Clanking Chains: Supreme Courts' "Selective Incorporation" Hands Lucifer an Inadvertent Advantage: "Cantwell" (1940) & "Everson" (1947)

1- The two cases cited above contain critical statements in the text of their decisions:

> ***Cantwell v. Connecticut*, 310 U.S. 296 (1940):** The fundamental concept of liberty embodied in [the Fourteenth] Amendment embraces the liberties guaranteed by the First Amendment. The First Amendment declares that Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof. The Fourteenth Amendment has rendered the legislatures of the states as incompetent as Congress to enact such laws.
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> http://www2.law.cornell.edu/cgi-bin/foliocgi.exe/historic/query=[jump!3A!27310+u!2Es!2E+303!27]/doc/{@19555}/hit_headings/words=4/hits_only?

20- It should be noted that an individual state had the right to designate a particular Protestant denomination as its official "religion." The federal government was prohibited from making any "denomination" the official "religion" of the United States.

21- By applying the First Amendment's "Congress shall make no law" clause to the states made it impossible for the states to control cults and prohibit the existence of heretical religions.

22- Before *Cantwell*, the individual states could outlaw Islam, Mormonism, Jehovah's Witnesses, Wicca, Hinduism, witchcraft, voodoo, Buddhism, or the Church of Satan. But not after the Court's ruling in *Cantwell v. Connecticut*.

23- The fallacy of *Cantwell v. Connecticut* is made evident by comparing it with the process required for accurate biblical interpretation, referred to by the acrostic, ICE.

24- The *I* refers to isagogics: the books of the Bible must be interpreted within the framework of its historical setting. The Constitution was "ordained and established" by "Unanimous Consent" on September 17, 1787. The intent of the Founders who drafted the Constitution becomes the logical guide for all subsequent Supreme Court interpretations.

Supreme Court decisions were consistent with Original Intent for well over one-hundred years. Further the intent of the Founders was widely published in *The Federalist Papers* by Alexander Hamilton, James Madison, and John Jay.

25- This work has always been widely respected as the most authoritative commentary on the Constitution. Its development is described by Clinton Rossiter in:

> **Hamilton, Alexander, James Madison, and John Jay. *The Federalist Papers*. Introduction by Clinton Rossiter. (New York: New American Library, 1961), viii:**
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> *The Federalist* is essentially a collection of eighty-five letters to the public over the pseudonym Publius [a Latin praenomen possessed by a number of famous Roman figures, e.g., the emperor Hadrian, the general Scipio, and the poet Cato] that appeared at short intervals in the newspapers of New York City beginning on October 27, 1787.
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> These letters were still appearing in late March 1788, when the first thirty-six were issued in a collected edition. Continuous publication was halted with number 77 on April 4, then resumed June 14, and concluded August 16, 1788.

26- The *C* makes reference to categories: the hermeneutical principle of comparing Scripture with Scripture to determine the classification of doctrine. The Constitution may be so analyzed with additional assistance from *The Federalist* and other writings of the Founders and Framers. A good example is the subject of capital punishment which has been assumed by some courts to be unconstitutional.

27- Recent Courts have read into the Eighth Amendment a constitutional prohibition against capital punishment:

> Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

28- Their logic is disproved however by a reading of the Fifth Amendment:

> No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury … nor deprived of life, liberty, or property, without due process of law.

29- The Bill of Rights was written by the same men at the same time and subsequently ratified by the states. To contend that capital punishment is classified by the Eighth Amendment as "cruel and unusual punishment" when the Fifth indicates clearly that with "due process of law" a person may be "deprived of life" is an insult to the intelligence of the Framers.

30- Further, American legal history reveals that capital punishment was practiced without question from the very beginning of the country thus indicating the absence of a constitutional prohibition.

31- The *E* of the acrostic makes reference to exegesis: a word-by-word, verse-by-verse, grammatical, syntactical, etymological, and contextual analysis of Scripture from the original languages of the Bible—Hebrew, Aramaic, and Greek.

32) The Constitution was written by men who understood the King's English and who long debated over the nuances of its wording. The end result is not nebulous. Their intent is clear: the Constitution and the Bill of Rights were instruments devised by the states to place restrains on the power of the federal government.

33) The states created the federal government with the Constitution by which it delegated certain enumerated powers to the new government but reserved all others to the states and to the people.

34) Further, the states created the Bill of Rights by which they prohibited the federal government from infringing upon their freedoms.

35- Although the ICE system does not correlate directly with constitutional interpretation, we can at least get an idea of how manuscripts ought to be evaluated. The job of Supreme Courts is to interpret the Constitution in the light of the time in which it was written, to pull together all its commentary on given issues, and to analyze the text and extra-constitutional documents with an awareness of how the language was used in the late 1700s.

36) To disregard this procedure and then also discount over sixty years of Supreme Court rulings is irresponsible at best and tyrannical at worst. Thus when *Gitlow v. People* in 1925 applied the First Amendment to the states and *Cantwell v. Connecticut* in 1940 applied the First Amendment's "establishment" clause to the states, the stage was set for the total elimination of Christianity from the public life of the American people.

37) It is not a surprise to you for me to assert that Lucifer himself masterminded this turn of events by means of an inversion of thought brought about by Enlightenment thought.

38) When the "establishment" clause was applied to the states Satan held the advantage over Client Nation America. All he needed was a precedent from which to work and he would be able to execute his *coup de grace*. The Supreme Court of 1947 provided it for him in *Everson v. Board of Education of the Township of Ewing*.

Everson v. Board of Education of the Township of Ewing, 330 U.S. 1 (1947): The meaning and scope of the First Amendment, preventing establishment of religion or prohibiting the free exercise thereof, in the light of its history and the evils it was designed forever to suppress, have been several times elaborated by the decisions of this Court prior to the application of the First Amendment to the states by the Fourteenth.[1] The broad meaning given the Amendment by these earlier cases has been accepted by this Court in its decisions concerning an individual's religious freedom[2] rendered since the Fourteenth Amendment was interpreted to make the prohibitions of the First applicable to state action abridging religious freedom. There is every reason to give the same application and broad interpretation to the "establishment of religion" clause.[3] The interrelation of these complementary clauses was well summarized in a statement of the Court of Appeals of South Carolina, quoted with approval by this Court in *Watson v. Jones*, 13 Wall. 679, 730:

The structure of our government has, for the preservation of civil liberty, rescued the temporal institutions from religious interference. On the other hand, it has secured religious liberty from the invasion of the civil authority.

The "establishment of religion" clause of the First Amendment means at least this: neither a state nor the federal government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another.[4] Neither can force nor influence a person to go to or to remain away from church against his will or force him to profess a belief or disbelief in any religion. No person can be punished for entertaining or professing religious beliefs or disbeliefs, for church attendance or non-attendance. No tax in any amount, large or small, can be levied to support any religious activities or institutions,[5] whatever they may be called, or whatever form they may adopt to teach or practice religion. Neither a state nor the federal government can, openly or secretly, participate in the affairs of any religious organizations or groups, and vice versa.[6] In the words of Jefferson, the clause against establishment of religion by law was intended to erect "a wall of separation between church and State." *Reynolds v. United States*, supra, at 164.

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