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## The Political Thought of President Clark\*

Marion G. Romney\*\*

I'm honored to have the invitation to say a few words about the political life and thought of President J. Reuben Clark. Before I start, I would like to say just a word about President Clark as a kind, thoughtful, generous man, and a congenial companion.

I don't know anyone who was more thoughtful of us who worked under his direction. Whenever one of us was absent because of illness, he daily inquired concerning our welfare. He was ever solicitous about our safety as we traveled. Repeatedly he warned us against taking chances, and he frequently reprimanded us when we did take chances. I remember on one occasion I drove through a raging storm between Burley, Idaho, and Salt Lake City. He knew I was on a welfare assignment, so he telephoned my home several times before I arrived. Soon after I arrived, the phone rang again. "Marion," he said, "where have you been?" And I told him.

"Did you come through that storm?"

"Yes, sir."

"Alone?"

"Yes, sir."

He then proceeded to give me a Scotch blessing. As soon as I could get him off the line, I began to tell my wife in vehement terms what I thought about his reprimand. In the midst of my fury the phone rang again, and he said, "Marion, this is President Clark. I'm just calling you up in the spirit

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\*This was the Devotional Assembly speech at Brigham Young University on 21 Nov. 1972, and was the first event in the J. Reuben Clark, Jr., Symposium of that day.

\*\*President Romney is second counselor in the First Presidency of the Church of Jesus Christ of Latter-day Saints, and was a close friend of President J. Reuben Clark, Jr.

of the 121st Section of the Doctrine and Covenants," referring of course to the statement, "reproving betimes with sharpness, when moved upon by the Holy Ghost; and then showing forth afterwards an increase of love toward him whom thou hast reproved, lest he esteem thee to be his enemy" (Doctrine and Covenants 121:43).

As I have pondered the political life and thought of President Clark, I have concluded that the best and most effective way to share my observations with you is to let him speak for himself. I shall therefore quote extensively from his writings and talks. I'll not tell you every time I slide from his language into mine; if you can't tell the difference I'll be very complimented. The quotations, however, are all noted in the manuscript, and they, when not otherwise given, are from the book *Stand Fast by Our Constitution*.<sup>1</sup>

#### COMMON AND CIVIL LAW

The central concern in all of President Clark's political thinking was the maintenance of a government and laws which would protect the right of every man to "act in doctrine and principle . . . according to the moral agency which [God has] given him" (Doctrine and Covenants 101:77-78). His consistency and his effectiveness resulted from the fact that he always tested his thinking and conformed to the precepts of the Common Law, the Constitution of the United States, and the scriptures—all three of which he believed to be divinely inspired and historically vindicated.

He was thoroughly acquainted with history, particularly political history. He believed that the roots of the desired government and laws are to be found in the English Common Law, and the roots of despotic government and slavery are to be found in the Civil Law.

As of the time of the writing of the Constitution, there were [he said] two great systems of law in the world—the Civil Law . . . and the Common Law . . . . The basic concept of these two systems was as opposite as the poles—in the Civil Law the source of all law is the personal ruler; . . . he is sovereign. In Common Law . . . the source of all law is the people; they, as a whole, are sovereign.

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<sup>1</sup>J. Reuben Clark, Jr., *Stand Fast By Our Constitution* (Salt Lake City: Deseret Book Company, 1962). All quotations from this source will be cited in the body of the text.

During the centuries, these two systems have had an almost deadly rivalry for the control of society, the Civil Law and its fundamental concepts being the instrument through which ambitious men of genius and selfishness have set up and maintained despotisms; the Common Law, with its basic principles, being the instrument through which men of equal genius, but with the love of mankind burning in their souls, have established and preserved liberty and free institutions . . . .

The people under this system have those rights, powers, and privileges, and those only which the sovereign considers are for their good or for his advantage. He adds or takes away as suits his royal pleasure. All the residuum of power is in the Emperor. Under this system, the people look unto the law to see what they may do . . . . Under our common system, we look into the law to see what we may not do, for we may do everything we are not forbidden to do.

This civil law concept explains why, over the centuries, it has been possible for the head of a state, operating under this concept, to establish with comparative ease a dictatorship.

We must always remember that despotism and tyranny, with all their attendant tragedies to the people, as in Russia today, come to nations because one man, or a small group of men, seize and exercise by themselves the three great divisions of government—the legislative, the executive, and the judicial . . . . When the [Civil Law] concept has been operative [peoples] have suffered the resulting tragedies—[such as] loss of liberty, oppression, great poverty among the masses, insecurity, [and] wanton disregard of human life. . . . (pp. 138-39, 144-45).

#### CONCEPTS OF THE FOUNDING FATHERS

Near the beginning of our Revolution [says President Clark], the representatives of the people [knowing this history] met in Philadelphia and issued their great proclamation, the Declaration of Independence. They solemnly announced:

'We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed . . . .'

The representatives of the people were . . . speaking, . . . they spoke the things that were in their hearts, for which they were ready to die, and [for which many of them] did die . . . .

