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Asst. Attorney Gen. Zachariah Montgomery: Political Poison in the Public Schools (1886) Reading and Study Guide

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**ASST. ATTORNEY GEN. ZACHARIAH MONTGOMERY:
POLITICAL POISON IN THE PUBLIC SCHOOLS (1886)
READING AND STUDY GUIDE, 1985-2009
Steven Alan Samson**

Reading

In our California public schools, as in those of most of the other States, Webster's Dictionary is the legally established authority for the definition of twenty-five years ago. But the illustrious and patriotic **Noah Webster** would blush in his grave at the thought of being made to father the brood of political heresies which are now being taught in our public schools, through the medium of a false, forged, and mutilated dictionary bearing his honored name.

To show how the overthrow of constitutional liberty and the inestimable right of democratic self-government are being brought about by changing the meaning of words, a few examples will suffice.

Take for example the word "Constitution." "Webster's Unabridged Dictionary," as published in 1859, in giving the legal definition of the word "Constitution," says:

"In free States the **Constitution** is paramount to the statutes or laws enacted by the Legislature, limiting and controlling its power; and in the United States the Legislature is created and its powers designated by the Constitution."

But every word of the above definition is expunged from the Webster now used and required by law to be used in our public schools, and in its place we find the following definition of the word "Constitution," to wit:

"The principal or fundamental laws which govern a State or other organized body of men, and are embodied in written documents or implied in the institutions or usages of the country or society."

Thus, under public-school tuition, the rising generation no longer looks upon the written Constitution as the source and limit of legislative power; but on the contrary the mere "usages of society" are raised to the dignity of constitutional law.

What a very convenient way of clothing official villainy in the garb of constitutional authority! After our corrupt and perjured officials have violated, in a hundred ways, the Constitution they had solemnly sworn to support in order to carry out their nefarious schemes of fraud and plunder, how would it have been possible for them to have contrived a more ingenious device to justify in the eyes of the rising generation their official misdeeds, than by thus adopting, legalizing, and forcing into the public school, through their willing tools, a definition of the "Constitution" sufficiently elastic to cover every species of their accustomed rascalities?

Again! The old Noah Webster of twenty-five years ago, in giving to the word "**Union**" its political signification, defines it as "States united. Thus the United States of America are sometimes called the Union."

But in the false and mutilated Webster which the public-school system now forces our children to study this definition is entirely suppressed, and in its place we have the word "Union" defined as meaning –

"A consolidated body, as the United States of America, are often called the

'Union.'" Thus, while the real statesmen of both political parties are warning the people against the danger of a consolidated government, the children, who are soon to take the places of these statesmen, through our public-school machinery are indoctrinated with the idea that we already have a consolidated republic. In the case of McCollough [McCulloch] vs. The State of Maryland, Chief-Justice Marshall, of the Supreme Court of the United States, said: "No political dreamer was ever wild enough to think of breaking down the lines which separate the States and of compounding the American people into a solid mass."

But what no political dreamer was ever wild enough to think of in Judge Marshall's time is now taught as an accomplished fact.

Again, "Webster's Dictionary" twenty-five years ago defined the word "**Federal**" as –

"Consisting in a compact between parties, particularly and chiefly between States and nations formed on alliance by contract or mutual agreement, as a Federal Government, such as that of the United States." But the present public school Webster, after expunging every syllable of this definition, defines "Federal" as being "specifically composed of States, and which retain only a subordinate and limited sovereignty, as the Union of the United States and the Sonderbund of Switzerland."

A moment's reflection will show that under such a definition of the word "Federal," the several States composing the American Union would have no rights and no sovereignty which the General Government would be bound to respect.

Now it is undoubtedly true that in all those matters in which, under the Constitution, the Federal Government has been clothed with sovereign authority, the authority of the States is subordinate to the Federal Government. But in all things else the sovereignty of the States is as supreme and as independent of the Federal sovereignty as if the Federal sovereignty has never existed.

In the celebrated **Dred Scott** case the United States Supreme Court said:

"The principles upon which our Governments rest, and upon which alone they continue to exist, is the union of States, sovereign and independent within their own limits, in their internal and domestic concerns."

But I would answer, if a State possesses no sovereignty except such as is subordinate to the sovereignty of the Federal Government, would not our subordinate sovereignty be forced to yield to the superior?

