



# THE GOLDWATER JOURNAL

Newsletter of the Barry M. Goldwater Chapter  
Arizona Society Sons of the American Revolution



September 2015

## BMG Annual fundraiser

In August each compatriot should have received raffle tickets to purchase as our only annual Chapter fundraiser. If you mailed them in with your donation, thank you! If you misplaced them or if the dog ate them or you used them to start a fire in your fire place during this cold summer, take heart—they will be available at the September meeting!

The raffle drawings will be held during the September meeting. Don't miss your opportunity to help your Chapter and get a chance to win restaurant gift certificates at Bobby-Q Restaurant or a DVD on Baron von Steuben.



## New BMG Chapter Compatriots

On July 2, 2015, **Compatriot Voie Coy** of Phoenix, Arizona was approved for membership in the NSSAR and our Chapter. Compatriot Coy's Patriot Ancestor is PVT John Armstrong who served in Col. Archibald Lytle's Regiment, North Carolina Line.

Compatriot **Mark Hazelton** has been reinstated in the NSSAR and has joined our Chapter.

Compatriot **David Potts**, a charter member of the BMG Chapter has also been reinstated in our Chapter.

## Welcome Compatriots Coy, Hazelton & Potts!



## New BMG Chapter Junior Compatriots

**David J. Paulsen**, son of Donald and Katie Paulsen (Grand Canyon Chapter, DAR) had his application approved for membership in our Chapter and the NSSAR on June 1, 2015. His 9<sup>th</sup> generation Patriot Ancestor is Sarah Boone Brooks, Defender of Bryan's Station. David is also a member of the Hohokam Society, C.A.R.

**Evan Rice Ziker**, son of Brad and Sarah Ziker, had his application approved for membership in our Chapter and the NSSAR on June 27, 2015. Evan is the current First Vice President of the Hohokam Society C.A.R. in Tempe. His 9<sup>th</sup> generation Patriot Ancestor is Michael Holderbaum, Captain in the 5th Company of Col Philip Greenwalt's 1<sup>st</sup> battalion, Lancaster Co, PA Militia.

## Welcome Junior Compatriots David and Evan!

## Honor Flight Arizona schedule

Our Chapter supports Honor Flight Arizona both by donations and by Compatriots volunteering at the Phoenix Sky Harbor Airport.

The following is a schedule of Honor Flights (listing both outbound and inbound flights). If you wish to assist at the airport please contact Compatriot Mike Jones for more information at: (602) 863-2520 or email [jjones3549@cox.net](mailto:jjones3549@cox.net)

- September 15-17
- September 29-October 1
- October 13-15
- October 28-30
- November 4-6
- November 9-11



## BMG Meeting schedule and information

Just a reminder: we now meet at the Deer Valley Airport Restaurant, 702 W. Deer Valley Road in Phoenix. Compatriots pay for their own food—as opposed to the treasurer collecting the money at the meeting, and there is a very nice menu including inexpensive senior meals. (I realize that this does not apply to most of you but you will get there . . . eventually!)

Our next meeting is on Thursday, September 17, 2015, at 6:30 p.m.

We will have several new members to induct and we will conduct our annual raffle drawing.

*Our program speakers will be Pete and Eddie Zuleger who will speak on the "Gaspee Incident." This will be a very informative program!*

**A 50<sup>th</sup> Wedding Anniversary wish to Past BMG President Earl Atwood and his wife Betty from the BMG Chapter— HAPPY 50<sup>th</sup> ANNIVERSARY!!!!**



## The Magna Carta

I received this information in May from our new Compatriot Justin O'Brien and it certainly is relevant to the SAR and our country. I suggest that you take the time to read this very interesting article. The author, Daniel Hannan wrote this piece for the Wall Street Journal and it was published on May 29, 2015.

Eight hundred years ago next month, on a reedy stretch of riverbank in southern England, the most important bargain in the history of the human race was struck. I realize that's a big claim, but in this case, only superlatives will do. As Lord Denning, the most celebrated modern British jurist put it, Magna Carta was "the greatest constitutional document of all time, the foundation of the freedom of the individual against the arbitrary authority of the despot."

It was at Runnymede, on June 15, 1215, that the idea of the law standing above the government first took contractual form. King John accepted that he would no longer get to make the rules up as he went along. From that acceptance flowed, ultimately, all the rights and freedoms that we now take for granted: uncensored newspapers, security of property, equality before the law, habeas corpus, regular elections, sanctity of contract, jury trials.

