

The Covenant Foundations of the Republic for the United States of America

Legal–Historical Brief

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Abstract

This legal–historical brief establishes that the Republic for the United States of America was founded and understood by its architects as a covenanted nation under God, morally accountable to Divine Providence, and dependent upon Christianity for civic virtue, liberty, and constitutional durability. Drawing from primary sources spanning the Pilgrim and Puritan covenant tradition, founding-era documents, congressional findings, and national clergy, the record demonstrates a continuous belief that religion—specifically biblical Christianity—was indispensable to self-government.

The evidence shows that early Americans rejected state-controlled religion while affirming that liberty cannot survive without virtue, virtue cannot survive without religion, and religion must therefore be free from coercion yet present in public life. America’s self-understanding as a “city upon a hill” reflects covenant theology, not secular political theory, and situates the nation as morally accountable for obedience or rebellion.

This document concludes that the constitutional system presupposed religious and moral foundations and that abandonment of those foundations invites national decay. The controlling question—whether the Republic can be preserved apart from the covenant that created it—remains decisive for the present generation.

Purpose & Scope

Purpose.

To determine, as a matter of historical record and legal understanding, whether the Republic for the United States of America was founded as a covenanted nation under God, and whether Christianity was regarded as essential to liberty, moral restraint, and constitutional preservation.

Scope.

This brief:

- Examines the Pilgrim and Puritan covenant tradition, including the Mayflower Compact and “city upon a hill” doctrine.
- Traces continuity from colonial covenant theology into founding-era political thought.
- Documents the Founding Fathers’ explicit acknowledgment of Divine Providence.
- Distinguishes republican self-government from pure democracy and its moral prerequisites.
- Analyzes the Declaration of Independence as a covenantal legal appeal to God.
- Clarifies the First Amendment’s role in preventing religious coercion—not removing religion from public life.
- Presents congressional and clerical affirmations of Christianity as foundational to the American system.
- Establishes America’s intended role as a moral light and blessing to other nations.

What this document is not.

It is not a denominational endorsement, an argument for an established church, or a claim of theological uniformity. It is a legal–historical finding regarding founding assumptions.

Foundational Premise

1. **Nations are morally accountable to God.**
The American Republic was understood to stand under Divine Providence, subject to blessing for obedience and judgment for rebellion, consistent with biblical covenant patterns.
 2. **Liberty requires virtue; virtue requires religion.**
Founding-era leaders consistently taught that self-government is impossible without moral restraint, and that moral restraint depends upon religious conviction freely exercised.
 3. **Covenant theology shaped American identity.**
America’s self-conception as a “city upon a hill” reflects an inherited covenant worldview that treats national conduct as publicly accountable before God.
 4. **Religion was to be free, not absent.**
The founders rejected state-controlled religion while affirming the necessity of religious influence in public life to sustain law, oaths, justice, and civic trust.
 5. **Constitutional durability presupposes moral foundations.**
The constitutional system was designed for a moral and religious people; absent those foundations, its mechanisms are inadequate.
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LEGAL–HISTORICAL BRIEF

I. QUESTION PRESENTED

Whether the historical record demonstrates that the Republic for the United States of America was founded and understood by its architects as a covenanted nation under God, dependent upon Christian morality, and intended to serve as a moral example (“city upon a hill”) and blessing to other nations, such that religion—specifically Christianity—was regarded as indispensable to the operation and preservation of the constitutional system.

II. SHORT ANSWER

Yes. The historical record overwhelmingly demonstrates that the Pilgrims, Puritans, Founding Fathers, early Congresses, and national clergy understood the American Republic to be founded under Divine Providence, dependent upon religion and morality, and accountable to God for national blessing or judgment. While rejecting an established national church, they affirmatively held that liberty cannot survive without virtue, virtue cannot survive without religion, and religion must be free from state coercion but present in public life.

III. HISTORICAL BACKGROUND: THE PILGRIM AND PURITAN COVENANT TRADITION

A. Escape from European Religious Tyranny

The Pilgrims and Puritans fled Europe not to escape Christianity, but to escape state-controlled religion and ecclesiastical tyranny. Their objective was the free exercise of biblical Christianity governed by conscience and Scripture rather than monarchy or papal authority.

The Mayflower Compact (1620) expressly states that the colony was undertaken:

“For the Glory of God, and Advancement of the Christian Faith.”