Twelve years after the Declaration, . . . the representatives of the people again met in Philadelphia in the same

hall and framed the Constitution. The Preamble to that inspired document laid down the great purposes to accomplish which the new government was set up. It declared: '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.'

Here the people were speaking as sovereign, not an Emperor, nor a small, self-appointed group assuming to be sovereign. The people declared that they were so acting and did so act by adopting the Constitution. They formally declared: 'We the people . . . do ordain and establish.' This is the difference between liberty and despotism. (pp. 145-147)

President Clark did not think this government was "set up as an eleemosynary government to feed and clothe and nurture all the rest of the world, [but that] it was set up for the purpose of establishing a government which should bring peace and prosperity to the people of this nation" (p. 103).

Deeply read in history, steeped in the lore of the past in human government, and experience in the approaches of despotism which they had, themselves, suffered at the hands of George the Third, these patriots, assembled in solemn convention, planned for the establishment of a government that would ensure to them the blessings they described in the Preamble. The people were setting up the government. They were bestowing power. They gave to the government the powers they wished to give; they retained what they did not wish to give. The residuum of power was in them [the people]. (p. 147)

President Clark viewed the Constitution of the United States as embodying the loftiest concepts yet framed for the establishment of liberty and free institutions. He believed that "the warp and the woof of the great fabric of Constitutional government which was finally woven out of the toil and hardship, the suffering and death of our patriot fathers" (pp. 14-16) were such virtues as truthfulness, prayerfulness, and patience.

#### SEPARATION AND FUSION OF GOVERNMENTAL FUNCTIONS

Now I come to the most important part of President Clark's philosophy of government and his idea of the Consti-



President Clark as a member of the First Presidency of the Church, with President Heber J. Grant and President David O. McKay, 1934. Photograph by Courtesy of J. Reuben Clark, III.

tution. It was his opinion that in providing for the "separation and fusion of governmental functions," the members of the Constitutional Convention reached their zenith.

The Framers [he said], in the Government they provided for, separated the three functions of government, and set each of them up as a separate branch—the legislative, the executive, and the judicial. Each was wholly independent of the other. No one of them might delegate its powers to another.

Yet by the Constitution, the different branches were bound together, unified into an efficient, operating whole. These branches stood together, supported one another. While severally independent, they were at the same time, mutually dependent. It is this union of independence and dependence of these branches—legislative, executive, and judicial—and of the governmental functions possessed by each of them, that constitutes the marvelous genius of this unrivalled document. The Framers had no direct guide in this work, no historical governmental precedent to rely upon. As I see it, it was here that divine inspiration came. It was truly a miracle. (pp. 147-148)

Now it is in our failure to observe the separation of powers thus provided for by the Constitution which, in President Clark's thinking, has today put our Constitutional freedoms in jeopardy (See pp. 133-158).

Although he was passionately patriotic and loyal to the Constitution, President Clark did not think it was perfect. In fact, he said on one occasion:

In my own view the most pressing amendment to our Constitution is one that would lengthen the Presidential term to six years and then make the President ineligible for re-election. This would make the President a Chief Executive for his full term, instead of a scheming politician for the first four years. (p. 24)

#### AMENDING THE CONSTITUTION

He insisted, however, that amendments be made in the manner prescribed in the Constitution. This he said in a priesthood meeting:

I should like to point out to you that in that inspired document, the Constitution, the Lord prescribed the way, the procedure by which the inspired framework of that Constitution could be changed. Whenever the Constitution is amended in that way, it will be an amendment that the Lord

will approve; but whenever it is amended in any other way than He prescribed, we are not following the commandment of the Lord and must expect to lose our liberties and freedom.

The Constitution was framed in order to protect minorities. That is the purpose of written constitutions. In order that minorities might be protected in the matter of amendments under our Constitution, the Lord required that the amendments should be made only through the operation of very large majorities—two-thirds for action in the Senate, and three-fourths as among the states. This is the inspired, prescribed order.

But if we are to have an amendment by the will of one man, or of a small group of men, if they can amend the Constitution, then we shall lose the Constitution; because each succeeding person or group who comes into a position of place and power where they can 'amend' the charter, will want to amend it again, and so on until no vestige of our liberties shall remain. Thus it comes that an amendment of our Constitution by one person or by one group is a violation of the revealed will of the Lord to the Church, as that will is embodied in that inspired Constitution.

Brethren, let us think about that, because I say unto you with all the soberness I can, that we stand in danger of losing our liberties, and that once lost, only blood will bring them back; and once lost, we of this Church will, in order to keep the Church going forward, have more sacrifices to make and more persecutions to endure than we have yet known, heavy as our sacrifices and grievous as our persecutions of the past have been.<sup>2</sup>

#### FOREIGN AFFAIRS

In the field of foreign affairs, President Clark's political thinking was deep and certain. He knew that "it was Jefferson who developed the great doctrine of American neutrality" (p. 24) and that Washington, in his farewell address, laid down "the great rule of conduct for us in regard to foreign nations," to wit (and he's quoting now from Washington): that "in extending our commercial relations [we should] have with them as little political connections as possible" (p. 108); and that "it is our true policy to steer clear of permanent alliances with any portion of the foreign world" (p. 109).