My countrymen, disguise the fact as we may, there is in this country to-day, and in both political parties, an element which is ripe for a centralized despotism. There are men and corporations of vast wealth, whose iron grasp spans this whole continent, and who find it more difficult and more expensive to corrupt thirty odd State Legislatures than one Federal Congress. It was said of Nero of old that he wished the Roman people had but one head, so that he might cut it off at a single blow. And so it is with those moneyed kings who would rule this country through bribery, fraud, and intimidation.

It is easy to see how, with all the powers of government centered at Washington in one Federal head, they could at a single stroke put an end to American liberty.

But they well understand that before striking this blow the minds of the people must be prepared to receive it. And what surer or safer preparation could possibly be made than is now being made, by indoctrinating the minds of the rising generation with

the idea that ours is already a consolidated government; that the States of the Union have no sovereignty which is not subordinate to the will and pleasure of the Federal head, and that our Constitution is the mere **creature of custom**, and may therefore be legally altered or abolished by custom?

Such are a few of the pernicious and poisonous doctrines which ten millions of American children are to-day drinking in with the very definitions of the words they are compelled to study. And yet the man who dares to utter a word of warning of the approaching danger is stigmatized as an enemy to education and unfit to be mentioned as a candidate for the humblest office.

Be it so. Viewing this great question as I do, not for all the offices in the gift of the American people would I shrink from an open and candid avowal of my sentiments. If I have learned anything from the reading of history, it is that the man who, in violation of great principles, toils for temporary fame, purchases for himself either total oblivion or eternal infamy, while he who temporarily goes down battling for right principles always deserves, and generally secures, the gratitude of succeeding ages, and will carry with him the sustaining solace of a clean conscience, more precious than all the offices and honors in the gift of man.

History tells us that **Aristides** was voted into banishment because he was just. Yet who would not a thousand times rather to-day be Aristides than be numbered amongst the proudest of his persecutors?

Socrates, too, in violation of every principle of justice, was condemned to a dungeon and to death. Yet what name is more honored in history than his? And which of his unjust judges would not gladly hide himself in the utter darkness of oblivion from the withering scorn and contempt of all mankind?

From the noble example of Aristides and of Socrates let American statesmen learn wisdom, and from the undying infamy of their cowardly time-serving persecutors let political demagogues of to-day take warning.

-- Zach. Montgomery, "Political Poison in the Public School Books," Poison Drops in the Federal Senate (Washington, DC: Gibson Bros., 1886), pp. 38-42.

Montgomery Study Questions

1. Like Justice Stephen Field, Zachariah Montgomery, who served as Assistant Attorney General during Grover Cleveland's first administration, sought his fortune in the California gold fields as a young man but turned from mining to the practice of law, politics, and publishing. It is said that history is written by the victors. The rewriting of the Webster's dictionary following the Civil War is a case in point. Noah Webster's 1828 *American Dictionary of the English Language* was intended to preserve the language and word meanings used by the American founding generation. Although the phrase "living constitution" is of later provenance (the New Deal era), the practice of amendment-by-redefinition was already established. Crockett's "Not Yours to Give" is just an illustration of a more fundamental problem of "interest-group politics." One weakness of Montgomery's argument is that the word "sovereign" is not part of the language of the Constitution. What is the danger of making the Constitution a creature of custom? The book was reprinted in 1972 by the Rev. T. Robert Ingram, the founding Rector of St. Thomas Episcopal Church in Houston. Since then it has become widely disseminated within home education circles.
2. Around the same time as Montgomery's book, Stephen Field registered a vehement dissent in

the third Greenback case, *Juilliard v. Greenman* (1884), protesting a doctrinal innovation now known as **resulting powers**. This idea was later taken to mystical, if not gaseous, extremes—“penumbras” and “emanations” – in *Griswold v. Connecticut* (1965), the key precedent for *Roe v. Wade* (1973). Questions of whether the Fourteenth (1868) and the Sixteenth Amendments (1913) were properly ratified have been raised but continue to be dismissed. The Constitution is, in effect, amended by treaties, as noted by Oliver Wendell Holmes, Jr. in *Missouri v. Holland* (1920). No declaration of war has been made since the creation of the United Nations in 1945.

Review

Constitution

Union

Federal