This language reflects covenant theology, not secular political theory.

B. “City Upon a Hill” Doctrine

In 1630, Puritan leader John Winthrop articulated what became the dominant American self-understanding:

“We shall be as a city upon a hill. The eyes of all people are upon us.”

Winthrop further warned that disobedience to God would bring public judgment, echoing Deuteronomy’s covenant blessings and curses. This concept did not disappear—it migrated directly into colonial preaching, revolutionary rhetoric, and national identity.

IV. CONTINUITY INTO FOUNDING-ERA THOUGHT

A. America Compared to Ancient Israel

Colonial and early national clergy routinely compared America to ancient Israel, not racially but covenantally.

Jonathan Edwards, during the Great Awakening, warned that America—like Israel—stood under divine scrutiny:

“The vengeance of God is threatened on wicked unbelieving Israelites, who were God’s visible people... notwithstanding all God’s wonderful works towards them.”

V. THE FOUNDING FATHERS’ ACKNOWLEDGMENT OF DIVINE PROVIDENCE

A. George Washington

In his First Inaugural Address (1789), Washington declared:

“No people can be bound to acknowledge and adore the Invisible Hand which conducts the affairs of men more than the people of the United States.”

In his Farewell Address (1796), he warned:

“Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports.”

He further cautioned that factions would enable “cunning, ambitious, and unprincipled men” to subvert the power of the people.

B. John Adams

“Our Constitution was made only for a moral and religious People. It is wholly inadequate to the government of any other.”

C. Benjamin Franklin

“God governs in the affairs of men. And if a sparrow cannot fall without His notice, is it probable that an empire can rise without His aid?”

Franklin formally proposed daily prayer at the Constitutional Convention.

VI. REPUBLIC VS. DEMOCRACY

When asked what form of government had been created, Franklin replied:

“A Republic, if you can keep it.”

A republic presupposes self-restraint, moral virtue, and rule of law—not raw majority power.

VII. THE DECLARATION OF INDEPENDENCE AS COVENANTAL DOCUMENT

The Declaration of Independence repeatedly appeals to God:

- “Laws of Nature and of Nature’s God”
- “Endowed by their Creator”
- “Appealing to the Supreme Judge of the world”
- “Firm reliance on the protection of Divine Providence”

These are legal invocations of transcendent authority, not ceremonial language.

VIII. THE CONSTITUTION, BILL OF RIGHTS, AND RELIGION

The First Amendment did not expel religion from government; it prevented government control of religion.

James Madison wrote:

“The Religion of every man must be left to the conviction and conscience of every man.”

Thomas Jefferson’s “wall of separation” metaphor was intended to protect the church from the state—not to impose secularism upon public life.

IX. CONGRESSIONAL AFFIRMATION OF CHRISTIAN FOUNDATIONS

In May 1854, the U.S. House Judiciary Committee declared:

“The great, vital, and conservative element in our system is the belief of our people in the pure doctrines and divine truths of the Gospel of Jesus Christ.”

X. CLERGY AND POLITICAL DUTY

Charles G. Finney wrote:

“The Church must take right ground in regard to politics... Politics are a part of religion in such a country as this.”

“God will bless or curse this nation according to the course Christians take in politics.”

XI. AMERICA AS LIGHT AND BLESSING TO THE NATIONS

Founding-era Americans believed they were blessed to be a blessing.

Isaiah 60 declares:

“Arise, shine; for thy light is come... and the nations shall come to thy light.”

XII. Summary & Conclusion

The historical record establishes that the Republic for the United States of America was founded as a covenanted nation, morally accountable to God, dependent upon Christianity for civic virtue, and intended to serve as a moral example and blessing to other nations. From the Mayflower Compact through founding-era declarations, congressional findings, and national preaching, Americans consistently understood their national standing to be contingent upon obedience to God rather than mere institutional design.

The Founders did not believe liberty could survive apart from religion and morality, nor that constitutional structure alone could restrain human ambition and corruption. They rejected an established national church while affirming that faith must remain present in public life to sustain justice, oaths, and self-government. The Declaration of Independence’s appeals to God function as legal invocations of transcendent authority, not ceremonial language.

This brief concludes that abandonment of the covenantal foundations that created the Republic invites national decay, while preservation depends upon continued moral and religious accountability. The controlling question remains unchanged and unresolved by time: **Can the Republic be kept without the covenant that created it?**

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