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Separation of Church and State: A Diffusion of Reason and Religion

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A thesis

presented to

the faculty of the Department of History

East Tennessee State University

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In partial fulfillment

of the requirements for the degree

Master of Arts in History

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by

Patricia A. Greenlee

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## ABSTRACT

Separation of Church and State: A Diffusion of Reason and Religion

by

Patricia A.Greenlee

The evolution of America's religious liberty was birthed by a separate church and state. As America strides into the twenty first century the origin of separation of church and state continues to be a heated topic of debate. Conservatives argue that America's version of separation of church and state was birthed by principles of Christian liberty. Liberals reject this idea maintaining that the evolution of a separate church and state in America was based on enlightened thinking that demanded rational men should have religious liberty. The best way to achieve this was by erecting a wall of separation between church and state.

Sources used in this study include The Letters of Roger Williams, The Papers of Thomas Jefferson and James Madison, and the Diary of Isaac Backus, along with many other primary and secondary sources. This study concludes that America's religious freedom, conceptualized in its separate church and state is a creation of both reason and religion.

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## CHAPTER 1

### INTRODUCTION

#### The Evolution of a Separate Church and State in America

*“Congress shall make no law respecting an establishment of religion; or prohibiting the free exercise thereof...”<sup>1</sup>*

Nowhere in this historic affirmation of religious freedom is the phrase “separation of church and state” found. Simply stated, government shall not encourage nor prohibit religious expression. Yet, a paradox does exist. Within the simplicity of religious freedom there are profound implications. In July 2006 the concept of separation of church and state means many things to many people. On the political spectrum liberals maintain that church and state separation demands that on issues of personal freedom such as abortion or gay rights religion should have no part in legislation. Conservatives maintain that they cannot be prohibited from expressing their religious belief in the sanctity of life and heterosexual marriage. Nominees to the Supreme Court are examined, along with their religious faith, in an attempt to determine how that person may vote on church- state issues. In tax supported public schools school prayer has been replaced with a moment of silence that does not restrict the believer or the unbeliever.

Proponents on both the right and the left define the origin of the concept of separation of church and state according to their own philosophy. Some maintain that the concept was birthed by the Enlightenment; others explain its origin is founded on Christian principles of religious freedom. Some explain that the concept was meant to protect the

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<sup>1</sup> U.S. Constitution, amend.1.

church from the state; others maintain the state is to be protected from the church. So, how did this concept evolve to become so foundational to American democracy? Was the concept birthed by reason or religion? Any in depth study of this issue must consider the influences of both reason and religion on four foundational thinkers: Roger Williams, Isaac Backus, Thomas Jefferson, and James Madison. Together these four men not only defined the concept, but dedicated themselves to the cause of religious freedom in America.

Roger Williams' concept of "liberty of conscience" was birthed by his religious faith. His belief in what he termed "soul liberty" set him apart as both statesman and theologian. As a statesman Williams called for a wall of separation between church and state that would give "soul liberty" to Christians, Jews, Papists, and infidels. This call for separation earned him banishment from Boston in 1636. He established a colony in Rhode Island where religious freedom was granted to all sects. His tome, *The Bloody Tenet of Persecution* defined Williams' call for religious freedom. The views expressed in his writings were not products of enlightened reasoning or libertarian views, but by his religious conviction that the state had no business interfering in one's religious beliefs.

The duality of Roger Williams the statesman and Roger Williams the theologian to some conveyed hypocrisy when he called for religious freedom and a separate church and state and at the same time defended his religious beliefs as he debated theological issues with great thinkers such as John Cotton and George Fox. It was this duality seen in Williams call for religious freedom that would come to define American religious liberty and create a separate church and state.

Isaac Backus' pietistic version of separation was much like Roger Williams.' It was his religious views that were the foundation of his call for a separate church and state. Unlike Williams, Backus was a hesitant reformer. It was not until after he himself suffered the injustices heaped upon him and his fellow Baptists that he began his quest for religious freedom for all. As he led the Warren Association of Baptists in their fight against the established Congregational Church in Massachusetts he helped to finally bring an end to religious taxation and would later give birth to a separate church and state in Massachusetts.

The sage of Monticello, Thomas Jefferson, also greatly contributed to the evolution of America's separate church and state. Unlike Williams and Backus Jefferson's call for religious liberty came from an enlightened world view. This enlightened world view placed much confidence in man's ability to reason; therefore, mankind should have the freedom to use his innate reasoning ability to decide for himself in matters of religion. Far from being the atheist that the Federalist Party portrayed him as being, Thomas Jefferson was a man of faith. He ardently defended the natural right of every rational man to believe as he saw fit. Jefferson's Bill for Establishing Religious Freedom in Virginia brought an end to Virginia's established Anglican Church and brought religious freedom to all sects in Virginia.

James Madison also contributed to an American version of religious freedom and a separate church and state. Like his contemporary Jefferson, Madison's call for religious freedom and a separate church and state was grounded upon an enlightened world view. Unlike Jefferson, Madison was not an eternal optimist when considering man's human nature, but he too built his philosophy upon the idea that man could reason for himself.

To Madison, the function of government was to protect the liberty and property of the citizens. In order for this to be done the church and state had to be separate. His enlightened philosophy of man helped to form his political philosophy of freedom. This philosophy was the foundation of his life's work at both the state and national level. Madison's Memorial and Remonstrance effectively brought an end to Virginia's established church and brought religious liberty to Virginia that would later serve as an example to the nation as religious liberty was being defined at the national level.

## CHAPTER 2

### *ROGER WILLIAMS: LIBERTY OF CONSCIENCE*

*“That ever I should speak or write a title that tends to such an infinite liberty of conscience, is a mistake, and which I have ever disclaimed and abhorred.”*

*Roger Williams*

*The Bloody Tenet of Persecution, 1644*

Roger Williams will be forever known to historians as the founder of Rhode Island. Contemporaries described the Providence colony as the “lutrina of New England.”<sup>2</sup> The ideology behind the founder of the colony promoted this derogatory label. Indeed, Roger Williams’ idea of “soul liberty” flew in the face of the Puritan church theocracy. It is the duality of Roger Williams that makes him so intriguing. Roger Williams the statesman was driven by Roger Williams the theologian. The duality of the personality of Roger Williams portrays a man of uncompromising principles who defied authority as he cried out for total separation between the church and the state.

Roger Williams the statesman promoted concurrently the ideas of separation of church and state and what he terms “soul liberty”.<sup>3</sup> One idea cannot exist without the other. The separation of church and state was not an accepted idea of the day. Indeed, long before the ideas of Jefferson had taken root, Williams’ idea of this separation was seen as

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<sup>2</sup> David Lovejoy, “Roger Williams and George Fox: The Arrogance of Self- Righteousness,” *NEQ* 66 (1993) : 199-225.

<sup>3</sup> Roger Williams, *The Complete Writings of Roger Williams*, Samuel L. Caldwell, ed. *The Bloody Tenet of Persecution*, Vol. III (New York: Russell & Russell Inc. 1963) p.3.

## Roger Williams as Statesman

rebellious. It earned him banishment from Massachusetts in 1635. Williams maintained that the leaders in the Massachusetts Bay colony should not force people to swear to an oath because the act was a religious act, not a civil one. He further maintained that “the civil magistrate’s power extends only to the bodies, and goods, and outward state of men.”<sup>4</sup> Author Lawrence Leder summed up Williams’ ideas this way, “Roger Williams more than any one person, stamped his social philosophy on the communities. His writings dealt with the necessity for a complete separation of church and state, not because of libertarian views, but because he felt that the state had no voice in religious matters. Each state was a civil corporation to be protected, as any other corporation, by the state, but not to be favored one above the other.”<sup>5</sup> As Williams addressed London’s Parliament in 1644 he defined the magistrates’ role, “next to the saving of your own souls (in the lamentable shipwreck of mankind) your task (as Christians) is to save the souls, but as magistrates, the bodies and goods of others.”<sup>6</sup> Williams’ idea of soul liberty or liberty of conscience is the basis for his insistence for maintaining separation of church and state. Williams insists that civil magistrates can not and should not attempt to restrict one’s own conscience or beliefs.

That ever I should speak or write a title that tends to such an infinite liberty of conscience, is a mistake, and which I have ever disclaimed and abhorred. To prevent such mistakes, I shall at present only purpose this case: there goes many a ship to sea, with many hundred souls in one ship, whose weal and woe is common, and is a true picture of a commonwealth, or a human combination or society. It hath fallen out sometimes, that both papists and protestants, Jews or Turks, may be embarked in one ship; upon which supposial I affirm that all the liberty of conscience that ever I

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<sup>4</sup> Ibid.

<sup>5</sup> Lawrence Leder, America 1603-1789: Prelude to a Nation, (Minneapolis: Burgess Publishing Company 1972), p.62.

<sup>6</sup> Roger Williams, The Complete Writings of Roger Williams, J. R. Bartlett ed. “The Letters of Roger Williams”, Vol. VI (New York: Russell & Russell Inc. 1963), p. 278-279.

pleaded for, turns upon these two hinges- that none of the papists, protestants, Jews or Turks be forced to come to the ship's prayers or worship, if they have any."<sup>7</sup>

Williams defends his heartfelt convictions in his 1644 tome by alluding to Luther and by giving specific examples from the bible.

Luther in his book of the civil magistrate saith; the laws of the civil magistrates government extends no further than over the body of goods, and to that which is external: for over the soul God will not suffer any man to rule: only he himself will rule there. Wherefore whoever doth undertake to give laws unto the souls and consciences of men, he usurpeth that government himself which appertainth unto God."<sup>8</sup>

Williams, ever reliant on the scriptures to prove his point, continues:

Come to the time of Christ where Israel was under the Romans, where lived divers Sects of religion, as Herodians, Scribes, and Pharisees, Saduces and Libertines, Thudaeans and Samaritans, beside the common religion of the Jews, Christ and his apostles. All which differed from the common religion from the state, which was like the worship of Diana, which almost the whole world then worshipped, Acts 19:20. All these lived under the government of Caesar, being nothing hurtful unto the commonwealth, giving unto Caesar that which was his. And for their religion and consciences towards [*sic*] God, he left them to themselves, as having no dominion over their souls and consciences."<sup>9</sup>

Williams' idea of soul liberty is ever present in all of his writings whether it is an official document to London's Parliament or personal correspondence with friends and respected adversaries.<sup>10</sup>

The most eminent opponent of Roger Williams concerning the separation of church and state was Boston's own John Cotton. Although the two men shared many of the same tenants of faith, their opinions on this issue was totally opposite of each other.

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<sup>7</sup> Roger Williams, The Complete Writings of Roger Williams, Samuel L. Caldwell ed. "The Bloody Tenet of Persecution", Vol.III (New York: Russell & Russell Inc. 1963) p. 5.

<sup>8</sup> Ibid. p. 38

<sup>9</sup> Ibid. p. 38

<sup>10</sup> See also Roger Williams, The Complete Writings of Roger Williams, J.R. Bartlett ed. "Letters to Lady Sadleir, Vol. VI p. 237- 253.

John Cotton maintained that the church and the state should remain one entity. One of the roles of the civil magistrates was to not only deal with the civil issues but to uphold and protect the church. To John Cotton the idea of religious freedom was ridiculous; the only religious freedom man could exercise was to follow God. “It is no impeachment of church liberty, Cotton remarked, but an enlargement of its beauty and honor to be bound strict laws and holy commandments, to observe the pure worship of God, and to be subject to due punishment for gross violations of the same.”<sup>11</sup> In John Cotton’s opinion religious liberty would lead to religious error and compromise. He believed God never intended for man to be able to choose to sin and it was the civil magistrate’s duty, being sustained by God, to stand up against false teaching and heresy.

John Cotton also maintained the Calvinist belief that if a nation and its government did not uphold God’s truth the whole nation would be punished. At the same time the nation that did remain truthful and faithful would be blessed by God.

Roger Williams vehemently disagreed with his fellow clergyman. “The civil sword may make a nation of hypocrites and anti-Christians, but not one Christian.”<sup>12</sup> He declared not only that civil magistrates had no business in the church, but he maintained that history proved that God did not punish nations with religious freedom and cited Holland as an example. He also explained the folly in measuring religious truth in a nation by its civil magistrates; England had exchanged its religious truth many times since the days of King Henry VIII.

Roger Williams was quick to point out however, that with liberty came responsibility. In the Rhode Island colony the need for government was ever present. Heads of

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<sup>11</sup> John Cotton, quoted by Irwin H. Polishook, *Roger Williams, John Cotton and Religious Freedom*, (Englewood Cliffs, New Jersey: Prentice-Hall Inc., 1967) p. 27.

<sup>12</sup>Roger Williams, quoted by Polishook, *Williams, Cotton and Religious Freedom*, 34.

households met regularly to discuss issues and make decisions. Common consent determined how each issue was dealt with.<sup>13</sup> A social compact, penned by Williams, was later used and all who signed the compact agreed to adhere to the majority decisions reached by the community leaders. The compact dealt “only in civil matters.”<sup>14</sup> Williams, when he was president of the Rhode Island colony defined his position clearly in a letter written to the town of Providence in January 1654, 55.

I further add, that I never denied that, notwithstanding this liberty, the commander of this ship ought to command this ship’s course, yea, command that justice, peace, and sobriety be kept and practiced, both among the seamen and all the passengers. If any seamen refuse to perform their services, or passenger to pay their freight; if any refuse to help in person or purse, towards [*sic*] the common charges or defense; if any refuse to obey common laws and order of the ship, concerning their common peace or preservation;...if any preach or write that there ought to be no commander or officers, because all are equal in Christ... the commander or commanders may judge, resist compel, and punish such transgressors, according to their deserts and merits.”<sup>15</sup>

Williams consistently argued that soul liberty should not promote anarchy.

Roger Williams the statesman promoted the idea that no one should be persecuted for religious beliefs, or even their lack of religious beliefs. The state should only intercede in matters not pertaining to one’s soul. However, Williams the statesman also argued that a government based common consent was necessary to maintain peace and civility.

It was the theology of Roger Williams that dictated his principles concerning separation of church and state. Because of his deep Christian faith Williams felt compelled to teach that Christian faith to all and promote a separate church and state so people could freely choose to accept or reject the gospel of Jesus Christ. One cannot examine Roger Williams the theologian without examining his mission work with the

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<sup>13</sup> See Lawrence Leder, *America 1603-1789: Prelude to a Nation*, (Minneapolis: Burgess Publishing Company 1972) p.61.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

Indians of the Narragansett area. As in many other areas Roger Williams views of the Native Americans differed from his Christian brethren. “Nature knows no difference between European and American in blood, birth, bodies, etc. God having of one blood made all mankind.”<sup>16</sup> Roger Williams believed they too should have the liberty of conscience and felt a deep conviction to teach them what he considered to be the truth of the Christian faith. After Roger Williams was banished from the Massachusetts Bay colony in 1636 he lived in the wilderness and found refuge with the natives. He learned their language and wrote his first book, Key to the Language of America, after his experiences living with the natives. His goal was to learn their language in order to be able to explain the gospel of Christ to them in their native tongue. Author James Ernst calls Williams, “the first English missionary of New England, preceding John Eliot by at least fourteen years.”<sup>17</sup> Despite the fact that so many Puritans professed a longing to Christianize the natives, in reality not many people made the effort. Williams was one of the few people in New England who could not only communicate with the Indian tribes, but understood their culture and traditions. Ernst explains that as he spent time with the natives he explained the gospel of Christ to them. “At all times and in all manner of places he talked to them of Indian matters and of the Christian God and Christ Jesus. He spent many nights in their wigwams, lodging in their ‘filthy smoke holes.’”<sup>18</sup> Williams learned that the Indians were a religious people and believed “that God is”. Upon this tenet Williams preached and taught the Gospel of Christ. He taught the natives the elementary elements of the gospel and strayed away from doctrine and dogma. Williams

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<sup>16</sup>Roger Williams, quoted by Polishook, *Williams, Cotton, and Religious Freedom*. 8.

<sup>17</sup> James Ernst, Roger Williams: New England Firebrand, (New York: The McMillian Co. 1932), p. 250.

<sup>18</sup> Ibid. p. 252.

felt that he was not called to baptize or set up congregations, but that did not keep him from his goal of ministering to the natives.

