline O. Kennedy – though it was hard to see very clearly, especially through the bubble-top protector encasing the top of the convertible in which they rode.

Apparently, the President and his wife did not like the way the protector obstructed their view, either ... which is why, despite the chill morning air, they did not use it in Dallas nearly three years later, on November 22, 1963.

Every four years a President takes office. After taking the path, this person will deliver an address that will proclaim his or her vision for the next four years. At the time of writing this essay, we have no idea who that person will be.

Let me correct that. We have some idea. We know that either the Democratic or Republican party will win. Whoever wins will couch their language in grand phrases, but it will be a party platform of some kind. And if you are like me, this fact will cast a pall of resignation over your hopes. As Mario Cuomo once said, 'you campaign in poetry and govern in prose'. And government prose is about as appalling as it gets. Face it – *both* sides have too large a stake in the status quo to go much beyond a slight turn or a modest change in speed.

The President we truly want will not be taking the oath on January 20, 2009, and the speech we want to hear will not be given.

That does not mean the speech must go unspoken though? We sense what matters most to our nation is not "this program" or "that policy", but a much deeper set of principles – a set of principles which, if we could only grasp, would point like the needle of a compass toward the pole star of our national soul.

This, then, is the speech I want to hear from the mouth of a new President. This is the speech which I believe lies at the heart of our nation, beyond parties and platforms and programs and policies. This is the speech which encompasses all of my hopes and perhaps yours as well:

"Every four years the American people exert their national power and give to one person the impossible task of guiding our nation through the future's uncharted seas. I say 'impossible' because no nation can be led by one person. A President presides but does not rule. Congress, whose very name means deliberation, is likewise selected by the people and shares with the executive the task of leadership. The Supreme Court reminds us that elected power is momentary and that we who enjoy it will be judged not just by those who elected us but by history and posterity. The President, therefore, is not alone in duty or in power or in wisdom. And it would be the greatest folly to preside by diminishing the blessings of these estates, as doing so would weaken both President and nation.

"Thus, the first and foremost measure of a President should be the strengthening of every gift our Constitution supplies. This more than any

platform is what it means to be President. Should an incumbent accomplish everything promised in seeking election yet subvert the Constitution, that incumbent has failed.

“But the converse it not true – to merely preserve, protect, and defend will not do us any good either. After all, our Constitution has grown and changed with time. Slavery has ended. Women have been enfranchised. As time revealed new wisdom about the exercise of freedom, we changed our Constitution, and we will do so again. The President must preserve not just the letter but the spirit that gives it life; protect not only the law but the people it serves; defend not only the institutions of government but their purpose. These rules do not reside in the effective clauses but in that part of our Constitution called the preamble, which in majestic simplicity says why we exist.

“The preamble, which is nothing less than our national purpose, is what is entrusted to the President to remind the nation of itself, for leadership is invoking what the greatest occupant of this office called “the better angels of our nature.”

“Let me now recall those angels, those guardians of the national soul:

‘We, the people, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty, do ordain and establish this Constitution.’

“A President’s first duty is to the people. Not only to their personal wellbeing regardless of party or power or any accident of birth but to their sovereignty as the grantors of national power itself. The President does this by ensuring the comprehensive pursuit of those other phrases, but it is essential to note that it is for the benefit of the

people that these are done, not for the benefit of the states, the Congress, the courts, or the many interests who crowd the corridors of power.

“When this nation was born, ‘the union’ referred to the several states in existence at the time. Today, those states are less sovereign than before, and wisely so. “A more perfect union’ has come to mean that no citizen should suffer loss of freedom or dignity by crossing a state line. Today, the President is obliged to preserve, protect and defend the citizens as moral equals to the powers and principalities that daily would reduce them to the servitudes of a new century. Neither government nor business, nor citizen nor criminal, can claim exception in this regard.

“Today, the private sector says it should be free of undue regulation that stifles innovation and enterprise lest it die. And so it should, but not if that liberty threatens the life and liberty of citizens whom it employs, to whom it sells and in the midst of whom it lives. Likewise, government itself cannot justify denying the people their liberties in the name of protecting the same.

“That is why the next phrase is ‘establish justice’ – for what is justice if not the sure and equal application of the law to all under its judgment. None shall be advantaged and none disadvantaged under the watch of the President. If corporations are persons in the legal sense, they stand but equal to, not taller than, their fellow citizens. Though the realities of politics make temptation very real, the President cannot serve the people and the moneyed interests any more than the fabled man can serve two masters, God and Mammon. The central test of this or any Presidency will be that it is the paragon of this principle and may not enforce upon others what it will not obey itself. The presidency is not for sale,

either for a price or a partisan principle. Even the mere appearance of such mocks and perverts justice.

“Without doubt there will be times when the laws themselves are contrary to the spirit they represent. Great Americans have given of their lives to destroy laws made in defiance of the great commission of the preamble. The President will from time to time have to protest such laws, as they will arise again. But as custodian of the great commission, the President must live up to its charge while exercising it, for to violate it is to commit rank betrayal.