President Clark also knew that this great doctrine of American neutrality was born of bitter experience; that between

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<sup>2</sup>J. Reuben Clark, Jr. in *Conference Report of the Church of Jesus Christ of Latter-day Saints*, April 1944, pp. 115-116.



1689 and 1763, the century before the forming of the Constitution, the colonists had fought four wars in America merely because the mother countries were fighting in Europe.

In none of them were we concerned as to their causes. They cost us a lot of lives and money. We fought only because we were entangled in European affairs.

When the Revolutionary War broke some twelve years later, these experiences were fresh in the minds of our Founding Fathers. (p. 100)

Against this background, President Clark, in his great lecture, "Our Dwindling Sovereignty," given 13 February 1952 at the University of Utah, declared:

I am a confirmed isolationist, a political isolationist, first, I am sure, by political instinct, next, from experience, observation, and patriotism, and lastly, because, while isolated, we built the most powerful nation in the world, a nation that provided most of prosperity to all its citizens, . . . most of popular education, most of freedom, most of peace, most of blessing by example to other nations, . . . of any nation, past or present, on the face of this earth. I stand for the possession of, and exercise by our nation of a full, complete, and unimpaired sovereignty that will be consistent with our membership in the Society of Nations.

In so declaring I have no diffidence, no apology, no shame. On the contrary, I have a great pride in the fact that I stand where the Revolutionary Fathers stood, who fought for, and gained our independence—Washington, Jefferson, Adams, Madison, Monroe . . . I stand with Lincoln and Seward . . . with Cleveland and Olney, . . . and with Theodore Roosevelt . . . .

I am pro-Constitution, pro-Government, as it was established under the Constitution, pro-free institutions, as they have been developed under and through the Constitution, pro-liberty, pro-freedom, pro-full and complete independence and sovereignty, pro-local self-government, and pro-everything else that has made us the free country we had grown to be in the first 130 years of our national existence.

It necessarily follows that I am anti-internationalist, anti-interventionist, anti-meddlesome-busybodiness in our international affairs. In the domestic field, I am anti-socialist, anti-Communist, anti-Welfare State . . . .

As I proceed, some will say, 'Oh, he is talking about the past; but this is a new world, new conditions, new problems,' and so on. To this I will content myself with answering—human nature does not change; in its basic elements it now is as it was at the dawn of history, as our

present tragic plight shows. Even savages inflict no greater inhumanities than are going on in the world today.

In the mad thrusting of ourselves, with a batch of curative political nostrums, into the turmoil and tragedy of today's world, we are like a physician called to treat a virulent case of smallpox, and whose treatment consists of getting into bed with his patient. That is not the way to cure smallpox. (pp. 95-97)

President Clark was convinced that "in establishing [the United States] government, God moved forward, according to His promise and declared purpose as set out in Holy Writ, to make this land 'a land choice above all other lands.' This is the great motif which runs through our whole history" (p. 11).

"The Lord declared the purpose of the Constitution when He said it 'should be maintained for the rights and protection of all flesh' (p. 186). President Clark added: "It has been the United States that has always been called to carry forward the banner of human liberty and religious freedom," and that, with the abolition of slavery, "God had almost finished His fashioning of this land to meet His purposes, to make of this land of liberty a place where God may be worshipped without let or hindrance. He had bestowed upon us all the essentials needed to earn His fullest blessings" (pp. 192-193).

It was his further vision that the Constitutional government and law of the United States would be the pattern for all nations:

This leaven of local self-government, of division of independent governmental function, of realms of freedom and liberty beyond the reach of government, is working in the far-off corners of the earth. The commonwealths of the South Seas, basically framed along the lines set up by our Constitution, are bringing other lands to enjoy our blessings. (pp. 193-194)

As to our destiny, he said:

And this is the mission and the destiny of America, of Zion, decreed thousands of years ago, for . . . Isaiah declared: 'Out of Zion shall go forth the law, and the word of the Lord from Jerusalem.'

And this destiny of ours is to come not through bloody conquests of war and the oppression and enslavement of our fellow-beings, but by conquests of peace and the persuasion of righteous example and Christian endeavor.

Thus far God has wrought out his plan. He will carry it through—with us, if we are faithful.

I repeat, it is my faith that God Himself looks with favor, has looked with favor, upon this government, that He still has its protection in His mind, and that if we, His children, will try to live as He has told us to live, if we will exercise the great Christian virtues, that then His protecting hand will still be over us, and that we will be safe. That it may be so, I pray. (pp. 93-94)

In which prayer I join, in the name of Jesus Christ. Amen.



In the universal sweep of his great intellectual vision he has few equals and perhaps no superiors . . . . Even those who violently disagree with his views are intrigued by his eloquence, his forthrightness, pure logic, and penetrating insight into the center and core of whatever subject he undertakes to expound.

Pres. Harold B. Lee, 1961