Roger Williams also served as a negotiator between Indians and colonialists. On more than one occasion Williams mediated peace between the English and his friends the Narragansetts. Ironically, after the Massachusetts Bay colony banished Williams to the wilderness they soon needed his help to communicate with the Indians. The Pequot War threatened the Bay area. The Pequot Indians were attempting to create an Indian league with the Narragansett Indians. Tensions had arisen between the two parties after the murder of John Oldham of the Massachusetts Bay colony by Pequot Indians. It was Roger Williams who informed the governor of Massachusetts of Oldham's death. He also told them of the plan for an Indian league. The leaders of the Bay colony knew Williams maintained good relations with the Narragansett Indians and requested that he talk to the Narragansett leaders in an effort to stop the alliance. Williams explains his participation in the matter in a letter he wrote to Major Mason,

The Lord helped me immediately to put my life into my hand, and scarce acquainting with my wife, to ship myself alone in a poor canoe, and to cut through a stormy wind with great seas, every minute in hazard of life, to the sachem's house. Three days and nights my business forced me to lodge and mix with the bloody Pequod ambassadors, whose hands and arms, methought, reeked with the blood of my countrymen, murdered and massacred by them on the Connecticut river, and from whom I could not but nightly look for their bloody knives at my own throat also. God wonderously preserved me, and helped me to break to pieces the Pequod's negotiation and design; and to make and finish, by many travels and changes, the English league with the Narragansetts and Mohegans against the Pequots."<sup>19</sup>

After Williams met with the Narragansett Sachem Miantonomo an agreement was reached between the two parties. The Narragansett Indians and the English allied against

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<sup>19</sup> Oscar S. Straus, Roger Williams: The Pioneer of Religious Liberty, (New York: Books for Libraries Press 1970), p. 98.

## Roger Williams the Theologian

the Pequots. After the official transcript was written in English, with Williams establishing the terms of the treaty, the magistrates sent a copy to Williams to interpret it for the Narragansetts. The Pequots however were not to be stopped so easily, and they continued their war against white settlement. As troops from Massachusetts marched toward the Connecticut River they stopped in Providence and paid a visit to the leader of the colony, Roger Williams. Williams then went with the troops to Narragansett and again played the role of mediator between the colonial soldiers and the Narragansetts. The Pequots were ultimately eradicated at Mystic Fort. Nearly seven hundred Pequots were slaughtered in a show of English might. The English were proud of the wholesale extermination of the Pequots. Even though the Pequots were the enemies Roger Williams did not agree with the outcome at Mystic Fort. Author Oscar Straus explains, “The only voice that was raised against the barbarous gloating over the bloody remains of the valiant Indians was that of Roger Williams. ‘Those dead hands,’ he wrote, ‘were no pleasing sight. I have always shown dislike to such dismembering of the dead.’”<sup>20</sup>

One of the great ironies of the man Roger Williams is that as he defended his idea of religious freedom for all he defended his religious faith earnestly. It was because he believed that all people should be able to discern for themselves the truth that he felt he had to make clear his religious truth and, at the same time, point out the errors of other’s religious views. The colony of Rhode Island became the home of religious dissidents such as Anne Hutchinson and the Quakers. Both groups flourished in the Rhode Island colony and experienced religious freedom there. However, Roger Williams had heated debates with leaders from both sects. John Cotton, minister of Boston, was highly

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<sup>20</sup> Ibid. p. 101, 102.

revered by Anne Hutchinson. The Antinomian Controversy ended in Massachusetts with the banishment of Hutchinson and her family. John Cotton was one of the few teachers in the Bay colony who preached the correct gospel, according to Hutchinson. Leder explains Hutchinson's "protestant extremes" this way: "she decried the alleged emphasis of the churches upon outward conformity to society's standards, on 'good works,' as a method of determining whether or not God had predestined an individual for salvation. Salvation of the soul, Anne Hutchinson insisted, depended on individual awareness and acceptance of the inward dwelling of the Holy Spirit which gave direct communion with God. God's presence within each person far outweighed all other considerations."<sup>21</sup> John Cotton's teachings came under scrutiny in the trial of his devout follower, Anne Hutchinson. Author Everett Emerson maintains that Cotton's teachings were not as radical as Hutchinson's, but they "may well have been their inspiration."<sup>22</sup> John Cotton came out of the Antinomian controversy practically unscathed after he "agreed to tone down those aspects of his teaching that differed from that of other ministers."<sup>23</sup> Roger Williams viewed Cotton's compromise negatively, maintaining that Cotton was not willing to face persecution for his beliefs. Roger Williams alluded to the Antinomian controversy in Mr. Cotton's Letter Lately Printed, Examined and Answered. "For myself, I acknowledge it a blessed gift of God to be enabled to suffer and to be banished for His name's sake. And yet I doubt not to affirm that Mr. Cotton himself would have counted it a mercy if he might have practiced in old England what now he doth in New, with enjoyment of the civil peace, safety, and protection of the state. Or, should

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<sup>21</sup> Lawrence Leder, America 1603-1789: Prelude to a Nation. (Minneapolis, Burgess Publishing Company, 1972) p.59.

<sup>22</sup> Everett Emerson, Puritanism in America 1620-1750. (Boston: Twayne Publishers, 1977)

<sup>23</sup> Ibid.

he dissent from the New England churches and join in worship with some other (as some few years since he was upon the point to do in a separation from the churches there as legal,) would he count it a mercy to be plucked up by the roots, him and his, to endure the losses, distractions, miseries, that do attend such a condition?”<sup>24</sup> However, the antagonism between Williams and Cotton went much deeper than this. As mentioned earlier, Cotton and Williams disagreed over the church and the state. They also disagreed on theological matters as well. Roger Williams challenged New England Puritanism and called for total separation from the Church of England. Williams proposed that it was “necessary to church-fellowship that the members thereunto, should all of them see, and expressly bewaile all the pollutions which they have been defiled with in their former church-fellowship, ministry, worship, government, &c.”<sup>25</sup> Cotton maintained, in essence, that “corruptions”<sup>26</sup> did exist in the Church of England, but total separation was not necessary. He insisted that the reformed Congregational Church of New England was God’s true church. Williams went as far as to say that believers should not listen to any of the ministers of the Parish Assemblies of England. Williams questions Cotton’s position further:

Upon his own confessions, I earnestly beseech Mr. Cotton and all that fear God to ponder how he can say he walks with an even foot between two extremes where, according to his own confession, national churches, parish churches, yea a church constituted of godly persons given to inordinate love of the world, are false and to be separated from? And yet he will not have the parish church to be separated from the remnant of pollution (I conceive he meaneth ceremonies and bishops), notwithstanding that he also acknowledge that the generality of every parish in England consisteth of unregenerate persons and of thousands inbondaged not only to worldliness but also ignorance, superstition, scoffing, swearing, cursing, whoredom,

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<sup>24</sup> Roger Williams, The Complete Writings of Roger Williams, (New York: Russell & Russell Inc. 1963) p. 3.

<sup>25</sup> Roger Williams, The Complete Writings of Roger Williams, Reuben Aldridge, ed. John Cotton’s Reply to Roger Williams, Vol. II (New York: Russell & Russell Inc. 1963) p. 3

<sup>26</sup> Ibid.

drunkenness, theft, lying. What are two or three, or more, of regenerate and godly persons in such communions but as two or three roses or lilies in a wilderness?<sup>27</sup>

In response Mr. Cotton asserted that separation actually helped Satan more than God. According to Cotton the Parish churches had more godly people in them than did the Separatist churches. The issue of separation, total separation, from the Anglican Church was of exponential importance to Roger Williams. He despised anything having to do with the English church. The Book of Common Prayer as well as any form of “Anglican ceremonial”<sup>28</sup> was anathema to Roger Williams. At the same time, it was extremely important to the Massachusetts Bay colony not to separate from the Church of England. King Charles I gave the colony its charter and its legitimacy. It was in the Massachusetts Bay colony’s best interest to maintain its position of nonseparation.

Williams’ problems with the New England Church also had to do with the way each interpreted the Bible. Author Perry Miller maintains that it was Williams’ typological approach to biblical interpretation that led to Williams’ radical views of separation from the Anglican Church. Miller explains, “Orthodox Protestants were less alarmed by Williams’ libertarianism than by the way he read the Bible. He was a maverick among the intellectuals of New England because he interpreted the relationship of the Old Testament to the New not as an unfolding through time of an enduring covenant between God and man- a covenant within which men were still living and within which American governments could confidently operate- but as a radical break.”<sup>29</sup> In other words, the New England theocracy found their legitimacy in the example of ancient Israel. Miller

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<sup>27</sup> Roger Williams, *The Complete Writings of Roger Williams*, Ruben Aldridge Guild, ed. Mr. Cotton’s Letter Lately Printed and Examined, Vol. I (New York: Russell & Russell Inc. 1963), p. 4.

<sup>28</sup> Perry Miller, *Roger Williams: His Contribution to the American Tradition*, (New York: The Bobbs-Merrill Company Inc. 1953) p. 32

<sup>29</sup> Ibid. p. 33.

explains further, “He believed the Bible from cover to cover, yet he would not read the Old Testament only as a historical document: he expounded it typologically. Here is the secret of his Separatism and of his divergence from his colleagues (they so feared and detested it that they tried to conceal it). Here is the insight that guided him from his initial separation to his ultimate vision of the predicament of men and nations.”<sup>30</sup>

Typological methods of interpreting the Bible were viewed suspiciously by the New England clergy because it was too subjective. Miller explains, “Typology is a peculiar method of interpreting the Bible, specifically the relationship of the Old Testament to the New, in a way that finds inner, mystical correspondences which make unnecessary and actually irrelevant any concern for the literal, historical facts of Israel’s career.”<sup>31</sup> Facts are irrelevant to the typologist because the lessons to be learned from the Old Testament are clearly portrayed in the life of Jesus. Miller explains that no one can read the Old Testament story of Jonah and the great fish without feeling there is more to the story. Jonah is a “type” that portrays Jesus’ “descent into hell.”<sup>32</sup> In essence the characters of the Old Testament were unknowingly portraying events concerning the coming Messiah. Stories that seem on the surface confusing, such as Lot’s sinful actions with his daughters or Noah’s weakness for alcohol can be explained more easily when viewed typologically. “But within this dumb show was hidden a meaning; the Savior reveals to a literal-minded humanity that the Old Testament was a rehearsal to be taken not literally but figuratively.”<sup>33</sup> Herein lays the key to Williams’ thinking. “When viewed in this light, the repressive and persecuting actions of Jewish sovereigns are not precedents for modern

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<sup>30</sup> Ibid.

<sup>31</sup> Ibid.

<sup>32</sup> Ibid.

<sup>33</sup> Ibid. p. 34

rulers, but typological pointers toward the methods by which, in the antitype, ministers should pronounce purely spiritual condemnations.”<sup>34</sup>

The Protestant New England churches condemned such interpretations. The leaders of the New England churches defended their position by referring to such great reformers as Luther and Calvin. Luther stated, “The literal sense of scripture alone is the whole essence of faith and of Christian theology.” Figurative interpretations are “empty speculations.” Calvin stated, “It is better to confess ignorance than to play with frivolous guesses.”<sup>35</sup> Puritan ministers maintained that drawing from the Bible’s “mystical meanings”<sup>36</sup> promoted human interpretation and error.

The Puritan interpretation of the Bible promoted a covenant theology. The Old Testament teaches of God’s covenant with the patriarch Abraham and his descendents. Puritan theologians took this idea and based their form of church government on it. The New England churches were based on a covenant between regenerate believers and God. Miller maintains that, “By this sort of reading, they produced a theology, an ecclesiastical program, and a social philosophy for New England.”<sup>37</sup> The real danger of the typological method of interpretation threatened the New England theocracy because it was in the very literal interpretation that the kings of Israel were godly examples for contemporary sovereigns to follow and thus, gave them legitimacy. Persecution against heretics and the oligarchy itself would be called into question if the teachings about the kings of Israel were interpreted typologically. Williams maintained that “no modern community any longer possesses in the physical realm those sanctions with which Israel alone had been

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<sup>34</sup> Ibid. p. 37.

<sup>35</sup> Ibid.

<sup>36</sup> Ibid.

<sup>37</sup> Ibid. .38

invested. Therefore the modern magistrate must get along as best he can, trying to do no more than keep the peace, while authentic antitypes of Old Testament heroes spend their lives in this pilgrimage searching for that church which Christ destroyed and for which no earthly counterpart can any longer exist.”<sup>38</sup>

Williams and Cotton disagreed over many issues; the two main issues being the separation of church and state and separation from the Anglican Church. The debate over these issues permeates their discourse in their letters, and the two adversaries never came to an agreement on the issues. Although both men claimed to respect each other, both insisted the other was sinfully wrong.

Another theological adversary of Roger Williams and his Calvinist theology was George Fox. Fox was a leader of the Quaker sect. Quakers had suffered persecution in the New England colonies and, like Roger Williams himself, had been banished from the Massachusetts Bay colony. Quakers found a safe have in Rhode Island and flourished there. Soon a Quaker colony thrived in Newport, Rhode Island. George Fox came from England and spent nearly two years in the colonies. While he was there he taught in the circle of “Friends” and seemed to have a successful trip. He visited Rhode Island for six weeks in 1672. Before Fox’s departure back to England Roger Williams challenged him to a debate. For one reason or another the two men never debated each other, but Williams did debate with three of Fox’s supporters. It is within this context of events that the theological discourse between the two men unfolded.

On the surface there are several similarities between the two men. Both men promoted the idea of separation of church and state. Both men were “seekers” of the truth of God. That is, both felt that the Roman Catholic Church and the Anglican Church

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<sup>38</sup> Ibid.

were not God's true church. Accordingly, both men taught separation from the Anglican Church. Williams thought that the true church did not exist anymore, and Fox thought that he had found the true church in the circle of "Friends." Both men are advocates of religious freedom maintaining that no one should be persecuted for their religious beliefs. Both men agreed on God's "progressive revelation" through the use of prophesying. Both men were considered by the Puritan clergy as radicals. Despite all these similarities, the two men disagreed over what historian David Lovejoy calls, "the very essence of religion."<sup>39</sup>

Roger Williams pointed out what he considered the heresies of Quakerism in his book, George Fox Digg'd Out of His Burrowes. In it Williams questioned if the Christ taught by the Quakers was the same Christ of the Scriptures. He also questioned the validity of the spirit that the Quakers seemed so filled with, and above all he took issue with the Quaker teaching concerning the "inner light." Williams even went so far as to state that Quakers, "hold no God, no Christ, no angel, no devil, no resurrection, no judgment, no heaven, no hell, but what is in man."<sup>40</sup>

Williams explained each of these statements, among many others, in detail. "Now to the proof of my second position which was, that their Christ was not the true Lord Jesus Christ. Here I prayed their patience to suffer me to tell them that they were not Christians, nor professors of Christian religion: they might (with Jews & Turks & Papists) profess one God, yet Christian they could not be: but as the Lord Jesus told us, many false Christs and false prophets should come... Because the description and character which the holy scripture gives to the true Lord Jesus, no way agrees with the

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<sup>39</sup> David Lovejoy, Roger Williams and George Fox: The Arrogance of Self-Righteousness", The New England Quarterly 66 (1993) : p. 199-225.

<sup>40</sup> Ibid.

image which they have set up.”<sup>41</sup> Williams explained that the Christ of the Holy Scriptures was “one person made up of two natures, God and man united into one person... that as to his humane [*sic*] nature or being man, all the figures and ceremonies all the priests and sacrifices pointed to him as the great Prophet, the great anointed King and Governor & c.”<sup>42</sup> Williams maintained that the Jesus of the New Testament was the promised Messiah of the Old Testament and is God in flesh. Williams explained the Quaker Jesus this way, “For do all their books declare that Christ is Spiritual, that Christ, God and man is within us, that his birth, his life, his death, his burial, his resurrection, his ascension, are wrought within us, so that like the Oracles of Apollo, and the Echoes of the Iesuites the Quakers say Christ was born at Bethlehem and dyed at Jerusalem, but intend in truth and reality no other birth nor life nor death & c. but what may be extant and wrought in the heart of man.”<sup>43</sup> In essence Williams maintained that the Quakers taught a spiritual Christ, not a physical Christ that lives within each person. This flew in the face of his Calvinist theology of predestination and the election of the saints.

Williams also questioned the Spirit that was so important to Quaker doctrine. Williams insisted that reason should guide the believer and that scripture taught that one should test the spirits to see if they be of God. The Quaker spirit, Williams declared, was heretical in essence because it was immediate and irrational. Williams explains,

there was a leading of a man with reason when his understanding and judgment is satisfied, and if so, I presumed they intended, that the leading of the Spirit did not lead them as beasts, but as rational, satisfying their reasons and judgments: and so reason grants that there are false Spirits, lying prophets, seducers and deceivers, &c. Reason therefore further saith, that every soul must be satisfied, whether this leading, or anointing, or teaching of the Spirit be by means of praying, preaching, reading,

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<sup>41</sup> Roger Williams, *The Completer Writings of Roger Williams*, Re. J. Lewis Diman ed. George Fox Digg'd Out of His Burrowes , Vol. V (New York: Russell & Russell Inc. 1963 ), p.69.

<sup>42</sup> Ibid. p. 72.