“In the exercise of justice we have the basis for ‘domestic tranquility.’ But the fullness of tranquility is peace between people and communities. While the law may and must address struggles, it must not itself become a struggle. That great jurist, Louis Brandeis, observed that among the liberties acknowledged by the Constitution is the right to be let alone. Does not the ancient prophet hold out hope that each should “dwell beneath a vine and fig tree and live and peace be unafraid?” This is domestic tranquility, and the President should guard against the encroachments of law and the state as vigorously as provide for their exercise. To the President goes the authority to say ‘veto’ – i.e., ‘*I forbid*’. The nation expects the President to oppose laws that diminish, disenfranchise and disadvantage any citizen or groups of citizens for the advantage or the convenience of others.

Today, for example, we have fervent citizens who believe the Constitution favors a particular religion, though there is no doubt that such favor was never intended. Some would enact laws or amendments that define families by favoring some and punishing others. These modern miscegenation laws have no place in our Constitution and no

President can support them without betraying the oath. It is clear that the right to be let alone serves to prevent the state from intruding on the most important liberties – namely what we shall believe and how we shall live by those beliefs. Only when such beliefs and actions threaten the essential liberty of others should the law enter in. The President alone, beholden to no faction, can stand against them.

“To ‘provide for the common defense’ is the gravest of duties, for it entails the use of force and is given primarily to the President. However, the causes for which we must regrettably suffer wars are not for the President to decide but for Congress, as the greatest assent is required to undertake the most terrible of enterprises. Thus, no President should, without the gravest penalty, enter into wars without the people’s consent through Congress, and the cause for that war must be that which the Congress decides, and which Congress alone can determine whether or not is met.

“Today, we have heard it said that the world is too fast and complex to wait for Congress. Presidents must act, and act swiftly. In matters of defending our country against invasion and to repel attack, this is true – but only to that end and not beyond. War is always entangling, and even the best executive may step unwisely in haste or passion. The President may lay the case before Congress and the nation, but the people themselves must bear its costs and thus should determine whether to begin and, if to begin, when to end. A wise President will not ask for wars that cannot be defined, defended or completed.

“Thankfully, this grim command is not the only angel that guards our nation. The last two are those which ring of hope. To ‘promote the general welfare’ is a mandate to do good for those we

serve. If insuring domestic tranquility is found chiefly by restraining a government from intrusion, then to “promote the general welfare” commands action that perfects the union of citizens.

“Today the vast difference between wealth and poverty strains the union of the people. A democracy, which insists that every citizen is an equal stakeholder in the nation, is at risk when millions of citizens have so little that they must choose between food and home. At the same time, a very few citizens are so prosperous that their own private means could supply all that the others lack. A nation struggles for common cause when its owners are unable to secure reliable health care without becoming poor. The country cannot be united when its schoolchildren are fed knowledge so unequally that millions starve while others grow fat with privilege. Howbeit elected by those with power and wealth, the President is obliged to advocate for the poor and powerless, for their wellbeing is the test of our general welfare.

“Finally (and most happily), the preamble says we exist to ‘secure the blessings of liberty for ourselves and our posterity.’ Not only liberty, but the blessings thereof; not just for we who are here now but for those who shall follow. The Constitution does not provide clear guidance about what this means, but surely it demands that whatever we do here takes due measure of the gifts we have received from our ancestors and the legacy we will bestow on our descendents.

“Today, we face the daunting challenge of preserving our blessings without eroding those in the future. Diminishing energy supplies, climate change, the global economy – so many forces are pressing down upon us. Can we preserve our land, literally and figuratively, in response? Certainly we must. As all parents wish their children to exceed

them, America wishes its future to be better than its past. But what is it we wish them to have? Power? Prestige? Might?

“Liberty and its blessings are not measured in dollars or acres or quantities of goods. Of course we want our descendents to prosper materially, but this is not our purpose as a nation. Liberty and justice for all is our cause, and the ultimate measure of our government. This is our national task. However many strides we have taken nigh onto two hundred and fifty years, twice as many lie ahead. Ours is not to complete the task of America, just as it was not ours to begin. But if we can advance even just a few steps toward that hope, we shall have done our duty.

“Fellow Citizens of a nation conceived in liberty and equality – tested and tried by struggles and wars, liberty and justice for all is what America is about. Presidents come and go. Leaders rise and fall. Parties battle, politicians wrangle, privilege and power persist, but none of them can obliterate the hope of liberty and justice for all if the people believe in it.

“Therefore, I ask you to take this oath today as well – to solemnly swear that you, too, will faithfully execute the office of citizen and will to the best of your abilities preserve, protect and defend the Constitution; that you will help to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare and secure the blessings of liberty for ourselves and our posterity; that you will join in the impossible task of guaranteeing liberty and justice for all Americans.

If you will not, I cannot succeed. If you agree to, then I cannot fail.”

This is the speech I am waiting for.

W. Frederick Wooden has been the Senior Minister at Fountain Street Church since March of 2005. He has previously served at the Unitarian Universalist Church in Brooklyn, New York, along with UU churches in Texas and Massachusetts. He says that, "Liberal religion has always been a minority voice, but it is an important one as it challenges the status quo of other religious bodies ... and questions the boundaries of thought, word, and deed that exist."

Fred lives in Grand Rapids with his wife, Wendy Ricker Wooden, and two sons.

