

THE CHRISTIAN FOUNDATIONS OF THE IDAHO CONSTITUTION

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Conservatives rightly cherish our Federal Constitution. As President John Adams explained, “The general principles on which the [founding] fathers achieved independence were . . . the general principles of Christianity.” Put simply, the biblical worldview of the founders enabled the creation of the most just and enduring system of constitutional governance and ordered liberty that the world has ever seen.

But with all the attention paid to our Federal Constitution, many Idaho conservatives have never thought to study our state constitution. As a result, they don’t know that the same biblical worldview also served as the foundation for our state government. It is my prayer that as you read and study this pocket constitution, you will rediscover the forgotten Christian founding and identity of our beloved Gem State and her Constitution.

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On July 4, 1889, delegates representing every part of the Idaho Territory gathered together for the commencement of the Idaho Constitutional Convention. They quickly recognized the monumental task before them.

The first order of business was to elect permanent officers and fill other key positions. The delegates began by selecting attorney and Silver Valley gold rush miner William H. Clagett (R-Shoshone) to preside over the assembly as president. Known for his gifted oratorical abilities and having political experience in both Congress and the Nevada State Legislature, Clagett had earned the respect of his contemporaries. He later became known as the “architect” and “father” of the Idaho Constitution.

The delegates then chose James W. Reid (D-Nez Perce) as vice president of the convention. Reid was new to Idaho, but he had previously served in the U.S. House of Representatives when living in North Carolina. A practicing Methodist, Reid became one of the strongest advocates for biblical principles at the convention.

From the start, the delegates understood the importance of recognizing and seeking God together. They selected Rev. T.M. Smith, a Presbyterian minister from Bellevue, to fill the role of chaplain. While not much is known about Rev. Smith, it seems that he was a strong, gospel-focused evangelical who regularly preached on the biblical approach to

cultural issues. As chaplain, Rev. Smith opened most daily sessions of the convention in prayer.

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The very first constitutional provision to be considered by the delegates is now found in Article III, Section 24, which states:

“The first concern of all good government is the virtue and sobriety of the people, and the purity of the home. The legislature should further all wise and well directed efforts for the promotion of temperance and morality.”

Remarkably, this section was accepted without debate. The delegates clearly recognized the importance of laws promoting public virtue and good morals. After all, every law reflects one system of morality or another. Some behaviors are so destructive that they can’t be tolerated in societies seeking to sustain republican government, promote the common good, and enable human flourishing.

Four days later, the delegates turned to discussion on a proposal by the Committee on the Preamble and the Bill of Rights. They first considered the Preamble, which declares:

“We, the people of the State of Idaho, grateful to Almighty God for our freedom, to secure its blessings and promote our common welfare do establish this Constitution.”

Representing a small minority of delegates who promoted a strict separation of church and state, former Boise mayor and committed agnostic Peter J. Pefley (D-Ada) offered a motion that proposed striking “Almighty God” from the language. Unsurprisingly, his motion provoked outrage among the delegates. Not only did the motion die for a lack of a second, but another delegate demonstrated his disapproval by attempting to expunge Pefley’s recommendation and debate from the convention minutes.

When all was said and done, the Preamble language as proposed by the committee was adopted on a 45-1 vote, forever enshrining a corporate recognition of God as the author of our liberty. As one modern scholar noted, “The fathers of the Idaho Constitution were determined to introduce their document with a religious commitment.”

However, more contentious issues were yet to come. That same day, Pefley made another motion—this time targeting legislative chaplains. Characterizing legislative chaplaincy services as “ostentatious bosh” that has “no influence or any good effect upon the deliberations of a [legislative] body,” Pefley proposed a new constitutional section that would prohibit appropriations “for the payment of any religious service in either house of the legislature.”

Just as before, Pefley's recommendation elicited sharp denunciations. James W. Poe (D-Latah), a Lewiston attorney, rose first to debate against the motion, saying:

"Mr. Chairman, I cannot sit quietly to hear such [atheistic] principles voiced in the blaze of the nineteenth century, in this Christian age, in the age of civilization. . . [A]nd yet there is a gentleman in this convention who has the effrontery, and has the boldness. . . to propose that the future [appropriations] legislation of this state shall be directed and empowered to withhold from [the legislature] one [that is, a chaplain] who might offer supplications to the Divine Being."

An unnamed delegate from Ada County stood up next to remind Pefley and the other delegates of the indispensable role of prayer in the founding of our nation:

"This is my first attempt, Mr. President, to say anything in this convention; I cannot sit still. Does the gentleman from Ada [that is, Pefley] forget our fathers and our forefathers, the founders of this republic? Does he forget the example set to us from the Declaration of Independence down to the present day? Does he forget Washington, who bowed down in the snow [at Valley Forge] and adored the Great Architect of the universe? . . . Gentlemen, I trust that the amendment will not prevail. I, as a citizen of Idaho, want us to recognize that Supreme Being who presides over the destinies of all nations."

The unnamed delegate spoke for the majority. In the end, Pefley's chaplaincy proposal failed overwhelmingly, enabling each legislative chamber to select chaplains that deliver Christian prayer and devotions at the outset of each daily session—a practice that continues even today.

Another major flashpoint at the convention centered around Bible reading in schools. Concerning this matter, the delegates were split on how best to proceed. Some wanted to see Bible instruction returned to the public schools. Others wanted teachers to read the Bible to their classes without interpretation or comment, as to avoid denominational differences. On the other side, a small but vocal minority agreed that having the Bible in public schools would exacerbate religious divisions.

As the debate dragged on, James W. Reid (D-Nez Perce) warned the other delegates that the Idaho people would be unlikely to support any constitution that excluded the Bible from public schools:

"You leave the Bible and its teachings out of your new state, take them out of your new government. . . I tell you the Christian people of this territory—and [by that I mean] every man who has learned from his mother that the basis of this life is learned from that book—will rise up and put his foot on this constitution."

William H. Clagett (R-Shoshone) seemingly agreed, arguing that any constitutional provision which would “exclude the children of the state from access to this great reservoir of moral principles and practical maxims” would “do an injustice” to every student as well as the state at large. Even Alexander Mayhew (D-Shoshone), who admitted that he “did not practice [the Bible’s] teachings,” said he still believed “the Bible may be read in our schools, but that no sect shall teach in the schools any sectarian doctrine.”

The convention eventually decided to punt on this issue. Their inaction allowed individual communities or even the state legislature to decide whether the Bible would be read in public schools, a practice which continued until 1963. Based on the convention debates, the Idaho founders likely would have agreed with President Zachary Taylor who once noted that “a free government cannot exist without religion and morals, and there cannot be morals without religion, nor religion without the Bible.”

In the final analysis, our State Constitution has produced great blessings—and we have a responsibility to preserve these blessings for future generations. If our state stays true to these biblical principles, Idaho families will flourish and we will remain a happy and prosperous people.

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Idaho Family Policy Center is a ministry that advances the lordship of Christ in the public square through engaging the church, promoting God-honoring public policy, and training statesmen.

As the premier conservative Christian policy research and educational organization in the state, IFPC is working to promote biblically sound public policy that protects the sanctity of life, safeguards religious freedom, strengthens parental rights, recognizes biblical truths in sexuality and gender, and stimulates economic opportunity.



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