<sup>43</sup> Ibid.

meditating, conferring, & c. or immediate without the use of these: if motions without the use of these be pretended reasons tells us that a rational soul must be able to try whether the Spirit pretending to be a true or lying Spirit, and it must have some rule or touch- stone to make their trial by, that the rule must be my own reason or some testimony or unquestionable witnesses satisfying my reason, or some heavenly inspired scripture or writing which my reason tells me came from God.”<sup>44</sup>

During the debate at Rhode Island Williams questioned the urging of the Quaker spirit to prompt followers to strip themselves of their clothing in public. Williams asked Fox’s stand-ins what they thought of young women parading through churches and public gatherings. Two specific examples of this type of behavior were given. Lydia Wardell and Deborah Wilson both claimed “divine inspiration” had prompted their actions. Wardell walked into a Sunday morning service naked and Wilson ran nude through Salem. John Burnyeat, one of the men who substituted for Fox, replied, “if it should please the Lord God to stir up any of his daughters so to appear as a sign and testimony against the nakedness of others, they durst not condemn it.”<sup>45</sup> The Quakers maintained that public nakedness was only done when direct revelation by God had instructed the person to act. Williams questioned how they knew it was “divinely genuine or pure fantasy.” He goes on to question, “under such a cover that one might be so commanded and sent of God in such a posture... among men, why might not ten or twenty or all the women in the assembly be so stirred up?”<sup>46</sup> Williams received no response to his question.

Divine inspiration of the spirit interrupted the debate itself. As Williams was attempting to discredit Fox’s book, The Great Mystery of the Great Whore Unfolding, before his listeners, most of whom were Quakers, William Edmundson interrupted

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<sup>44</sup> Ibid.

<sup>45</sup> Raymond L. Camp, Roger Williams: God’s Apostle of Advocacy, (New York: The Edwin Mellon Press 1989) p. 191.

<sup>46</sup> Ibid.

Williams and concurrently started a sermon. Williams sat down and let Edmundson preach. After Edmundson finished Williams stood up to finish what he was saying but was again interrupted. This time John Stubs “received a divine inspiration” to preach as well. Williams again sat back down. Williams again stood to speak after Stubs’ sermon and was interrupted by Edmundson again. Williams, once he was finally allowed to speak asserted that, “God was rational, orderly and ‘did not prompt men to break hedges and leap over one ordinance into another.’”<sup>47</sup> Finally, after much showmanship from both parties, an agreement was met that allowed each speaker “fifteen minutes per point.”<sup>48</sup>

Williams also took issue with the Quakers concerning their teaching of the “inner light” within all mankind. Historian David Lovejoy maintains that it was Williams’ Calvinist thought that motivated his refutation of the Quaker doctrine. “Calvinism was the framework within which he thought and argued, and it left no room for Quaker ‘jangling’ about God or Christ, about the Light, Spirit, and Faith, all of which Williams found the Quakers rolled into one package and deposited in the heart of each believer.”<sup>49</sup> Concerning the inner light Williams explained, “I do not simply and blasphemously think that my soul is a piece or part of God.” Lovejoy explains that Williams challenged the Quakers to show biblical evidence of the inner light, “to particularize any on Scripture where the Spirit of God directs any poor Soul to listen and hearken to a light and voice within him.”<sup>50</sup> The inner light of Quakerism denied the Calvinist doctrine of

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<sup>47</sup> Ibid. p. 194.

<sup>48</sup> Ibid. p. 195.

<sup>49</sup> David Lovejoy, “Roger Williams and George Fox: The Arrogance of Self-Righteousness”, The New England Quarterly 66 (1993) p. 212.

<sup>50</sup> Ibid.

predestination and the election of the saints, upon which Williams' theology rested.

Lovejoy explains Williams' objections further, "Indeed, wrote Williams, Fox rested in the 'Burrough of the Arminians' who would destroy the whole scheme of predestination constructed before the world began."<sup>51</sup>

In the face of such differing views over such major theological doctrines it is hard to conceive that these men ever agreed on anything. Yet, as mentioned earlier, both men did propose religious freedom and tolerance. However, as Lovejoy explains, neither man practiced religious tolerance toward the other; each suspected the other, and accused the other, of indifference and feared persecution from the hands of their adversary. In essence, neither man practiced what they had preached. "Williams proposed that the Quaker spirit tended to reduce 'Persons from Civility to Barbarisme, to an Arbitrary Government, and the Dictates and Decrees of the Sudden Spirit that acts them.'" It was this tendency, declared Williams, that could easily lead to a 'fiery persecution in matters of conscience' as has ever been seen or practiced before."<sup>52</sup>

Although the three public debates were between Williams, John Burnyeat, John Stubs, and William Edmundson it was George Fox's theology that Williams attacked. The three associates of Fox were not Williams' target. The target of the Williams' debates was Quaker theology as taught by its most prominent teacher, George Fox.

To the New England clergy of the day Roger Williams was a heretic. To the Indians of the Narragansett area he was a just man. To others, such as George Fox, he was a hypocrite who taught religious tolerance but did not practice it. Roger Williams, it can be argued, was a radical in that he did nothing half way. Once he made up his mind he was

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<sup>51</sup> Ibid.

<sup>52</sup> Ibid. p. 204.

uncompromising. Perhaps this is why so often the character of Roger Williams seems a paradox. Roger Williams the theologian argued for purity in God's true church and as such challenged the Puritan view of Native Americans, Quakerism and Puritan theology. It was his conviction that he had to preach and teach the truth of God that also led him to realize that all men should have the freedom to learn this truth. Clearly the duality of the man Roger Williams is seen here. Roger Williams the theologian motivated Roger Williams the statesman to argue for a separation between church and state and to spend his life defending his idea of "liberty of conscience."

## CHAPTER 3

### ISAAC BACKUS: BAPTIST DISSENER

*“Many who are filling the nation with the cry of liberty and against oppressors [in parliament] are at the same time themselves violating the dearest of all rights, liberty of conscience.” Isaac Backus 1777*

Approximately one hundred years after Roger Williams another dissenter began to stir up trouble in Massachusetts. He too proclaimed that church and state should be separate. Isaac Backus became a leader for the Baptist dissenters as he advocated religious liberty and separation of church and state.

Isaac Backus was born into a wealthy family in Connecticut on January 9, 1724. His family was well respected in the community; his ancestors were founders of the community of Norwich. Like every other family in the community the Backus family attended the local Congregational Church. Isaac was baptized three days after he was born and became a member of the church via the Halfway Covenant. Isaac was content in the established church of Connecticut for a time and grew up under the teachings of its pastor, Benjamin Lord. It was after the revivalists of the Great Awakening came through New England and Isaac Backus experienced a religious conversion that he began to see things differently.

Backus' father died suddenly in 1740 from the measles leaving his wife, Elizabeth Tracy Backus, with eleven children to raise alone. Overwhelmed, she became extremely

depressed. It was around this time when the revivalist preachers such as George Whitefield and James Davenport began to preach in New England. Mrs. Backus had a religious experience in one of the meetings and it was his mother's religious faith that had a profound impact on Backus. He began to search out the way to find the salvation that he had heard about in the camp meetings. The salvation experience that the revivalist preachers talked about, and that his mother had experienced, was hard for Backus to comprehend. He had been taught classical Calvinism from Benjamin Lord—if people lived good moral lives and they were part of the elect God would give them salvation at some point in their life. “For all the sound teaching with which I had been favored had given me no higher ideas than that a good dispensation of mind was necessary in order to come to Christ for salvation.”<sup>53</sup> Backus tried to achieve salvation on his own by going to church and praying sincerely; he continued to be burdened and worried. Then Backus came to the realization that he could not gain salvation through any effort on his part. “God laid open to me the plague of my own heart and folly of seeing life [eternal life] by my own doings.”<sup>54</sup> One day as Backus worked on his farm his life was forever changed.

As I was mowing alone in the field, August 24, 1741, all my past life was opened plainly before me, and I saw clearly that it had been filled up with sin. I went and sat down in the shade of a tree, where my prayers and my tears, my hearing of the Word of God and striving for a better heart, with all my other doings, were set before me in such a light that I perceived I could never make myself better, should I live ever so long. Divine justice appeared clear in my condemnation, and I saw that God had a right to do with me as he would. My soul yielded all into his hands, fell at his feet, and was silent and calm before Him. And while I sat there, I was enabled by divine light to see the perfect righteousness of Christ and the freeness and riches of His grace, with such clearness, that my soul was drawn forth to trust Him for salvation. And I wondered that others did not also come to Him who had enough for all. The

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<sup>53</sup> Isaac Backus, as quoted by William G. McLoughlin, *Isaac Backus and the American Pietistic Tradition*, (Boston: Little, Brown and Company, 1967), 12.

<sup>54</sup> *Ibid.*, 13.

## The Reluctant Dissenter

Word of God and the promise of His grace appeared firmer than a rock, and I was astonished at my previous unbelief. My heavy burden was gone, tormenting fears were fled, and my joy was unspeakable.<sup>55</sup>

This “new light” that had been revealed to Backus caused him to see things much more differently. Gradually Backus began to see the need for change; he would spend the rest of his days seeking change and at the same time, almost unconsciously, he became an advocate for religious liberty and separation of church and state.

Backus’ stance on separation of church and state has been termed a “pietistic version of separation of church and state” by historian William G. McLoughlin. The pietistic version of separation of church and state maintained that the civil state should be separate from the church in order to protect the church from oppressive government action in areas of religious liberty. The pietists, however, believed that the end result of religious liberty and a separate church and state would be a Christian nation, or according to Isaac Backus, a Baptist nation. Historian William G. McLoughlin explains: “Backus and the Baptists wanted to separate Church and State in order to create a truly Christian state in which men rendered to Caesar only what was really Caesar’s and devoted the bulk of their energy to serving God... Backus believed America was and ought to be a Christian nation, and he looked forward to the day when it would be a Baptist nation. His was a pietistic version of the doctrine of separation, more like that of Roger Williams, with whom he deserves to be compared, than like that of Jefferson or Madison.”<sup>56</sup> Backus maintained that there were two types of government: civic and ecclesiastical; the civic government should have no part in the ecclesiastical government. “Having offered these

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<sup>55</sup> Ibid., 14.

<sup>56</sup> Ibid, xi,xii.

### Pietistic Version of Separation

few thoughts upon the general nature of government and liberty, it is needful to observe that God has appointed two kinds of government in the world which are distinct in their nature and ought never to be confounded together, one of which is called the civil and the other ecclesiastical government.”<sup>57</sup>

Unlike Jefferson or Madison, Backus’ ideas concerning separation of church and state were not based on political theory or ideology. Backus became a proponent of a separate church and state as a result of his experiences as an oppressed dissenter from the Standing Order of Massachusetts. The evolution of Backus’ conception of separation of church and state was birthed by the Great Awakening that swept through New England during the 1740s. As explained earlier, Isaac Backus’ life was changed after his conversion experience in 1741. After his conversion Backus at first remained a member of the local Congregational Church. However, divisions within the Congregational Church soon became apparent. Members of the same Congregational Church became identified as “New Lights” or “Old Lights.” The group that supported the revivalist teachings such as Jonathan Edwards and George Whitefield and others were termed New Lights. Those who opposed the revivalists were termed Old Lights. At first the Standing ministers, such as Benjamin Lord, Backus’ pastor, approved of the religious fervor that the revivalists brought. Church attendance increased and people seemed to be once again concerned with spiritual matters. This acceptance was short lived; things soon changed when, according to the Old Lights, things began to get out of hand. Uneducated itinerant

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<sup>57</sup> Isaac Backus, *Pamphlets, 1754-1789*, ed. William G. McLoughlin (Cambridge: The Belknap Press of Harvard University Press, 1968), 312.

preachers began preaching in town without the permission of the local Standing Order Church; newly converted saints were being led astray by their emotions and illiterate men claiming to be sent from God. “They worked upon the emotions of their hearers in order to make them cry, shout, groan or fall fainting on the floor. They produced by a ‘mechanical’ process what the Holy Spirit produced by a spiritual process. This was clearly the Devil’s way to throw disgrace upon the blessing sent from heaven. Satan was using very ignorant, misguided fanatics to delude the unstable and the uneducated people of the parish to think they had received the power of grace when they had not.”<sup>58</sup>

The most explosive issue dealt with church membership and purity. Backus and other New Lights soon began to question the validity of the Halfway Covenant. The Halfway Covenant was basically a compromise where church membership was concerned. The covenant allowed people to join the church without testifying of a salvation experience. Those seeking membership pledged allegiance to Calvinist theology and pledged to live a godly, moral life. They were not allowed to vote on issues of church government, but their children could be baptized. These halfway members could become full members after giving a written account of their conversion.

Backus and the New Lights had issues with this Halfway Covenant. They maintained that the church needed to go back to the way it was earlier and membership should be restricted to visible saints only. Believers should not sit down to the Lord’s Supper with unbelievers; it defiled Christ’s holy church. Benjamin Lord, Backus’ pastor, disagreed. He explained that Christ’s parable of the wheat and the tares clearly revealed the dangers in trying to determine the elect from the damned. In the attempt to weed out the tares from the wheat part of the elect whose grace had not yet been manifested may be cast out.

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<sup>58</sup> McLoughlin, *American Pietistic Tradition*, 16.

For this reason, Lord upheld the Halfway Covenant. Backus and the New Lights patiently waited and hoped to bring about a “new reformation” and much needed change to the Congregational Church.

When a majority of Old Lights defeated an attempt to end the Halfway Covenant, Backus and the New Lights realized, despite the persecution they would surely face, that they had to leave the established church in Connecticut and be true to their convictions. On July 13, 1745 Backus and twelve others, including his mother and other relatives, were called in to come before the Norwich Standing Church to give an account for their separation. They explained that their conscience demanded their departure from the Congregational Church. The Separates objected to the Standing Order’s practice of admitting people into fellowship without proof of conversion and allowing them to partake of communion. The Standing Order of Connecticut also denied revivalist preachers the opportunity to preach in the Congregational Church, much to the chagrin to the Separatists. They also explained that since they had been admitted via the Halfway Covenant, hence before they were converted, they were not truly members of the Congregational Church. After these reasons were given the committee of Old Lights determined that these were not proper reasons for separation. When it was all said and done the New Lights were censured. This censure denied them the right to observe communion and other church privileges until they repented of their sin. The Separates started their own church on July 16, 1746 and elected Jedidah Hide as their pastor.

A few months later Backus himself felt the call to preach. This vocation would surely mean more persecution for Backus and his family. It would also mean he would have to give up farming and the family business interests. In spite of these considerations Backus

felt the call of God upon him. Author C.C. Goen quotes Backus as he relates the course of events that led Backus to accept God's call: "Being at a certain house where a number of the saints were met, the command, 'pray ye the Lord of the harvest that he will send forth laborers into his harvest,' was read and spoken upon. A conviction seized my mind that God had given me abilities which his church had a right to the use of and which I could not withhold with a clear conscience."<sup>59</sup> Historian William G. McLoughlin relates the story from Backus' diary: "Then on September 27, while he was 'alone in the woods' he had 'such a converse with God as I never had before.' And it became clear that 'He called me to preach his gospel.'"<sup>60</sup> Backus announced his call to preach to the church on September 28, 1746.

At his ordination service the Old Lights appeared on the scene in opposition to the gathering of the New Lights and their ordination of yet another itinerant preacher. The meeting was temporarily interrupted by a representative from the Precinct Committee of the local Standing Order Church. "Benjamin White, Esq. one of the Committee of this Precinct rode up among the throng of people and spoke out loud and Said that in the name of the Committee of this precinct he Forbid our proceedings."<sup>61</sup> Mr. White was not alone but he had no law enforcement officer with him so the New Light Separates continued with the service and Backus became an ordained Separate minister and now pastor of the Separate Church in Titicut, Massachusetts – in defiance of the local civil magistrates.

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<sup>59</sup> C.C. Goen, *Revivalism and Separatism in New England, 1740-1800*, (New Haven, Yale University Press, 1962) 210.

<sup>60</sup> *Ibid.*, 32.

<sup>61</sup> *Ibid.*, 47.

The number of itinerant revivalist preachers grew steadily in New England. Preachers such as Backus found popular support among the common people of the areas they visited. These New Light revivalist preachers preached what McLoughlin termed a “folk form of Calvinism.”<sup>62</sup> They found the locals very receptive to the Gospel and the new way in which the message was conveyed. The revivalist preachers were very different from the Congregational minister. The revivalists were very eager to go out into the frontier areas and preach; the parish ministers rarely visited the back country. The message of the revivalists was much more energetic and emotional in nature emphasizing the importance of experiencing God and feeling the presence of God in the heart. The knowledge of God to the New Lights was based on a religious experience with God; the knowledge of God to the Old Lights was based on an intellectual knowledge of God. McLoughlin explains: “When an Old Light spoke about ‘knowledge of God’ he meant knowing intellectually how God’s universe operated, not feeling the presence of God in his heart.”<sup>63</sup> The revivalists were also very good at putting the gospel message in plain English and their services were very informal. All of these factors brought increased popularity to the New Light Separatists and at the same time increased tensions between the revivalists and the established Standing Order churches in New England. McLoughlin explains the importance of these factors to the American Pietistic tradition. “They brought the rarefied intellectualism of Puritanism down to the level of the common man. This was the contribution of the frontier to the development of the American pietistic temper—fervent, anti-intellectual, popular, egalitarian, but often eccentric and flamboyant in its ‘wildfire’ of enthusiasm. The New Light experimental rationale for

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<sup>62</sup> Ibid., 45.