Magna Carta is Latin for "Great Charter." It was so named not because the men who drafted it foresaw its epochal power but because it was long. Yet, almost immediately, the document began to take on a political significance that justified the adjective in every sense.

The bishops and barons who had brought King John to the negotiating table understood that rights required an enforcement mechanism. The potency of a charter is not in its parchment but in the authority of its interpretation. The constitution of the U.S.S.R., to pluck an example more or less at random, promised all sorts of entitlements: free speech, free worship, free association. But as Soviet citizens learned, paper rights are worthless in the absence of mechanisms to hold rulers to account.

Magna Carta instituted a form of conciliar rule that was to develop directly into the Parliament that meets at Westminster today. As the great Victorian historian William Stubbs put it, "the whole constitutional history of England is little more than a commentary on Magna Carta."

And not just England. Indeed, not even England in particular. Magna Carta has always been a bigger deal in the U.S. The meadow where the abominable King John put his royal seal to the

parchment lies in my electoral district in the county of Surrey. It went unmarked until 1957, when a memorial stone was finally raised there—by the American Bar Association.

Only now, for the anniversary, is a British monument being erected at the place where freedom was born. After some frantic fundraising by me and a handful of local councilors, a large bronze statue of Queen Elizabeth II will gaze out across the slow, green waters of the Thames, marking 800 years of the Crown's acceptance of the rule of law.

Eight hundred years is a long wait. We British have, by any measure, been slow to recognize what we have. Americans, by contrast, have always been keenly aware of the document, referring to it respectfully as *the* Magna Carta.

Why? Largely because of who the first Americans were. Magna Carta was reissued several times throughout the 14th and 15th centuries, as successive Parliaments asserted their prerogatives, but it receded from public consciousness under the Tudors, whose dynasty ended with the death of Elizabeth I in 1603.

In the early 17th century, members of Parliament revived Magna Carta as a weapon in their quarrels with the autocratic Stuart monarchs. Opposition to the Crown was led by the brilliant lawyer Edward Coke (pronounced Cook), who drafted the first Virginia Charter in 1606. Coke's argument was that the king was sidelining Parliament, and so unbalancing the "ancient constitution" of which Magna Carta was the supreme expression.

The early settlers arrived while these rows were at their height and carried the mania for Magna Carta to their new homes. As early as 1637, Maryland sought permission to incorporate Magna Carta into its basic law, and the first edition of the Great Charter was published on American soil in 1687 by William Penn, who explained that it was what made Englishmen unique: "In France, and other nations, the mere will of the Prince is Law, his word takes off any man's head, imposeth taxes, or seizes any man's estate, when, how and as often as he lists; But in England, each man hath a fixed Fundamental Right born with him, as to freedom of his person and property in his estate, which he cannot be deprived of, but either by his consent, or some crime, for which the law has imposed such a penalty or forfeiture."

There was a divergence between English and American conceptions of Magna Carta. In the Old World, it was thought of, above all, as a guarantor of parliamentary supremacy; in the New World, it

was already coming to be seen as something that stood above both Crown and Parliament. This difference was to have vast consequences in the 1770s.

The American Revolution is now remembered on both sides of the Atlantic as a national conflict—as, indeed, a “War of Independence.” But no one at the time thought of it that way—not, at any rate, until the French became involved in 1778. Loyalists and patriots alike saw it as a civil war within a single polity, a war that divided opinion every bit as much in Great Britain as in the colonies.

The American Revolutionaries weren’t rejecting their identity as Englishmen; they were asserting it. As they saw it, George III was violating the “ancient constitution” just as King John and the Stuarts had done. It was therefore not just their right but their duty to resist, in the words of the delegates to the first Continental Congress in 1774, “as Englishmen our ancestors in like cases have usually done.”

Nowhere, at this stage, do we find the slightest hint that the patriots were fighting for universal rights. On the contrary, they were very clear that they were fighting for the privileges bestowed on them by Magna Carta. The concept of “no taxation without representation” was not an abstract principle. It could be found, rather, in Article 12 of the Great Charter: “No scutage or aid is to be levied in our realm except by the common counsel of our realm.” In 1775, Massachusetts duly adopted as its state seal a patriot with a sword in one hand and a copy of Magna Carta in the other.

I recount these facts to make an important, if unfashionable, point. The rights we now take for granted—freedom of speech, religion, assembly and so on—are not the natural condition of an advanced society. They were developed overwhelmingly in the language in which you are reading these words.