<sup>63</sup> William G. McLoughlin, *Revivals, Awakenings, and Reform* (Chicago: University of Chicago Press, 1978), 92.

Calvinism gave the common man knowledge through experience, and pietistic faith gave him the sublime confidence to trust his experience against the traditions, learning, and laws of his “betters.”<sup>64</sup> It was the experiential knowledge of God that prompted New Light Separates such as Isaac Backus to stand up against an increasingly hostile established church and state.

A major point of contention between the two groups was the issue of ministers. New Lights insisted that preachers be converted and called of God, but not necessarily classically educated. Old Lights insisted that all ministers be properly trained and educated. In Connecticut after 1742 the established clergy began to push for the State to pass laws prohibiting revivalist preachers from preaching without the permission of the local Standing Church. Itinerant preachers who broke such laws were punished. The Toleration Act of 1708 was also rescinded; now only the legislature, not the local courts, could license Separatists or other dissenting churches. Local civic leaders, such as members of the General Assembly, who were known to sympathize with the New Lights were denied their seats by the legislature. New Light sympathizers could not serve in the militia or as Justice of the Peace. Students attending Yale University who were thought to be New Lights were expelled. Pastors who preached to Separates and Baptists were fired. In 1744 Thomas Marsh, a Separate pastor from Plainfield, Connecticut was arrested and jailed for six months for preaching without a license. He had recently been elected as pastor of the Separate church after an election. People of the church and the parish voted since all paid taxes to support the established church. In this case the majority in the church were Old Lights, but the majority in the parish were New Lights.

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<sup>64</sup> McLoughlin, *American Pietistic Tradition*, 45.

Connecticut's local ministerial association, the Consociation of Windham, joined in opposition with the Old Lights and Marsh was arrested.

These oppressive actions of the Standing Order Churches only added fuel to the flame. The right of the local congregation to choose its own minister was vitally important to the Separatists. Backus summed up their argument with a rhetorical question: "Does not the cause of all this difficulty lie in this, that common people [justly] claim as good a right to judge and act for themselves in matters of religion as civil rulers and learned clergy?"<sup>65</sup> Before Backus was ordained by the Titicut Parish in Massachusetts, he debated this issue with Bridgewater's standing minister, the Rev. John Shaw, a Harvard graduate. Backus declared that the only requirement of a minister was that he be called by God to preach: "I held that every true minister of Christ now had the same Call (as to the substance and nature of it) as the prophets and the Apostles had... But he stood against it and held, that if men had College Learning, and were approbated and Ordained regularly (as he call'd it) They were ministers of Christ."<sup>66</sup> Shaw went as far as to declare that those itinerant preachers without a college education were "false teachers." Backus then retorted that it was those established ministers who had never been converted or called by God to preach that were the false teachers. Backus stated that he believed "that there were a great many [Standing ministers] in this generation that must come sooner or later to make that Confession and own that Man taught 'em from their youth and that God never sent 'em."<sup>67</sup> The two men never came to an agreement; the Rev. Shaw opposed Backus' ordination as a minister.

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<sup>65</sup> Isaac Backus, *Pamphlets*, 114.

<sup>66</sup> Isaac Backus, as quoted by McLoughlin, *American Pietistic Tradition*, 41.

<sup>67</sup> *Ibid.*

A major component of Separate ideology that went hand in hand with their stance on the calling of ministers was the issue of local autonomy. According to Backus and other Separates the local church, the brethren, should be the official group that did the hiring and firing of ministers. In 1748 Backus authored a church covenant and articles of faith for the newly formed Separate Church in the Titicut Parish in which he would serve as pastor. The articles revealed classic New Light Separatist ideology. Theologically speaking it was orthodox Calvinism as were the local Standing Order churches. The difference lay in church government and polity. No one would be admitted to church membership via the Halfway Covenant; the local church would choose its ministers and church leaders such as deacons and elders by a majority vote by the brethren. The minister's vote would be no more powerful than any other member's vote. The pastor "hath no more power to Decide any case or controversy in the church than any private brother."<sup>68</sup>

The articles written by Backus differed with the Standing Order where ministerial support was concerned also. It would be this issue more than any other that would define Backus' pietistic version of separation of church and state. The established churches of the Standing Order enjoyed ministerial support via mandated religious taxes. Backus and the Separates opposed such taxation. Every citizen of every parish had to pay their religious taxes whether they were a member of the Standing church or not. It was for this reason that Separates (and later the Separate Baptists) were despised and unwelcome in most parishes. After a law was passed exempting dissenters such as Baptists and Quakers from paying the religious tax people did not want Separatists in their midst for two reasons: their exemption meant higher religious taxes for the rest of the parish

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<sup>68</sup> Ibid., 43.

members, and dissenters also deterred educated ministers from coming to serve as ministers in the Standing Order churches.

The Standing Order maintained that mandatory religious taxes was for the good of the society; a well maintained church would birth a stable, moral , and prosperous society. Backus and other Separatists maintained that Christ’s church would birth a stable, moral, and prosperous society, but the upkeep of its minister should be paid by voluntary contributions not mandatory taxation. This radical new idea set the Separates and the Separate Baptists apart from the establishment. According to Backus, Christian ministers should be paid, but Christians should freely give—not forced by civil authorities—to pay their salary. Backus stated, “That every saint is commanded to be faithful to improve all the gifts & graces that are bestowed on them in their proper place & to their right end.”<sup>69</sup> Backus’ objections to religious taxes led him to promote concurrently the disestablishment of the Standing Order churches and a separate church and state.

Despite the fact that laws were passed in 1728 that exempted dissenting religious groups such as Baptists and Quakers from paying religious taxes tensions continued to grow between the establishment and dissenting groups. In 1734 the existing law was renewed and modified in a way to determine if those seeking exemption were truly members of dissenting churches. To be considered for exemption the tax assessors made a list of all dissenters. Any one who wished to be added to the list must have “two principal members” to attest to their validity as members; those considered for exemption were “to be conscientiously of the persuasion and that they do frequently and usually attend their meetings for the worship of God on the Lord’s Day.”<sup>70</sup> When dissention

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<sup>69</sup> Ibid.

<sup>70</sup> Ibid., 117.

grew within the Separate movement over infant baptism debate then revolved over who was truly a Baptist—those who baptized infants, or those who did not.

The issue of infant baptism was one that caused Backus much anguish. He struggled and prayed for over two years as he tried to discover God’s will. “No man, who has not experienced the like, can form a proper idea of the distress I endured for two years.”<sup>71</sup> He had been raised and schooled in Puritan theology and had considered sprinkling infants as almost symbolic of circumcision. When challenged by some friends to examine the scriptures on the subject Backus came to believe that only confessed believers should be baptized—not infants; and they should be immersed instead of sprinkled.

Backus and his group of antipedobaptists rejected the covenant theology of the pedobaptist Separatists. They maintained that in the Old Testament there existed a covenant of works. In the covenant of works circumcision was mandated to God’s chosen people. Because the Jews rejected Jesus they were no longer God’s chosen ones. A new covenant, not of works, but a covenant of grace was given through Jesus Christ. Salvation by faith through grace set those bound by the Old Testament covenant free. The covenant theology of the Puritans had remained in the Separate churches via infant baptism. McLaughlin explains that Backus came to believe that “the Puritan’s confusion had led them to try to establish an Old Testament Israel in New England; it led them to the baptism of children through the false analogy with circumcision... Thus the Puritans had confused the gospel of grace with the doctrine of works and transformed the gospel church of visible saints into a national church with a birthright membership.”<sup>72</sup> This caused yet another division in the dissenting churches. Many New Light dissenters

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<sup>71</sup> Isaac Backus, quoted by Alvah Hovey, *A Memoir of the Life and Times of the Rev. Isaac Backus A.M.*, (Boston:Gould and Lincoln, 1859) 90.

<sup>72</sup> McLaughlin, *American Pietistic Tradition*, 76.

believed in pedobaptism. When those antipedobaptists churches filed for exemption from taxation their claims were challenged by the pedobaptist faction of the group. More often than not exemption was denied. Furthermore, the exemption law could not even go into effect until a new plantation had a church and an educated orthodox minister – paid for by all members of the new plantation.

Exemption from religious taxes gave Baptists a bad reputation; Baptists were looked down upon and often times oppressed by local authorities. Loopholes in the certification process often times ended up with Baptists having to pay the tax anyway. Goen explains, “In many localities, especially in Connecticut, legal pressures were applied indiscriminately to “baptists,” “anabaptists,” “separates,” and “new lights” of all descriptions.”<sup>73</sup> In Massachusetts things were not much better. Although the Exemption Act was revived in 1752 Separate Baptists still had to pay the religious taxes because local authorities decided who should be exempt and who should not. Goen concludes, “The net result was indiscriminate taxation of most Baptists regardless of the pretense of toleration represented by the formal statement.”<sup>74</sup> When appeals were made they were heard by courts filled with opponents of Separate Baptist ideology.

It soon became clear to the antipedobaptists that a united defense was needed. Isaac Backus was invited to Warren, Rhode Island to attend a meeting that would propose an alliance of Separate Baptist Churches. Backus was at first hesitant to the idea of an association of churches fearing its power over congregational autonomy. However, once the Association approved its constitution protecting congregational autonomy, Backus approved and became an advocate for the Warren Baptist Association. The Association

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<sup>73</sup> Goen, 214.

<sup>74</sup> Ibid.

helped to create rapid growth within the denomination in New England. It also provided member churches with a place where issues of doctrine, discipline and other subjects could be discussed as it promoted the expansion on the Baptist denomination. The Warren Association proved itself invaluable to the cause of religious freedom. Its most important act was its creation of a Grievance Committee in 1769.

The function of the Grievance Committee was clear: it would petition the legislature for religious freedom. In doing this the committee was also charged with gathering information pertaining to cases of religious persecution of any Baptist or Baptist Church. Backus was a key player in this committee and became the official spokesman for Baptists in their attempt to disestablish the Standing Order Church.

Backus proved tireless in his efforts to appeal for religious liberty, a disestablished ecclesiastical system and a separate church and state. He gathered information concerning abuses, wrote articles in the newspapers, appeared in court, and wrote tracts informing the public. In his tract entitled “A Seasonable Plea for Liberty of Conscience Against Some Late Oppressive Proceedings Particularly in the Town of Berwick” he stated adamantly “many who are filling the nation with the cry of LIBERTY and against oppressors [in Parliament] are at the same time themselves violating the dearest of all rights, LIBERTY OF CONSCIENCE.”<sup>75</sup> The Grievance Committee promised legal aid to those Baptists whose religious liberties had been violated. In 1769 the Grievance Committee got news of abuses in Ashfield. “Many of the letters of the Churches [in the association] mentioned grievous oppression and persecutions from the ‘Standing Order’ especially the church from Ashfield where religious tyranny had been carried to great

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<sup>75</sup> Isaac Backus, *A Seasonal Plea for Liberty of Conscience, against Some Late Oppressive Proceeding; Particularly in the Town on Berwick, in the county of York [Maine]*, (Boston: Phillip Freeman, 1770).

lengths.”<sup>76</sup> The Grievance Committee prepared to address the courts of Massachusetts and Connecticut on this issue. Backus and the Committee were determined; they would appeal all the way to the King if they had to.

The Ashfield Case came about when settlers of Ashfield, who were Baptists, called Ebenezer Smith as their pastor and began building a meeting house. Although the vast majority of the residents were Baptists the nonresident proprietors who owned the land were not. They feared the value of the land would decrease because respectable people would not but the land where the taxes for the Standing Church would be so high. Ebenezer Smith’s tax exemption was denied by the civil courts because he was not college educated. The proprietors hired Reverend Jacob Sherwin, a Yale graduate, and Congregationalists soon began buying land in Ashfield. Taxes were to be paid by all to pay for a new Congregational Church and the minister’s salary. The Baptists had no recourse but to pay the tax because they could not be exempt until after the town had an established church and clergy. When the town was incorporated in 1765 the Baptists should have been able to declare exemption under the existing law. For three years the Baptists continued to pay the tax because the local authorities maintained that the Congregational Church was still under construction. The Baptists then petitioned the legislature for redress but were denied. The legislature passed the Ashfield law which required all inhabitants of the town to support the Standing Church despite the existing law. When the Baptists refused to pay their taxes their land was taken and sold, very cheaply, to new Congregational settlers. The Grievance Committee sought redress on this issue. A committee was sent both to the king and also to the General Assembly of Massachusetts. Their protest declared the Ashfield law was unconstitutional and had

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<sup>76</sup> McLoughlin, *American Pietistic Tradition*, 111.

resulted in “398 acres of our land have been sold to build and remove and repair when moved a meeting-house in which we have not part...The lands were valued at three hundred and sixty-three pounds thirteen shillings, lawful money, and were sold for nineteen pounds fifteen shillings, lawful money...Part of said lands had been laid out for a burying place and they have taken from us our dead. They have also sold a dwelling house and orchard and pulled up our apple trees and thrown down our fences and made our fields waste places.”<sup>77</sup> The General Assembly of Massachusetts did little more than rename the dissenters Antipedobaptists; the law remained in effect and Baptists continued to be taxed. The Baptists appealed to King George. On July 13, 1771 the king struck down the Ashfield law.

Isaac Backus led the appeal process of the Ashfield case. He helped John Davis, chairman of the Grievance Committee in preparing the appeals, and wrote tracts urging the Massachusetts legislature to grant more religious freedom. After Davis became sick, Backus was named the chairman of the Grievance Committee. Even after the victory concerning the Ashfield law, Backus still had much work to do. As chairman, he knew that much oppression was going on. Some Baptists continued to be taxed even though they had legitimate exemption certificates; others tried their cases in court to no avail. Many towns invalidated the exemption certificates, and local officials refused to carry out laws.

Finally, in 1773, Backus and the Baptists had had enough. They changed their policy totally. No longer would they deal with the system of exemption or certificates of exemptions. They would practice civil disobedience and refuse to turn in certificates or pay the taxes. Once the Congregationalists saw the jails filled with Baptist dissenters

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<sup>77</sup> Ibid., 117.

they would realize how widespread the opposition was. The Warren Baptist Association sent out a pamphlet defending civil disobedience called “An Appeal to the Public for Religious Liberty Against the Oppression of the Present Day”: the author was Isaac Backus. McLoughlin contends that the importance of this sixty-two page tract: it “was the most important of the thirty-seven tracts which Backus published during his lifetime and was central to the whole movement for separation of Church and State in America. It remains the best exposition of the eighteenth century pietistic concept of separation.”<sup>78</sup> In the tract Backus maintains that truth would prevail if religious liberty was granted. In order for this to happen there had to be total disestablishment between the church and state. Backus maintained that within the established order in Massachusetts there were three fatal flaws regarding religious liberty. First, the legislature mandated the support of “pedobaptist worship....although it is well known that infant baptism is never expressed in the Bible.”<sup>79</sup> Backus also maintained that the legislature had no right to place educational requirements upon ministers and that doing so men called by God to preach were denied the opportunity to use their God given abilities. God’s will was being usurped by man made laws. And finally, Backus maintained that compulsory taxation was a violation of religious liberty. A Christian was commanded to tithe and give voluntarily; the state should not have any voice in this matter since the issue was religious rather than civil: “Now who can hear Christ declare that his kingdom is NOT OF THIS WORLD, and yet believe that this blending to the church and state together can be pleasing to him?”<sup>80</sup> Backus went on to explain that Baptists, like the colonists, were being taxed without representation since religious taxes were forced upon all. “And

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<sup>78</sup> McLoughlin, *American Pietistic Tradition*, 123.

<sup>79</sup> Isaac Backus, *Pamphlets*, 317.

<sup>80</sup> *Ibid.*, 318

though in our charter the King grants to all Protestants equal Liberty of conscience, yet for above thirty years after it was received Congregationalists make no laws to favor the conscience of any man in this affair of taxes but their own sect.”<sup>81</sup>

Baptists and other dissenters were also being denied their natural rights concerning property by being forced to pay a minister that they could not listen to with a clear conscience. As well written as the tract was it changed nothing. Baptists who practiced the act of civil disobedience by not turning in certificates were punished.

Isaac Backus next turned to Massachusetts patriot Samuel Adams for help. In his appeal to Adams he stated, “I hope, sir, that you will give proof both to the court and to the world, that you regard the religious as well as the civil rights of your countrymen.”<sup>82</sup> Backus’ pleas went unheeded by the Massachusetts legislature. They merely extended the exemption act for another three years. Backus and the Grievance Committee had a hard choice to make concerning their next move.

Since their pleas were ignored by the Massachusetts General Assembly the Baptists could appeal to King George and reveal the hypocrisy of the Patriot cause. However, they realized this would only further ignite hatred for the Baptists. Events in Boston quickly opened up another door for Backus and the Grievance Committee.

In an act of rebellion Sam Adams and his Sons of Liberty dumped English tea into Boston’s harbor in December 1773. In retaliation the English Parliament passed the Coercive Acts in 1774 and closed the port in Boston. These acts of Parliament (along with the Quebec Act and the Quartering Act) prompted the colonists to send delegates to Philadelphia to meet at the First Continental Congress in September 1774. Now the

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<sup>81</sup> Ibid., 320.

<sup>82</sup> Isaac Backus, as quoted by McLoughlin, *American Pietistic Tradition*, 128.

Baptists could appeal to a higher power—but not the King—they could appeal to the Continental Congress.

The Warren Association sent Isaac Backus, James Manning, and Caleb Smith to meet with the delegates to appeal for religious freedom. However, Backus and company made a huge mistake when they allied themselves with Israel Pemberton, James Pemberton, and Joseph Fox—three prominent Quakers from Philadelphia. The alliance seemed like a good idea at first; both groups were dissenting groups appealing for religious liberty. However, the Quakers were not only Pacifists, but many of the group had Tory affiliation. John Adams maintained that Israel Pemberton's true motive was not religious freedom but instead it was to break up the Continental Congress. The Baptist's political naïvete proved fatal despite a stirring speech by James Manning. The Grievance Committee was heard only by the Massachusetts delegates to the Constitutional Convention; Backus and company returned home with an empathetic yet hollow promise for help in their cause from the Convention.

Backus and the Grievance Committee did not give up. In 1780 they continued their fight for disestablishment as Massachusetts attempted to ratify its state constitution that included an article that continued mandatory religious taxation. Despite the fact that the religious tax would support all denominations, including Baptists, Backus and the Grievance Committee still opposed the ratification of the Massachusetts Constitution arguing for a complete separation of church and state. Again Backus met defeat when the Massachusetts state constitution was ratified.

Isaac Backus was at first a complacent member of the Congregational Church in Connecticut. However, the changes wrought in him via the Great Awakening and his

conversion experience dictated his departure from the Congregational Church. This reluctant dissenter came to believe that government should have no voice in matters of conscience and that the church and state should be separate. Like Roger Williams before him, he became an adversary of the Standing Order on New England and fought for disestablishment and religious freedom. Although Isaac Backus never lived to see the disestablishment on the Massachusetts Standing Order or a separate church and state that did finally come to America, his pietistic contribution to the fight for religious freedom permeates the annals of American history.

## CHAPTER 4

### THOMAS JEFFERSON AND RELIGIOUS FREEDOM

*“I contemplate with sovereign reverence that act of the whole American people which declared that their legislature would ‘make no law respecting an establishment of religion, or prohibiting the free exercise thereof,’ thus building a wall of separation between church and state.”*

*Thomas Jefferson  
Letter to the Danbury Baptist Association 1801*

It is impossible for one to explore the concept of a separate church and state without giving much attention to the sage of Monticello, Thomas Jefferson. Like Roger Williams before him Jefferson sought true “liberty of conscience.” And with his contemporary Isaac Backus in Massachusetts he sought the disestablishment of the Anglican Church in Virginia and opposed religious taxation. However, the end result of religious freedom and a separate church and state that these three defenders sought was very different. For Roger Williams the end result would be a totally pure church free from governmental impediments. For Isaac Backus the end result of a separate church and state would produce a Christian nation—a Baptist nation—in which the church and state would be separate but would coexist harmoniously together. For Thomas Jefferson, however, the end result of a separate church and state would be a totally secular state. Historian William G. McLoughlin explains: “The Virginia separatists were interested in leaving the mind free to follow its own rational direction...The Massachusetts pietists believed that separation was necessary in order to leave the ‘rational soul’ free to find ‘true religion’ as expressed in the Bible, ‘the revealed will’ of God. Implicit in both statements was a belief in God, in natural law, in man’s ability to find them. But the deistic

separationists of Virginia trusted entirely to man's reason and free will. The pietists thought that only through the supernatural grace of God would man find the truth that is in Jesus Christ. Though both views were individualistic, the deist was anthropocentric, the pietist theocentric."<sup>83</sup> The principles of Thomas Jefferson were at once similar yet contrasting to the principles of Williams and Backus. Like Williams and Backus Jefferson's principles dictated the necessity of religious freedom in order to establish and maintain a separate church and state. Unlike Williams and Backus, however, Jefferson's principles were founded on his enlightened belief in man's ability to reason.

The foundation of Thomas Jefferson's political philosophy was the principle of religious freedom. It was this principle of religious freedom that dictated his belief in a separate church and state. To Thomas Jefferson religious freedom meant not only disestablishment of the Anglican Church in Virginia, but it also meant that reasonable people everywhere should be free from government interference to believe whatever they wanted.

In the presidential election of 1800 the Federalist Party used Jefferson's belief in religious freedom as propaganda. They had portrayed Jefferson and his political philosophy of religious freedom as being an enemy of religion. In November 1801 news of the Treaty of Amiens reached America. This treaty between Britain and France brought an end to fears of America being drawn into an European war. Boston's Federalist newspaper, *The Columbian Centinel*, called on Jefferson to follow his presidential predecessors and proclaim a national day of thanksgiving. For Jefferson and the Republicans this would be political suicide; during the Adams administration Republicans had protested in the streets against presidential fasts and thanksgiving days

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<sup>83</sup>William G. McLoughlin, *American Pietistic Tradition*, 144.

accusing the Federalists of not only Constitutional violation concerning the separation of church and state, but they also maintained that the Federalists were exploiting religion for political gain.

During the presidential campaign of 1800 Jefferson had not responded to the Federalist accusations; he stood silent as the Federalists portrayed him as an atheist. Jefferson believed that a person's religious faith was a personal and private matter between the person and God. He had hoped that his silence on the issue would abate the rhetoric, but it did not. President Jefferson needed a way to make a public statement concerning religion to put the issue to rest once and for all.

On December 30, 1801 President Jefferson received a letter from the Danbury Baptist Association of Connecticut. In it, the persecuted Baptists congratulated the newly elected President and declared their allegiance to the cause of religious liberty. "Our sentiments are uniformly on the side of Religious Liberty—that religion is at all times and places a matter between God and individuals—That no man ought to suffer in name, person, or effects on account of his religious Opinions—That the legitimate power of civil government extends no further than to punish the man who works ill to his neighbor."<sup>84</sup> This proved to be a perfect opportunity for President Jefferson to publicly state his opinion on religion: "Believing with you that religion is a matter which lies solely between man and his God; that he owes account to none other for his faith or his worship; that the legislative powers of the government reach actions only, and not opinions, I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should 'make no law respecting an establishment of

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<sup>84</sup> First Amendment Cyber-Tribune Fact, "Thomas Jefferson on Separation of Church and State" available from <http://fact.trib.com/1st.jeffers.2.html>; internet; accessed 6 April 2006.

### Jefferson: Atheist, Irreligious, or Anglican?

religion, or prohibiting the free exercise thereof,' thus building a wall of separation between church and State."<sup>85</sup> A truly free and democratic republic demanded religious freedom and a separate church and state.

It was Jefferson's insistence on religious freedom earlier in his home state of Virginia that gave the Federalists their rhetorical ammunition to fire at Jefferson and the Republicans. In 1781 Jefferson returned home to Monticello from his tenure as Virginia's governor in the midst of the American Revolution and wrote his only book, *Notes on Virginia*. In it he discussed religious liberty and declared that the government could act only when one person injured another. "But our rulers can have authority over such natural rights only as we have submitted to them. The rights of conscience we never submitted, we could not submit. We are answerable for them to our God. The legitimate powers of government extend to such acts as are injurious to others. But it does me no injury for my neighbor to say there are twenty gods or no god. It neither picks my pocket nor breaks my leg."<sup>86</sup> Jefferson also explained the ill effects of forcing people to believe one way or another. "Millions of innocent men, women, and children, since the introduction of Christianity, have been burnt, tortured, fined, imprisoned;... What has been the effect of coercion? To make one half the world fools, and the other half hypocrites."<sup>87</sup> In order for a democratic republic to survive, maintained Jefferson, religious liberty was a must.

One of the reasons why the Federalists were able to paint Jefferson as irreligious at best and as an atheist at worst was due to the fact that Jefferson rarely spoke of his

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<sup>85</sup> Ibid.

<sup>86</sup> Thomas Jefferson, as quoted by Forrest Church, *Separation of Church and State*, 52.

<sup>87</sup> Ibid., 53.

religious beliefs. However, Jefferson was neither irreligious or an atheist. Historian Edwin S. Gaustad maintains that Jefferson was America's most theological President who "dedicated himself more deliberately and diligently to the reform of religion than any other President."<sup>88</sup>

Thomas Jefferson was born in Shadwell, Virginia in 1743; the firstborn son of Peter and Jane Jefferson. Peter Jefferson was a wealthy landowner, self educated and intelligent; he was a colonel in the militia and a vestryman in the Anglican Church. Jefferson's mother, Jane Randolph Jefferson, came from one of Virginia's first and most highly distinguished families. Families with the social status of the Jeffersons were expected to belong to Virginia's established church—the Anglican Church.

Although no record has been found that documented Jefferson's baptism into the Anglican Church it is almost a certainty that he was. Jefferson's parent's often hosted traveling clergy in the area in their home; during one of these services held in the Jefferson home young Thomas could have been baptized.

Thomas, like his father Peter, was elected as a vestryman in the Anglican Church. However, Thomas Jefferson was hardly the church's most active member. The election of vestryman had more to do with social status than with religious conviction. Indeed, Thomas Jefferson's religious convictions grew to be much different than those of the local Anglican Church. Historian Edwin S. Gaustad explains, "In a quite limited sense, Jefferson began life as an Anglican and ended it the same way. That limited sense meant that he could and he did avail himself of the Church's rituals as any respected member of the Virginia gentry would do. On the other hand, the doctrines of the Church of England

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<sup>88</sup> Edwin S. Gaustad, *Sworn on the Altar of God: A Religious Biography of Thomas Jefferson* (Grand Rapids: Wm. B. Eerdsman's Publishing Co., 1996) xiii.

did not intrude upon or in any way limit the operations of the mature Jeffersonian mind.”<sup>89</sup>

The young mind of Thomas Jefferson was first opened as he attended the College of William and Mary in which he enrolled in 1760 at the age of seventeen. While there he formed a lasting friendship with Dr. William Small of Scotland. Although Dr. Small was a professor of mathematics he introduced the young Thomas Jefferson to much more than merely math with his “enlarged and liberal mind.” Dr. Small was the only professor at the College of William and Mary who was not an Anglican clergyman. Jefferson explained the influence that Dr. Small had on his education, “from his conversation I got my first views of the expansion of science, and of the system of things in which we are placed.”<sup>90</sup>

An even greater influence on Thomas Jefferson was the Unitarian clergyman Joseph Priestley. Being the avid reader that he was Jefferson read Priestley’s books and found himself in agreement with much of Priestley’s theology. In fact, it was Priestley’s book published in 1782, *History of the Corruptions of Christianity*, that affected Jefferson above all others. Historian Edwin S. Gaustad explains, “In any case, this one book influenced Jefferson’s religious views profoundly—in all likelihood more profoundly than any other single volume.”<sup>91</sup> In this book Jefferson found a well articulated argument against the “corruptions” of Christianity that reason demanded he reject: “And in reading it, often, Jefferson made a critical discovery for and about himself. He thought he had utterly rejected Christianity; now he found to his relief, and perhaps to his delight as well,

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<sup>89</sup> Ibid., 15.

<sup>90</sup> Thomas Jefferson, *The Writings of Thomas Jefferson* Vol. 1, Albert Ellery Bergh, ed. (Washington, D.C.:The Thomas Jefferson Memorial Association, 1905), 3.

<sup>91</sup> Gaustad, *Altar of God*, 112.

that he had rejected only a hopelessly corrupted form of Christianity. Somewhere underneath all that dross, pure gold could yet be found.”<sup>92</sup> Thomas Jefferson, the advocate of religious freedom and a separate church and state, consistently worshipped privately and consummated his own unique version of Christianity.

Jefferson, along with Priestley, totally rejected much of the doctrines taught by orthodox Christianity. For example, Jefferson rejected the concept of the Trinity; reason demanded that all thinking people reject this mysterious superstition. Jefferson maintained that this fallacy of Christian teaching came about due to the influence of Platonic thought: “it was ‘ too late in the day for men of sincerity to pretend to believe in the Platonic mysticisms that three are one, and one is three; and yet the one is not three, and the three are not one.”<sup>93</sup> According to Jefferson the Bible, nature and reason taught the Unity of God. Jefferson discussed the Unity of God with his old friend / adversary John Adams in 1813. Adams could not have agreed more with Jefferson. “Had you and I been forty days with Moses on Mount Sinai,...and were we told that one was three and three, one, we might not have had the courage to deny it, but we could never have believed it.”<sup>94</sup> Nothing—not divine revelation or prophesy—maintained Adams, could convince a rational person to “believe that 2 and 2 make 5.”<sup>95</sup>

Jefferson found the doctrine of the Trinity not only irrational; he maintained that history itself taught the Unity of God: “Hear, O Israel, the Lord our God, the Lord is One.”<sup>96</sup> Jesus, explained Jefferson, taught the Oneness of God. His pure teachings had been compromised. Jesus himself had never written his teachings down, and those who

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<sup>92</sup> Ibid.

<sup>93</sup> Ibid., 368.

<sup>94</sup> Ibid., 373.

<sup>95</sup> Ibid.

<sup>96</sup> Deuteronomy 6:4 NIV.

later recorded the teachings of Jesus had their own agenda. They marred the true message with fables of miracles, atonement, and tales of a divine nature of Christ. The end result meant that the teaching of Jesus “comes to us down through the centuries ‘mutilated, misstated, and often unintelligible.’”<sup>97</sup> Jefferson also included commentators in his condemnation; it was the commentators that came later that took the rational and simple truth of the Unity of God and created irrational dogma. “The metaphysical insanities of Athanasius, of Loyola, and of Calvin, are to my understanding, mere relapses into polytheism, differing from paganism only by being more unintelligible.”<sup>98</sup>

Another point of contention that Jefferson had with orthodox Christianity, as did Priestley, was the deity of Christ. Priestley advocated the resurrection of Christ, but not the deity of Christ. According to Priestley Jesus was resurrected by God, but after he was resurrected he lived life the same as he had before his death—fully human without divinity. Jefferson not only rejected Jesus’ miraculous resurrection, but also his godhood. Jefferson totally excluded Jesus’ claims to divinity found in the New Testament of John. Gaustad explains: “In the Gospel according to John, where Jesus makes the most unambiguous claims to divinity (“the Father is in me, and I in him;” “I am the way, the truth, and the life: no man cometh to the Father but by me”; “I am in the Father, and the Father in me”; etc.), Jefferson repeatedly turned away from all such claims.”<sup>99</sup> To Thomas Jefferson claims of Christ’s divinity, miracles such as the resurrection of Christ were part of the corrupted version of Christianity. The pure precepts of Christ, maintained Jefferson, were what men should follow. “To the corruptions of Christianity I am, indeed, opposed, but not to the genuine precepts of Jesus himself. I am a Christian in

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<sup>97</sup> Thomas Jefferson, as quoted by Gaustad, *Sworn on the Altar of God*, 116.

<sup>98</sup> *Ibid.* 140.

<sup>99</sup> *Ibid.*

the only sense in which I believe Jesus wished anyone to be, sincerely attached to his doctrine in preference above all others; ascribing to himself every human excellence, and believing that he never claimed any other.”<sup>100</sup>

It was Jefferson’s rejection of orthodox doctrine that prompted him to compose the Jefferson Bible. Jefferson first thought about his friend, Joseph Priestley, to write a book that contained the true philosophy of Jesus minus all the orthodox mysticisms and mystery. Priestley had already written a book called *Socrates and Jesus Compared* in 1803. It was after reading this book that Jefferson began to seriously put together an outline for his book that would serve as his personal devotional booklet. He discussed his idea for his outline with his long time friend and fellow cosigner of the Declaration of Independence, Benjamin Rush.