When we call them universal rights, we are being polite. Suppose World War II or the Cold War had ended differently: There would have been nothing universal about them then. If they are universal rights today, it is because of a series of military victories by the English-speaking peoples.

Various early copies of Magna Carta survive, many of them in England’s cathedrals, tended like the relics that were removed during the Reformation. One hangs in the National Archives in Washington, D.C., next to the two documents it directly inspired: the Declaration of Independence

and the Constitution. Another enriches the Australian Parliament in Canberra.

But there are only four 1215 originals. One of them, normally housed at Lincoln Cathedral, has recently been on an American tour, resting for some weeks at the Library of Congress. It wasn’t that copy’s first visit to the U.S. The same parchment was exhibited in New York at the 1939 World’s Fair, attracting an incredible 13 million visitors. World War II broke out while it was still on display, and it was transferred to Fort Knox for safekeeping until the end of the conflict.

Could there have been a more apt symbol of what the English-speaking peoples were fighting for in that conflagration? Think of the world as it stood in 1939. Constitutional liberty was more or less confined to the Anglosphere. Everywhere else, authoritarianism was on the rise. Our system, uniquely, elevated the individual over the state, the rules over the rulers.

When the 18th-century statesman Pitt the Elder described Magna Carta as England’s Bible, he was making a profound point. It is, so to speak, the Torah of the English-speaking peoples: the text that sets us apart while at the same time speaking truths to the rest of mankind.

The very success of Magna Carta makes it hard for us, 800 years on, to see how utterly revolutionary it must have appeared at the time. Magna Carta did not create democracy: Ancient Greeks had been casting differently colored pebbles into voting urns while the remote fathers of the English were grubbing about alongside pigs in the cold soil of northern Germany. Nor was it the first expression of the law: There were Sumerian and Egyptian law codes even before Moses descended from Sinai.

What Magna Carta initiated, rather, was constitutional government—or, as the terse inscription on the American Bar Association’s stone puts it, “freedom under law.”

It takes a real act of imagination to see how transformative this concept must have been. The law was no longer just an expression of the will of the biggest guy in the tribe. Above the king brooded something more powerful yet—something you couldn’t see or hear or touch or taste but that bound the sovereign as surely as it bound the poorest wretch in the kingdom. That something was what Magna Carta called “the law of the land.”

This phrase is commonplace in our language. But think of what it represents. The law is not determined by the people in government, nor yet by clergymen presuming to interpret a holy book.

Rather, it is immanent in the land itself, the common inheritance of the people living there.

The idea of the law coming up from the people, rather than down from the government, is a peculiar feature of the Anglosphere. Common law is an anomaly, a beautiful, miraculous anomaly. In the rest of the world, laws are written down from first principles and then applied to specific disputes, but the common law grows like a coral, case by case, each judgment serving as the starting point for the next dispute. In consequence, it is an ally of freedom rather than an instrument of state control. It implicitly assumes residual rights.

And indeed, Magna Carta conceives rights in negative terms, as guarantees against state coercion. No one can put you in prison or seize your property or mistreat you other than by due process. This essentially negative conception of freedom is worth clinging to in an age that likes to redefine rights as entitlements—the right to affordable health care, the right to be forgotten and so on.

It is worth stressing, too, that Magna Carta conceived freedom and property as two expressions of the same principle. The whole document can be read as a lengthy promise that the goods of a free citizen will not be arbitrarily confiscated by someone higher up the social scale. Even the clauses that seem most remote from modern experience generally turn out, in reality, to be about security of ownership. There are, for example, detailed passages about wardship. King John had been in the habit of marrying heiresses to royal favorites as a way to get his hands on their estates. The abstruse-sounding articles about inheritance rights are, in reality, simply one more expression of the general principle that the state may not expropriate without due process.

Those who stand awe-struck before the Great Charter expecting to find high-flown phrases about liberty are often surprised to see that a chunk of it is taken up with the placing of fish-traps on the Thames. Yet these passages, too, are about property, specifically the freedom of merchants to navigate inland waterways without having arbitrary tolls imposed on them by fish farmers.

Liberty and property: how naturally those words tripped, as a unitary concept, from the tongues of America's Founders. These were men who had been shaped in the English tradition, and they saw parliamentary government not as an expression of majority rule but as a guarantor of

individual freedom. How different was the Continental tradition, born 13 years later with the French Revolution, which saw elected assemblies as the embodiment of what Rousseau called the "general will" of the people.