Jefferson planned to begin his study by looking at classical writers such as Pythagoras, Socrates, Cicero; he would also study the Jewish scriptures and their perception of the unity of God. He would then move on to the pristine teachings of Jesus which had served to improve the moral standards and the theology of the classics. Jefferson believed that Jesus had “endeavored to bring them to the principles of a pure deism... [and] to reform their moral doctrines to the standard of reason, justice, and philanthropy.”<sup>101</sup>

Jefferson aimed to purge the true teachings of Jesus from the “Platonized” teachings of Jesus. Although Jefferson read the Greek language fluently he had no knowledge of textual criticism. He told John Adams later that this was a job he found to be nearly

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<sup>100</sup> Thomas Jefferson, *The Adams-Jefferson Letters*, 343.

<sup>101</sup> Thomas Jefferson, as quoted by Gaustad, *Altar of God*, 115.

effortless. Jefferson was able to mine the true sayings of Jesus because they were “as easily distinguishable as diamonds in a dunghill.”<sup>102</sup>

Jefferson’s book emphasized the ethical and moral teachings of Jesus and his parables. The teachings of Jesus, himself a common and uneducated man, could be understood by the simplest of minds. Jefferson wrote to John Adams in 1813 and explained, “We must reduce our volume to the simple Evangelists; select, even from them, the very words only of Jesus, paring off the amphibologisms into which they have been led, by forgetting often, or not understanding what had fallen from Him, by giving their own misconceptions as his dicta, and expressing unintelligibly for others what they had not understood themselves. There will be found remaining the most sublime and benevolent code of morals which has ever been offered to man.”<sup>103</sup>

The teachings that Jefferson included in his book dealt with morality and ethical issues that Jesus taught to his disciples. The parables and teachings expounded on a wide range of issues. Included in Jefferson’s personal devotional book were issues such as loving one’s enemies: “But I say unto you, ‘Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you; that ye may be children of your Father which is in heaven...For if ye love them which, what reward have ye?’” Other topics included heresy: “Now do ye Pharisees make clean the outside of the cup and the platter; but your inward part is full of ravening and wickedness. Ye fools! Did not he that make that which is without, make that which is within also?”<sup>104</sup>

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<sup>102</sup> Thomas Jefferson, introduction to *The Jefferson Bible* (New York: Grosset & Dunlap, 1940), viii.

<sup>103</sup> *Ibid.*

<sup>104</sup> *Ibid.*, 33.

Jefferson quietly composed his devotional book and shared it with a few close and personal friends. Even though few people, initially, knew of his book, Jefferson was proud of his accomplishment. He wrote to a friend in 1816: “I, too, have made a wee little book from the same materials, which I call the philosophy of Jesus;... A more beautiful or precious morsel of ethics I have never seen.”<sup>105</sup>

Despite Jefferson’s obvious chagrin for orthodox Christianity he regularly attended Anglican services held in his native state of Virginia. He was generous with his donations to St. Anne’s Church in Charlottesville, Virginia. He faithfully recorded family events such as births and deaths in his prayer book left to him from his father. Charles Clay, the rector at St. Anne’s performed the funeral of his sister Elizabeth and remained a lifelong friend of Jefferson’s. An Anglican clergyman, Frederick Hatch, officiated Jefferson’s own funeral. So what accounts for this seemingly inconsistency? Edwin S. Gaustad explains: “Jefferson’s Anglicanism related to the externals of religion; liturgy, morality, and neighborly congeniality. This created no consternation however, for the Anglican Church itself in eighteenth century Virginia dealt more with activity than doctrine. Proper behavior, not born-again “enthusiasm,” guaranteed one’s acceptability to and continued membership in the gentry.”<sup>106</sup> Jefferson was not hostile toward religion in and of itself. He thought that religion and the morals associated with it could only help the republic. “Regarding the nation, he believed that both religion and morality were essential elements in its survival and prosperity. A bad religion, he was even willing to concede, was better than no religion at all.”<sup>107</sup> It was only when one’s religious liberties

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<sup>105</sup> Ibid., viii.

<sup>106</sup> Gaustad, *Altar of God*, 14.

<sup>107</sup> Edwin S. Gaustad, “Thomas Jefferson, Danbury Baptists and Eternal Hostility,” *The William and Mary Quarterly*, vol.56, no.4 (October 1999): 801-804.

were compromised by the diffusion of church and state that religion became dangerous; the combination of the “altar and the throne”<sup>108</sup> were anathema to a free democratic republic.

Jefferson believed in an innate moral instinct which guided mankind to do good. Calvin’s concept of predestination and the idea of original sin flew in the face of Jefferson’s enlightened concept of man. Nature had placed in every man a desire to do good rather than evil. “Because nature hath implanted in our breasts a love of others, a sense of duty to them, a moral instinct in short, which prompts us irresistibly to feel and to succour their distresses.”<sup>109</sup> This innate morality had nothing to do with God because there were atheists, Jefferson pointed out, that were upright, moral people. The fact that some people had higher moral standards than others did not change the fact mankind had inbred in him the desire to do good. “The want or imperfections of the moral sense in some men, like the want or imperfection of the senses of sight and hearing in others, is no proof that it is not a general characteristic of the species.”<sup>110</sup>

The fact that this moral instinct is present in all mankind demanded a proper relationship between church and state because in order for one to choose to do good religious freedom must not be compromised. In the election of 1800 against John Adams Jefferson worried about the breach of the church-state relationship because Adams, a resident of Massachusetts, was comfortable in his home state with no statute of religious freedom in that state’s constitution and a very strong established church. State officials in Massachusetts had to swear an oath before taking office: “I do declare that I believe

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<sup>108</sup> Gaustad, *Altar of God*, 116.

<sup>109</sup> *Ibid.*, 137.

<sup>110</sup> *Ibid.*

the Christian religion, and have firm persuasion of its truth.”<sup>111</sup> As President in 1799 Adams declared a national day of fasting conveying a sense of Presbyterian faith. Jefferson feared that the Presbyterian Church had an agenda for America. The General Assembly of the Presbyterian Church warned America that God was at odds with them over the decline of piety in the new republic. Then in March 1799 President Adams called for a national day of fasting stating that the “foundation of all religious, moral, and social obligations”<sup>112</sup> had been compromised. President Adams called upon the American people to repent and observe “that Thursday, the twentieth-fifth day of April next [1799], be observed, throughout the United States of America, as a day of solemn humiliation, fasting, and prayer.”<sup>113</sup> This seemed to Jefferson to be a breach of the wall that separated the church from the state. Although the power of the Episcopal Church in the South and the Congregationalists in New England had been lessened Jefferson feared that the Presbyterians too, might become too powerfully connected to the state. He feared that they had ambitions of becoming a national church and declared the Presbyterian clergy to be: “the most tyrannical and ambitious... they stood ready, at the word of the legislature, if such a word could now be obtained, to put the torch to the pile, and to rekindle in this virgin hemisphere, the flames in which their oracle Calvin consumed the poor Servetus.”<sup>114</sup>

Jefferson was adamant: religious freedom had to be maintained and the new republic must realize the danger of the most vicious tyranny of all—religious tyranny. Laws that sanctioned religious belief must be declared null and void if religious freedom was to

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<sup>111</sup> Ibid., 95.

<sup>112</sup> Ibid., 96.

<sup>113</sup> Ibid.

<sup>114</sup> Thomas Jefferson, as quoted by Gaustad, “Thomas Jefferson, Danbury Baptists and Eternal Hostility,” *The William and Mary Quarterly* Vol 56, no.3 (October, 1999): 801-804.

avail. “By our own act of assembly in 1705 (c.30), if a person brought up in the Christian religion denies the being of a God, or the Trinity, or asserts there are more gods than one, or denies the Christian religion to be true, or the scripture to be of divine authority, he is punishable on the first offense by incapacity to hold any office or employment ecclesiastical, civil or military... on the second...by three years imprisonment, without bail...”<sup>115</sup> Common law mandated that heresy was a capital crime. These oppressive laws violated man’s right to free inquiry; man’s mind must be free to discover truth. Truth would always stand, maintained Jefferson, and error would fall by its own weight. “Reason and free enquiry are the only effectual agents against error. Give a loose to them, they will support the true religion, by bringing every false one to their tribunal, to the test of their investigation. They are the natural enemies of error, and of error itself.”<sup>116</sup> In proving this point Jefferson alluded to history: “Had not the Roman government permitted free enquiry, Christianity could never have been introduced. Had not free enquiry been indulged, at the era of the reformation, the corruptions of Christianity could not have been purged away...Galileo was sent to the inquisition for affirming that the earth was a sphere: the government had declared it to be as flat as a trencher, and Descartes declared it whirled around its axis by a vortex.”<sup>117</sup> Oppressive government action in one’s personal religious opinion not only violated one’s natural rights, but it was ineffective as well: “That if there be but one right, and ours that one, we should wish to see the 999 wandering sects gathered into the fold of truth. But against such a majority we cannot effect this by force. Reason and persuasion are the only

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<sup>115</sup> Thomas Jefferson, quoted by Foote, *Separation of Church and State*, p.51

<sup>116</sup> *Ibid.*, 52.

<sup>117</sup> *Ibid.*

practicable instruments.”<sup>118</sup> Religious liberty must be guaranteed to all and religious tyranny must be guarded against at all costs; Thomas Jefferson believed it was his duty to mankind to defend religious liberty and free enquiry. He declared as much to his longtime friend, Dr. Benjamin Rush: “I have sworn on the altar of God eternal hostility against every form of tyranny over the mind of man.”<sup>119</sup>

The other pillar that upheld Jefferson’s philosophy was his belief in man’s ability to reason. Thomas Jefferson was an heir to the Enlightenment; science and rationalism had brought much change in the way people viewed the world. Author C. Randolph Benson explained the mindset of enlightened America in which Jefferson excelled: “The nation was born when new ideas were abroad in the Western world, when science and rationalism were challenging the validity of traditional beliefs and the established order, when men were constantly seeking a science of society in order to build a world in which human beings could forge ahead into a progressively better way of life.”<sup>120</sup>

As president of the American Philosophical Society Thomas Jefferson was considered to be a leader in America’s intellectual community. He became close and lifelong friends with other members of the society including the physician Benjamin Rush and the chemist Joseph Priestly. Jefferson’s inquisitive mind earned him a reputation as a philosopher who “insisted that there was a direct and intimate relationship between science and the affairs of mankind.”<sup>121</sup>

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<sup>118</sup> Thomas Jefferson, *Letters of Thomas Jefferson*.

<sup>119</sup> *Ibid.*

<sup>120</sup> C.Randolph Benson, *Thomas Jefferson as Social Scientist* (Cranberry, New Jersey: Associated University Press, 1971), 27.

<sup>121</sup> John s. Pancake, ed., *Thomas Jefferson Revolutionary Philosopher: A Selection of Writings, ed., John S.Pancake* (Woodbury, New York: Barron’s Educational Series, Inc., 1976), 247.

### Jefferson: The Enlightened Philosopher

It was Jefferson's belief in the direct and intimate relationship between science and the affairs of mankind that led him to the deistic philosophy of John Locke. Locke's deistic philosophy resonated with Jefferson on several points. Both men declared the exponential importance of reason. Both declared that there should be no religious test to determine one's ability to hold public office, and both defended the value of history in regard to the fallibility of the state in regard to religious freedom.

Thomas Jefferson found in Locke a philosophy with a rational explanation of God, creation, and man's role in creation. To the deistic mind of John Locke God was a rational yet divine being who created a rational, orderly universe. Thomas Jefferson could not have agreed more. In his most famous work, the Declaration of Independence, Jefferson alluded to his deistic view of God when he stated, "When in the course of human events, it becomes necessary for people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separated and equal station to which the laws of Nature and of Nature's God entitle them..."<sup>122</sup> To the deistic mind of both Locke and Jefferson nature's God was the Creator who made the universe. Historian Richard Greeves explains: "The rational universe revealed by science, the Deists contended, could never have organized itself by accident and was thus necessarily the product of a rational, divine mind."<sup>123</sup> This Creator gave mankind inherent rights said Jefferson: "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

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<sup>122</sup> Thomas Jefferson, *The Declaration of Independence*.

<sup>123</sup> Richard L. Greeves, Robert Zaller, et.al., *Civilizations of the West* (New York: Harper Collins College Publishers, 1994), 320.

are among these are Life, Liberty, and the pursuit of Happiness.”<sup>124</sup> Jefferson, like Locke, maintained that the Creator could now be better understood via science, natural law, and man’s ability to reason.

Locke’s emphasis on reason resonated with Jefferson’s thoughts on the subject. It was this emphatic belief in man’s reasoning abilities which led Jefferson to a belief in a separate church and state. Because man had the capability to reason for himself, reasoned Jefferson, the government should not impose on anyone’s personal religious beliefs.

The effect of Locke’s thinking is reflected in Jefferson’s Statute of Virginia for Religious Freedom written in 1779 and presented to Virginia’s House of Burgesses for address. The issue of religious freedom had been essentially tabled as Jefferson’s statute moved in and out of committee for nearly ten years. In 1784 Patrick Henry tried to pass “A Bill Establishing a Provision for Teachers of the Christian Religion.” This time the issue of religious liberty would not be tabled. Jefferson’s Statute was finally passed on January 16, 1786 by Virginia’s legislature. In this statute Jefferson expounded on the role reason played in one’s religious beliefs.

Jefferson, like Locke, believed that the state had no business in one’s religious beliefs and should not be allowed to impose upon anyone’s views because true belief was a product of man’s capacity to reason for himself. True belief, according to both Locke and Jefferson, could not be forced. If belief was forced upon man it only produced hypocrisy. “Well aware that the opinions and beliefs of man depend not on their own will, but follow involuntarily the evidence proposed to their minds; that Almighty God hath created the mind free, and manifested his supreme will that free it shall remain by

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<sup>124</sup> Jefferson, *Declaration of Independence*.

making it altogether insusceptible of restraint; that all attempts to influence it by temporal punishments or burthens [sic], or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the holy author of our religion...”<sup>125</sup>

John Locke also maintained that unless a person was fully persuaded in his own mind he was not truly a believer; any outward act of worship was therefore hypocritical. The influence of Locke’s thought on Jefferson’s philosophy is revealed in Locke’s *A Letter Concerning Religious Toleration* which Jefferson read and took notes from: “All the life and power of true religion consists in the inward and full persuasion of the mind; and faith is not faith without believing. Whatever profession we make, to whatever outward worship we conform, if we are not fully satisfied in our own mind...we add unto the number of our other sins, those also of hypocrisy, and contempt of his Divine Majesty.”<sup>126</sup>

Because mankind had the ability to reason for himself there was no reason why force should be used to dictate belief. Hence, the need for a wall of separation between church and state. God himself did not operate this way; he did not use “instruments of force,” but the “Gospel of peace.” Locke explains, “If, like the Captain of our salvation, they sincerely desire the good of souls, they would tread in the steps, and follow the perfect example of that Prince of peace, who sent out his soldiers to the subduing of nations, and gathering them into his church, not armed with the sword, or other instruments of force, but prepared with the Gospel of peace... this was his method.”<sup>127</sup> Jefferson explained

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<sup>125</sup> Thomas Jefferson, *The Papers of Thomas Jefferson*, ed. Julian P. Boyd (Princeton: 1950), II,545.

<sup>126</sup> John Locke, *Works*, II (1714), 234-235.

<sup>127</sup> *Ibid.*, 233-234.

that the Lord “both of body and mind...chose not to propagate it by coercions on either, as was in his Almighty power to do, but to extend it by its influence on reason alone.”<sup>128</sup>

John Locke not only influenced Jefferson concerning the role reason played in belief; both men believed that a person’s religious beliefs should not affect a person’s eligibility for civic duty. Because the church and state are two separate entities it goes to reason that one’s religious beliefs should have no bearing on their right to hold public office. Locke stated his belief clearly in his *Letter Concerning Religious Toleration*: “no private person has any right, in any manner, to prejudice another person in his civil enjoyments, [sic] because he is of another church or religion.”<sup>129</sup> Jefferson went a step farther in his Bill for Establishing Religious Freedom and maintained that if a person were denied his civic opportunities because of his religious belief his natural rights had been violated. “That our civil rights have no dependence on our religious opinions... that therefore the proscribing of any citizen as unworthy the public confidence by laying upon him an incapacity of being called to offices of trust and emolument, unless he profess or renounce this or that religious opinion, is depriving him injuriously of those privileges and advantages to which, in common with his fellow citizens, he has a natural right.”<sup>130</sup>

Both Jefferson and Locke maintained that history clearly demonstrated the fallibility of both civil and religious leaders in proclaiming religious truth. These mortal, flawed men, history revealed, had established many false religions worldwide. In this assertion both Locke and Jefferson maintained that these were as limited in their capability to know truth as was any other human. “Perhaps some will say that they do not suppose this infallible judgment , that all men are bound to follow in the affairs of religion, to be in the

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<sup>128</sup> Boyd, *The Papers of Thomas Jefferson*, I, 544.

<sup>129</sup> John Locke, *Works*, II, 233-234.

<sup>130</sup> Boyd, *The Papers of Thomas Jefferson*, I, 544.

civil magistrate, but in the church... who sees not how frequently the name of the church, which was venerable in people's eyes, in the following ages? Amongst so many of the kings of the Jews, how many of them were there when any Israelite, thus blindly following, had not fallen into idolatry...or if those things be too remote, our modern English history affords as fresh examples in the reigns of Henry VIII, Edward VI, Mary and Elizabeth."<sup>131</sup> One can almost feel the contempt in Jefferson's pen as he declared: "that the impious presumptions of legislators and rulers, civil as well as ecclesiastical, who being themselves but fallible and uninspired men, have assumed dominion over the faith of others, setting up their own opinions and modes of thinking as the only true and infallible, and as such trying to impose them on others, hath established and maintained false religions over the greatest part of the world and throughout all times."<sup>132</sup>

Thomas Jefferson's political philosophy helped direct the nation toward religious freedom and a separate church and state. Like Roger Williams before him he believed one's religious liberty was best protected by erecting a high wall of separation between the church and the state. Along with his contemporary in Massachusetts, Isaac Backus, Jefferson fiercely fought the established Anglican Church in Virginia. To Thomas Jefferson religious tyranny was the worst type of tyranny because it violated man's natural right to believe what he wanted to believe, and it was ineffective as well. One could not be forced to believe; the end result would be either blind submission or hypocrisy. Along with his belief in religious freedom Jefferson also maintained that because man had a natural ability to reason for himself he should have the freedom to decide for himself what he believed. Government should only interfere when one person

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<sup>131</sup> Locke, *Works*, II, 241, 242.

<sup>132</sup> Boyd, *The Papers of Thomas Jefferson*, I, 547.

does injury to another. One's religious beliefs, or lack of them, affirmed Jefferson, did no injury to one's fellow man. Jefferson worked tirelessly to promote his political philosophy. His philosophy rested upon two pillars; Jefferson's belief in religious freedom for all and his enlightened belief that mankind could—and should—reason for himself.

## CHAPTER 5

### JAMES MADISON: PHILOSOPHER, STATESMAN, NATIONALIST

*“Religious bondage shackles and debilitates the mind and unfits it for every noble enterprise, every expanded prospect.” James Madison to William Bradford*

*April 1, 1774*

In discussing the issue of separation of church and state one cannot neglect to examine the exponential contributions of the Father of the Constitution: James Madison. Madison is often perceived to be in the shadow of one of his greatest friends, admirer, and fellow zealot for religious freedom, Thomas Jefferson. However, Madison’s contributions to the establishment of religious freedom and a separate church and state cannot be overstated. He, like his contemporary Jefferson, was greatly influenced by the Enlightenment. His philosophical views on the nature of man served as the framework of his political ideology. As statesman Madison sought to implement his political ideology in his home state of Virginia where he fought tirelessly to disestablish the powerful Anglican Church. As a nationalist Madison fought to establish religious freedom throughout the nation believing that a separate church and state was required for a truly democratic republic. James Madison, the philosopher, statesman, and nationalist, was one of America’s greatest defenders of religious liberty and a separate church and state.

James Madison was born in Port Conway, Virginia on March 16, 1751. He was the first of twelve children. He was raised on his father’s plantation, which he later called

Montpelier, in Orange County, Virginia. The Madisons were a wealthy family; they were also one of the oldest families in the state. James Madison's ancestral roots can be traced all the way back to the early eighteenth century.<sup>133</sup> His father, James Madison Sr. married Nelly Conway in 1749. They raised their seven surviving children on the estate James Madison Sr. had inherited from his father, Ambrose Madison.

The Madisons were members of the established Anglican Church in Virginia. James Madison Jr. was baptized into the Anglican Church where his father was a vestryman. The closest church to the family estate was Brick Church. The rector of the church, Reverend Thomas Martin, lived in the Madison household and prepared young James for college.

Contemporaries described young James Madison as sickly; he did not like to play sports. He was described as "bookish." He loved to read and was educated well in the classics.

When Madison was eighteen he broke Virginian tradition by enrolling at Princeton in New Jersey instead of attending the College of William and Mary. Princeton, a Presbyterian school, was where his tutor, the Reverend Martin, had graduated. The school's President was the eminent Dr. John Witherspoon. Madison worked extremely hard while at Princeton; he finished his degree in only two years. He graduated in October, 1771.

James Madison was an heir of the Enlightenment. He, like other enlightened thinkers, believed in man's inherent ability to reason. In fact, a major part of Madison's political ideology was based on his view of mankind. Author Ralph L. Ketcham explains its

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<sup>133</sup> Merrill D. Peterson, *James Madison: A Biography in His Own Words*, Vol. I (New York: Newsweek, 1974) 14-24.

### Madison's View of Mankind

importance this way: "Indeed, once a philosopher had divulged what sort of creature he takes man to be, both in fact and in potentiality, his arguments in other fields of inquiring are often readily anticipated. The view which Madison had of human nature offers such insight into the theories and politics which he developed and followed throughout his long career, and is important in understanding his overall philosophy."<sup>134</sup>

So what was Madison's view of man? At times he seems ambivalent—having both a positive and a negative view of mankind. His views are best described as balanced and realistic as he realized both the potential and limits of human nature. Foundational to Madison's view of mankind was the enlightened idea that man should be free; all men should be free because of the equality of mankind. "The perfect equality of mankind... is an absolute truth."<sup>135</sup>

Madison, with his enlightened mindset, believed in man's intelligence and virtue. Madison explained that one of the major differences between the Republicans and the Federalists was the fact that the Republican Party realized mankind's potential and ability to govern themselves and as such the greatest amount of liberty could only help to reveal mankind's potential to do good. According to Madison the difference between the two groups "had its origin in the confidence of the former in the capacity of mankind for self-government, and in the distrust of it by the other."<sup>136</sup>

Madison's belief in mankind to be an intelligent and rational creature determined his belief in a democratic government. Ketcham explains, "Madison stated many times that

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<sup>134</sup> Ralph L. Ketcham, "James Madison and the Nature of Man," *Journal of the History of Ideas* (Jan. 1958) v. 119 p. 62-76.

<sup>135</sup> James Madison, Gaillard Hunt, ed., *The Writings of James Madison*, 9 Vols. (New York, 1904), v, 381.

<sup>136</sup> *Ibid.*, IX, 136.

the vital republican principles were those of ‘numerical equality’ and the ‘will of the majority,’ and asked ‘if the will of the majority cannot be trusted, what can?’”<sup>137</sup>

Madison’s actions also revealed both a positive attitude and belief in mankind’s intellectual ability by declaring that the executive of the United States should be elected by the people. Madison revealed this same kind of confidence in the human character when speaking to Jefferson concerning the Alien and Sedition Acts when he stated that the negative popular opinion of the populace would bring about the death of the Adams-led legislation. In 1808-1809 when the Embargo Crisis was underway Madison exhorted “the well-trying intelligence and virtue of my fellow citizens.”<sup>138</sup>

Although Madison was adamant about mankind’s potential for greatness, he also realized mankind’s limitations. If mankind were totally good there would be no need for government of any kind. Madison explained it this way in his fifty-first *Federalist Paper*: “What is government itself, but the greatest of all reflections on human nature? If men were angels, no government would be necessary. In framing a government which is to be administered by men, over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.”<sup>139</sup>

Madison’s view of the nature of man was both hopeful and skeptical. When discussing Rousseau’s plan to promote universal peace Madison was less than optimistic when he stated that the plan “will never exist but in the imagination of visionary philosophers or in the breasts of benevolent enthusiasts.”<sup>140</sup>

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<sup>137</sup> Ralph Ketcham, *Madison and the Nature of Man*, 63.

<sup>138</sup> James Madison, *The Writings of James Madison*, VI, 408.

<sup>139</sup> James Madison, *The Federalist Papers*, 337.

<sup>140</sup> James Madison, *The Writings of James Madison*, VI, 88.

James Madison's view of mankind greatly affected his opinion regarding religious freedom and a separate church and state. Because of the limitations of mankind Madison insisted that man had the intellectual ability to figure out what he believed for himself. Therefore, freedom was required and religious liberty should be granted to all. Ketcham explains, "That mankind ought to be free if life was to be human rather than brutish, was an unquestionable axiom to Madison."<sup>141</sup>

Unlike his contemporary Jefferson, not much is known about the development of his philosophy—religious or otherwise. He was not given to ponder the whys or what ifs; questions concerning morality or speculation left Madison dry; he concentrated on the observable aspects of human nature. Ketcham explains, "Although it is not possible to assemble anything resembling proof of the origins of Madison's ideas on the subject, it is possible, and highly instructive, to examine some of the obvious sources available to him and see what thoughts are there that correspond with the ideas expressed by Madison."<sup>142</sup>

Madison, like his contemporaries, was schooled in the classics: Plato, Aristotle, Thucydides, Homer, and Cicero. Although he made only one direct reference to Aristotle in his writings one can see the similarities between Aristotle and Madison's skepticism concerning the human nature of man and its potential for good or evil. "The error of Socrates [Plato] must be attributed to the false notion of unity [about human nature] from which he starts. It is said that the evils now existing in states, suits about contracts, convictions for perjury, flatteries of rich men and the like...arise out of the possession of private property. These evils, however, are due to a very different cause—the

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<sup>141</sup> Ralf Ketcham, *The Nature of Man*, 62.

<sup>142</sup> *Ibid.*, 68.

wickedness of human nature.”<sup>143</sup> Madison’s teachers were classical scholars also, especially Dr. John Witherspoon, who had tremendous influence on Madison when he attended Princeton.

In discussing human diversity Madison’s thinking seemed Lockean in nature. In Madison’s tenth Federalist Paper he discusses factions in society. Factions are unavoidable, asserted Madison, because of the diversity of mankind. “As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed. As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal influence on each other; and the former will be objects to which the latter will attach themselves.”<sup>144</sup> Locke discussed human diversity in *An Essay Concerning Human Understanding*: “the various and contrary choices that men make in the world do not argue that they do not all pursue good: but that the same thing is not good to everyone alike. This variety of pursuits shows that everyone does not place his happiness in the same thing, or choose it the same way... Though all men’s desires tend to happiness, yet they are not moved by the same object. Men may choose different things, and yet all choose right.”<sup>145</sup>

James Madison realized that human diversity gave rise to different opinions and factions. The dual aspect of man’s nature led Madison in his belief in and his defense of a separate church and state. Differences of opinion were inevitable, whether they be over religion or politics—in a country where liberty is given to all. “Liberty, he wrote, is to faction what air is to fire, an ailment without which it instantly expires. But it could not

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<sup>143</sup> Aristotle, as quoted by Ketcham, *James Madison and the Nature of Man*, 70.

<sup>144</sup> James Madison, *Federalist Papers*, p.55.

<sup>145</sup> John Locke, *An Essay Concerning Human Understanding* (Philadelphia: James Kay Jr. and Co., no date) Bk II, Ch. 21, Sect. 54, 168-169.

be less folly to abolish liberty, which is essential to political life, because it nourishes faction, than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to fire its destructive agency.”<sup>146</sup>

It was Madison’s view of the nature of man that directed his political philosophy. Because man did have the capability for evil, government was required to keep peace and promote a civil society. Government was a necessary evil; the purpose of government was to protect liberty. In order to do this government must have a balance. It needed to be powerful enough to enforce laws, but not too powerful, lest it become an oppressive government. He discussed this issue with his friend Thomas Jefferson: “It is a melancholy reflection...that liberty should be equally exposed to danger whether the government have too much or too little power, and that the line which divides these extremes should be so inaccurately defined by experience.”<sup>147</sup>

In order to achieve this balance of power a republican form of government was needed; it must not be led by any one faction or group, Madison maintained, but it must be led by the majority of the people. However, Madison was also cognizant of the fact that the majority could also trample the liberty of the minority. Madison’s answer to this problem was to increase group participation in order to keep the majority from becoming too tyrannical. In addressing the Constitutional Convention on July 6, 1787, Madison explained his solution to this problem: “The lesson we are to draw from the whole is that where a majority are united by a common sentiment and have an opportunity, the rights of the minor party become insecure. In a republican government the majority if united have always an opportunity. The only remedy is to enlarge the sphere and thereby divide

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<sup>146</sup> Saul K. Padover, ed. *The Complete Madison: His Basic Writings* (New York: Harper&Brothers Publishers, 1953) 16.

<sup>147</sup> *Ibid.*, 16.

the community into so great a number of interests and parties, that in the first place a majority will not likely at the same moment to have a common interest separate from that of the whole or of the minority; and in the second place, that in case they should have such an interest, they may not be apt to unite in the pursuit of it.”<sup>148</sup>

Man’s inconsistent nature required a government that would protect liberty and promote freedom. Madison’s concept of freedom was framed around his belief in religious freedom for all. Madison declared that the function of government was to protect man’s liberty and property. Madison’s concept of property was not only material possessions—but opinions as well. “A man has property in his opinions, and the free communication of them. He has a property of peculiar value of his religious opinions, and in the profession and practice dictated by them.”<sup>149</sup> Religious liberty, asserted Madison, must be an integral part of government. “The religion, then, of every man must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate.”<sup>150</sup>

It was in his home state of Virginia that Madison first began to articulate his political philosophy and pursue a separate church and state. As a young man in Virginia Madison had witnessed first hand what happened to religious dissenters. The Anglican Church in Virginia was not only an established church, but it was very powerful as well. Dissenters were jailed simply for declaring their religious views—views that were contrary to the views of the Anglican Church—publicly. Madison urged his Quaker friend William Bradford Jr. of Pennsylvania to pray for religious freedom. “Pity me, and pray for liberty

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<sup>148</sup> Ibid., 18.

<sup>149</sup> Ibid., 20.

<sup>150</sup> James Madison, *Memorial and Remonstrance*, as quoted by Church, *Separation of Church and State*, 61.

## Madison the Statesman

of conscience to all.”<sup>151</sup> Madison longed for Virginia to have the religious freedom that Philadelphia enjoyed. “The Sentiments of our people of Fortune & fashion on this subject are vastly different from what you have been used to. That liberal catholic and equitable way of thinking as to the rights of Conscience, which is one of the Characteristics of a free people and so strongly marks the People of your providence is but little known among the zealous adherents to our Hierarchy.”<sup>152</sup>

Madison was determined to change that. His first legislative strike at a separate church and state came in 1776. The American Revolution was but a year old when young Madison was elected by the people of Orange County to the Virginia Convention in Williamsburg. The delegates to this convention were charged with writing a declaration of independence and establishing a new government for Virginia. Twenty-five year old Madison was on the committee to write both a declaration and a constitution. Madison’s major contribution to the Declaration was the wording used by committee chair George Mason concerning religious liberty. In his Autobiographical Notes Madison recalled his contribution: “This important and meritorious instrument was drawn by Geo. Mason, who had inadvertently adopted the word “toleration” in the article on the subject. The change suggested and accepted, substituted a phraseology which declared the freedom of conscience to be a natural and absolute right.”<sup>153</sup>

Madison not only declared that liberty of conscience was a natural right of man; he went a step further by adding, “therefore that no man or class of men ought, on account

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<sup>151</sup> James Madison, as quoted by Gaustad, *Faith of our Fathers*, 37.

<sup>152</sup> Ibid.

<sup>153</sup> James Madison, Merrill D. Peterson, ed. *James Madison: A Biography in His Own Words* (New York: Newsweek Book Division) 1974, 41.

of religion to be invested with peculiar emoluments or privileges.”<sup>154</sup> This was of course aimed at the powerful Anglican Church. Patrick Henry introduced the amendment to the legislative body but it failed due to the fact that it would bring harm to the Anglican Church. Madison compromised and revised the amendment; he took out the part aimed at separation and the bill passed. Virginia’s Declaration of Rights guaranteed liberty of conscience to all.

In June 1785 Madison made his greatest contribution toward a separate church and state as he led the fight against a bill proposed by his former ally Patrick Henry. Henry’s bill would require citizens to pay a religious tax that would support the Christian faith of their choosing. In his fifteen point *Memorial and Remonstrance* Madison defiantly stood his ground as he not only called for the religious freedom articulated in Virginia’s Declaration of Rights, but he also called for a separate church and state.

Madison started off by declaring that no one can force religious views upon another: “we hold it for a fundamental and undeniable truth ‘that Religion or the duty which we owe to our Creator and the manner of discharging it, can be directed only by reason and conviction, not by force or violence.’” [Virginia’s Declaration of Rights, Article 16] “The religion then of every man must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate. This right is in its nature an unalienable right.”<sup>155</sup> Furthermore, asserted Madison, government had no place as judge in matters of religion, “Because the bill implies either that the Civil Magistrate is a competent Judge of Religious Truth; or that he may employ Religion as an engine of Civil policy. The first is an arrogant pretension falsified by the

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<sup>154</sup> Ibid., 91.