In that difference, we may perhaps discern explanation of why the Anglosphere resisted the chronic bouts of authoritarianism to which most other Western countries were prone. We who speak this language have always seen the defense of freedom as the duty of our representatives and so, by implication, of those who elect them. Liberty and democracy, in our tradition, are not balanced against each other; they are yoked together.

In February, the four surviving original copies of Magna Carta were united, for just a few hours, at the British Library—something that had not happened in 800 years. As I stood reverentially before them, someone recognized me and posted a photograph on Twitter with the caption: "If Dan Hannan gets his hands on all four copies of Magna Carta, will he be like Sauron with the Rings?"

Yet the majesty of the document resides in the fact that it is, so to speak, a shield against Saurons. Most other countries have fallen for, or at least fallen to, dictators. Many, during the 20th century, had popular communist parties or fascist parties or both. The Anglosphere, unusually, retained a consensus behind liberal capitalism. This is not because of any special property in our geography or our genes but because of our constitutional arrangements. Those constitutional arrangements can take root anywhere. They explain why Bermuda is not Haiti, why Hong Kong is not China, why Israel is not Syria.

They work because, starting with Magna Carta, they have made the defense of freedom everyone's responsibility. Americans, like Britons, have inherited their freedoms from past generations and should not look to any external agent for their perpetuation. The defense of liberty is your job and mine. It is up to us to keep intact the freedoms we inherited from our parents and to pass them on securely to our children.

*Mr. Hannan is a British member of the European Parliament for the Conservative Party, a columnist for the Washington Examiner and the author of "Inventing Freedom: How the English-speaking Peoples Made the Modern World."*



### **BMG Chapter Meeting Notice**

The next meeting of our Chapter will take place on September 17, 2015, at the Deer Valley Airport Restaurant, 702 W. Deer Valley Rd, Phoenix.

### **Compatriot's ancestor information—wanted for publication in our newsletter**

If you would like to see your Revolutionary War ancestor's information printed in this newsletter (your Chapter certainly would—and so would the millions of readers throughout the free world) send it to the newsletter editor. Please limit your material to one double sided page or less.

### **BMG Committees**

#### **Americanism Committee**

*Chairman:*

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E-mail: cccstuller@yahoo.com

#### **Veterans Committee**

*Chairman:*

Ed Karr (480) 265-8258

E-mail: k3kzed@gmail.com

#### **ROTC/JROTC:**

H. Robert Young (602) 841-7037

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#### **Veterans Medal Committee**

Earl Atwood (480) 948-3620

E-mail: earlatwood@cox.net

Bob Young (McNeese)

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#### **General members:**

Jerry Richards: (480) 924-1595

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#### **Honor Flight Arizona**

Mike Jones (602) 863-2520

E-mail: jjones3549@cox.net

#### **Flag Committee**

Bob Rearley (480) 998-4226

Email: gramps4osu@cox.net

#### **Hospitality Committee**

Open

#### **Fundraising Committee**

David Swanson/ Jan Swanson (Ladies Auxiliary)

E-mail: swanson1854@yahoo.com

***Compatriots, here is an opportunity for your involvement in your Chapter. None of these activities take a great amount of time. All committees need more assistance. Please call or email David Swanson or any officer or committee member to volunteer.***

### **Past Chapter Presidents**

Robert H. Bohannan 2002-2004

2007-2008

H. Robert Young 2005-2006

Carlton V. Phillips 2009

John R. Conrad 2010

Earl E. Atwood Sr. 2011-2012

David A. Swanson 2013-2014

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### **Chapter Officers 2015**

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Newsletter Editor/Publisher

David A. Swanson, Secretary/Treasurer



## Barry M. Goldwater Chapter Arizona Society, SAR

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### Agenda September 17, 2015

**Call to Order** 6:30 p.m.

**Invocation**

**Pledge of Allegiance**

**SAR Pledge**

We descendants of the heroes of the American Revolution who, by their sacrifices, established the United States of America, reaffirm our faith in the principles of liberty and our Constitutional Republic, and solemnly pledge ourselves to defend them against every foe.

**Business Session**

Treasurer's Report  
Other officer reports or remarks  
New member inductions (if any)

**Dinner**

**Annual fundraising drawing**

**Program**

Pete and Eddie Zuleger will speak on the "Gaspee Incident."

**Benediction**

*God Bless America*

**SAR Recessional**

Until we meet again, let us remember our obligations to our forefathers, who gave us our Constitution, the Bill of Rights, an independent Supreme Court and a Nation of Free Men.