<sup>155</sup> Ibid., 91.

contradictory opinions of Rulers in all ages, and throughout the world; the second an unhallowed perversion of the means of salvation.”<sup>156</sup> The Christian religion did not need government to sustain it; in fact, Madison asserted, history revealed just the opposite is true. Religion existed in the world in spite of oppressive laws: “ the establishment proposed by the Bill is not requisite for the support of the Christian Religion. To say that it is, is a contradiction to the Christian Religion itself, for every page of it disavows a dependence on the powers of this world; it is a contradiction of fact; for it is known that this religion both existed and flourished, not only without the support of human laws, but in spite of every opposition from them.”<sup>157</sup>

Sounding much like Jefferson, Madison also asserted that when the church and state were one a corrupted version of both existed: “experience witnesseth that ecclesiastical establishments, instead of maintaining the purity and efficacy of Religion, have had a contrary operation. During almost fifteen centuries has the legal establishment of Christianity been on trial. What have been its fruits? More or less in all places, pride and indolence in the Clergy, ignorance and servility in the laity; in both, superstition, bigotry, and persecution.”<sup>158</sup> The end result of a united church and state produced negative results on society. “What influence in fact have ecclesiastical establishments had on Civil Society? In some instances they have been to erect a spiritual tyranny on the ruins of the Civil authority; in many instances they have been seen upholding the thrones of political tyranny: in no instance have they been seen the guardians of the liberties of the people.”<sup>159</sup>

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<sup>156</sup> Ibid.,93

<sup>157</sup> Ibid.

<sup>158</sup> Ibid., 95.

<sup>159</sup> Ibid.

And finally, asserted Madison, Henry's bill was a departure from the ideas expressed in Virginia's Declaration of Rights; religious liberty was one of the great promises to the American colonists. This bill denied that promise. "What a melancholy mark is the Bill of sudden degeneracy! Instead of holding forth an asylum to the persecuted, it is itself a signal of persecution. It degrades from the equal rank of Citizens, all those whose opinions in Religion do not bend to those of the Legislative authority. Distant though it may be in its present form from the Inquisition, it differs from it only in degree."<sup>160</sup>

Madison's thoroughly articulated argument against Henry's proposed legislation succeeded in its goal. The petition itself was widely read and circulated throughout Virginia. Dissenters such as the Baptists, Methodists, and Presbyterians joined Madison in his call for a separate church and state. People everywhere in Virginia began to rally against Henry's bill. Patrick Henry, the chief architect and defender of the bill, had been elected the governor of Virginia also. This, too, helped to defeat the bill since its chief advocate was now in the governor's mansion. The bill finally died quietly in committee. However, Madison did not stop there. He pushed, yet again, for Jefferson's bill of 1779 to be passed. It was finally passed into law establishing in Virginia a separate church and state. Madison was elated when he wrote his ally Thomas Jefferson, who was in France, to tell him of the bill's passage. This passage, declared Madison, "extinguished forever the ambitious hope of making laws for the human mind."<sup>161</sup> This was perhaps Madison's greatest achievements in his battle for religious freedom and separation of church and state. Realizing the importance of this passage Madison proudly wrote years later: "It was the Universal opinion of the Century preceding the last, that Civil Government could

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<sup>160</sup> Ibid.

<sup>161</sup> Ibid., 95.

not stand without the prop of a Religious establishment, and that the Christian religion itself, would perish if not supported by a legal provision for its Clergy. The experience for Virginia conspicuously corroborates the disproof of both opinions.”<sup>162</sup>

Madison the Nationalist. Madison the philosopher directed Madison the statesman in his determination to secure religious liberties and a separate church and state in Virginia. Madison next aimed at a consistency within the national government to protect religious liberty for all Americans as the newly independent country defined its framework for government.

Despite the fact that Madison is hailed as the “Father of the Constitution” he, during his lifetime, argued that the Constitution was the work of many hands and many minds—not just his own. In the end of that hot summer in Philadelphia in 1787 the delegates had, after much debate and compromise, a plan of government. The next step was to get the new Constitution ratified. Nine of the thirteen states had to vote for ratification in order for the Constitution to become law. Rhode Island did not even send delegates to the Convention. Soon attention was placed on Virginia; ratification was not guaranteed because there was opposition to the new Constitution. Historian Merrill D. Patterson explained the importance of Virginia’s vote for ratification. “All eyes were on Virginia, not simply because she would make the ninth state but because without Virginia the Union would be impoverished, cut in two, deprived of Washington’s leadership, probably rebuffed by New York, and left to waste away.”<sup>163</sup>

The critics of the Constitution, the Antifederalists, were led by Patrick Henry—Madison’s old ally/adversary. Henry eloquently played on the fears of colonists as he

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<sup>162</sup> Ibid., 163.

<sup>163</sup> Merrill Patterson, ed. *James Madison: A Biography in His Own Words* (New York: Newsweek Book Division) 1974, 157.

warned of an oppressive government that would send out tax revenue agents to rob the poor, annihilate the south, and sacrifice states rights on the altar of federalism. The proposed executive, the President, would just be a new name for a king: “it squints at monarchy, and does not this raise indignation in the breast of every true American?”<sup>164</sup>

The debate in Virginia finally came down to the issue of amending the Constitution. Chief on the list of Amendments was the absence of a bill of rights—especially one that guaranteed religious freedom. The Federalists of Virginia, led by Madison, promised such an amendment. Patrick Henry was still not satisfied with such a promise. “Do you enter into a compact first, and afterwards settle the terms of government?”<sup>165</sup> Madison responded to Henry’s allegations of a deficient Constitution during the debates of the Convention of Virginia in June of 1788. His articulate and intelligent defense was convincing; Virginia voted for ratification.

Ironically, Madison did not consider the absence of a bill of rights to be a defective part of the new plan for government. In fact, he thought that the best way to broaden personal freedom, especially religious freedom, was to not enumerate the rights in the first place. “My own opinion has always been in favor of a bill of rights; provided it be so framed as not to imply powers not meant to be included in the enumeration. At the same time I have never thought the omission a material defect, not to supply it even by subsequent amendment, for any other reason than it is anxiously desired by others.”<sup>166</sup> Madison felt confident that an enumeration would narrow the definition of religious freedom. “I am sure that the rights of conscience in particular, if submitted to public definitions would be narrowed much more than they are likely ever to be by an assumed

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<sup>164</sup> Ibid. 161.

<sup>165</sup> Patrick Henry, as quoted by Patterson, ed. *A Biography in his Own Words* 157.

<sup>166</sup> Ibid.

power.”<sup>167</sup> However, Madison set his personal opinion to the side and went to New York on a promise for a constitutional amendment; he was true to his word and proposed, defended, and helped gain passage for the Bill of Rights. A separate church and state now existed at the national level. The First Amendment guaranteed “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof...”<sup>168</sup>

As president of the United States (1809- 1817) James Madison continued his fight for religious freedom and a separate church and state. One of the first occasions for Madison to defend religious liberty at the national level came in 1811. A bill entitled “An Act incorporating the Protestant Episcopal Church in the town of Alexandria” lay on the President’s desk awaiting his signature. Madison saw this attempt by the Episcopal Church to be incorporated in the District of Columbia to be a flagrant assault against a separate church and state because the incorporation would have been granted by Congress. He vetoed the bill in February 1811 and declared that the bill all but erased “the essential distinction between civil and religious function.”<sup>169</sup> If passed, stated Madison, the bill “enacts into and establishes by law sundry rules and proceedings” that would result in an Episcopal Church that “would so far be a religious establishment by law.”<sup>170</sup> Madison also objected to the fact that the bill would have set up churches to educate the poor and aid the needy. This was not the responsibility of the church, but a

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<sup>167</sup> Ibid.

<sup>168</sup> The Constitution of the United States, Amendment I.

<sup>169</sup> James Madison, as quoted by Gaustad, *Faith of Our Fathers*, 51.

<sup>170</sup> Saul K. Padover, ed. *The Complete Madison: His Basic Writings* (New York, 1953), 307.

civic responsibility of society at large. It “would be a precedent for giving to religious as such a legal agency in carrying into effect a public and civil duty.”<sup>171</sup>

It was not only the Episcopal Church that felt the sting of Madison’s veto pen. A Baptist Church in the Mississippi Territory was denied federal land because such an act, “compromises a precedent for the appropriation of funds of the United States for the use and support of religious societies.”<sup>172</sup> Madison considered this a glaring example of a violation of the First Amendment. Madison worried often about religious institutions gaining too much land; he feared the “silent accumulations and encroachments by Ecclesiastical Bodies.”<sup>173</sup> The power and wealth that land could bring to the church was dangerous Madison asserted, especially “the indefinite accumulation of property from the capacity of holding it in perpetuity.” One of the main causes of the Protestant Reformation came because the church owned too much land and became corrupted by the power that wealth brought to it. Madison asked the question, “Must not bodies, perpetual in their existence, and which may be always gaining without ever losing, speedily gain more than is useful, and in time more than is safe?”<sup>174</sup>

Precedent was of exponential value in Madison’s thought process. The federal land that was needed in the Mississippi Territory for the Baptist Church was not of high value. But granting that land would have set a dangerous precedent. To Madison, it was the principle of the matter. “The people of the U.S. owe their Independence & their liberty to the wisdom of desecrating in the minute tax of 3 pence on tea, the magnitude of the evil

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<sup>171</sup> Ibid.

<sup>172</sup> Elizabeth Fleet, ed. “Madison’s Detached Memoranda,” *William and Mary Quarterly* 3 (October 1946):554-56.

<sup>173</sup> Ibid.

<sup>174</sup> Ibid.

comprised in the precedent. Let them exert the same wisdom in watching ag[ain]st every evil lurking under plausible disguises and growing up from small beginnings.<sup>175</sup>

Another church- state issue Madison dealt with as President had to do with Congressional Chaplains. Most Americans had no problem with the Senate and the House of Representatives having an official clergyman. Madison viewed it as a strike against a separate church and state. “The establishment of the chaplainship to Cong[re]s is a palpable violation of equal rights, as well as of Constitutional principles. The tenets of the chaplain elected [by the majority] shut the door of worship ag[ain]st the members whose creeds & consciences forbid a participation in that majority. Could a Catholic clergyman ever hope to be appointed a Chaplain?”<sup>176</sup> Madison also pointed out the inconsistency of having clergy for the legislative branch, but not for the executive or judicial branches. Madison shocked many constituents further when he declared that there should not have been any clergy for the armed forces either—even during war time when they could not attend services of their own choosing. Madison conceded the point that this was an exceptional issue, but the principle of the matter remained: “The object of this establishment is seducing; the motive to it is laudable.” However, Madison asked, “Is it not safer to adhere to a right principle, and trust to its consequences, than confide in the reasoning however [alluring] in favor of a wrong one?”<sup>177</sup>

President Madison also had an issue, as did his predecessor Jefferson, with executive proclamations dressed in religious rhetoric. Jefferson had simply refused to issue such proclamations. Madison, however, attempted to compromise on the issue. When the War of 1812 was declared by Congress they also passed a resolution that requested that

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<sup>175</sup> Ibid.

<sup>176</sup> Ibid., 558.

<sup>177</sup> Ibid.

Madison issue an executive proclamation. Madison attempted to make his speech nonsectarian and asserted that it was merely a recommendation with no penalty for non-compliance. Hesitantly, Madison issued his recommendation on July 9, 1812. In it he did recommend that the citizens pray for the country during that time of war. “I recommend offering fervent supplications that in the present season of calamity and war He would take the American people under His peculiar cause and protection... that he would inspire all nations with a love of justice and of accord and with a reverence for the unerring precept of our holy religion to do to others as they would require that others should do to them.”<sup>178</sup> Years later in his “Detached Memoranda” Madison pointed out five reasons why Presidents should not be put in the position of having to make executive proclamations concerning religion. First of all, Madison explained, at best all the government should do was to issue recommendations only. However, Madison had a problem with this as well due to the fact that “an advisory Govt is a contradiction in terms.” The government had no authority, explained Madison, in dealing with “the faith or consciences of the people.” Thirdly, these types of proclamations gave the false impression of a national church in America. They “seem to imply and certainly nourish the erroneous idea of a national religion.” A “universal act of religion... ought to be effected thro’ the intervention of”<sup>179</sup> the clergy—not political leaders. Also these types of “recommendations” almost always conveyed the theology of dominant denominations to the exclusion of all others. And finally, Madison explained, these types of proclamations, no matter how one tried to avoid it, almost always politicized religion. Religion and

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<sup>178</sup> Donald L. Drakeman, “Religion and the Republic: James Madison and the First Amendment,” *Journal of Church and State*, 25 (Autumn 1983): 440-41.

<sup>179</sup> Fleet, “Madison’s Detached Memoranda,” 560-562.

party politics should never be mixed. In order to keep both entities as pure as possible they must be kept separate.

Madison also warned of churches becoming incorporated; with wealth comes power, and a vested interest. In Madison's tenth *Federalist Paper* he discussed such interests, "But the most common and durable source of factions has been the various and unequal distribution of property. Those who hold and those who are without property have ever formed distinct interests in society."<sup>180</sup>

Historian Edwin S. Gaustad explains that Madison alluded to churches when he discussed monopolies and corporations, "seeing them as measures designed to resist those subtle steps by which the First Amendment might become a nullity."<sup>181</sup> Because not every state had a "Memorial and Remonstrance" or Jefferson's "Bill for Establishing Religious Freedom" those states where religious freedom was neglected especially needed to be mindful of too many incorporated churches. Madison worried that citizens were not "duly awake to the tendency of the precedents they are establishing, in the multiplied incorporations of property real as well as personal?"<sup>182</sup>

James Madison the philosopher saw in mankind a potential for both good and evil. Man was a rational being with the ability to govern himself and to decide for himself his own religious views. His philosophy of freedom was framed around his defense of religious freedom. He put this philosophy in action as one of Virginia's most beloved statesmen. As such, he defined and articulated religious freedom for all Virginians with his Memorial and Remonstrance which was essential to the fight in Virginia for religious freedom and a separate church and state. And finally as a national apologist for religious

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<sup>180</sup> James Madison, *The Federalist Papers*, 56.

<sup>181</sup> Edwin S. Gaustad, *Faith of Our Fathers*, 52.

<sup>182</sup> James Madison, as quoted by Fleet, "Madison's Detached Memoranda," 557-558.

freedom he was influential in establishing America's Bill of Rights which defined religious freedom and mandated a separate church and state at the national level. As President Madison enforced his strong belief in religious liberty and a separate church and state by vetoing bills that he considered a violation of separation of church and state and compromising on "recommendations" instead of executive proclamations of a religious nature. Historian Edwin S. Gaustad explained Madison's contributions to the concept of separation of church and state this way: "What captured Madison's energies, abilities, and time was not what truths lay at the end of the religious quest but the right of all humankind to seek those truths without penalty or burden or any civil disability whatsoever."<sup>183</sup> James Madison, the philosopher, statesman, and nationalist brought much change to American democracy. He brought to the American landscape religious freedom for all and a separate church and state.

The Constitution guarantees that the government will not encourage nor prohibit the free exercise of religion. Within this guarantee of religious freedom however, are profound implications. The concept of separation of church and state continues to be debated in twenty-first century America as much as it was in the seventeenth and eighteenth century colonial America. With every new Supreme Court Justice nominee or every new court case that questions the constitutionality of abortion or gay rights the issue of separation of church and state arises and debate over its evolution begins again.

According to the liberal mind separation of church and state means that religious belief has no place in legislation. The conservative mind is quick to point out that the same amendment that guarantees that Congress will respect no establishment of religion also states Congress shall not deny the free exercise of their religious faith.

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<sup>183</sup> Gaustad, *Faith of Our Fathers*, 57.

Conservatives declare the origin of a separate church and state and the religious freedom it guarantees was birthed by Christian principles of religious freedom. Certainly there is much truth in this view. It was the religious faith of Roger Williams that motivated this theologian/statesman to demand that everyone should be free to exercise “liberty of conscience.” This “soul liberty” should be given to all, according to Williams, including Jews, Turks, Papists, and infidels. The soul liberty he sought was denied him by the Puritan theocracy of Massachusetts and its established Congregational Church. Williams was not deterred however, as he founded the colony of Rhode Island where religious liberty was given to all sects.

As statesman Williams defended the soul liberty of dissenters such as Anne Hutchinson and the persecuted Quakers. At the same time the theologian Roger Williams exercised his religious freedom as he debated theological issues with John Cotton and George Fox. The dual nature of Roger Williams the theologian and Roger Williams the statesman came to be a hallmark of American religious liberty. Religious freedom and a separate church and state would mean that the church would be free to not only believe the way their conscience dictated, but it also guaranteed the freedom to teach the truth of their religious faith.

Isaac Backus was also motivated to call for separation of church and state by his religious faith. He, like Williams one hundred years before him, called for an end to the established Congregational Church in Massachusetts. Backus was a reluctant rebel; it was not until after his conversion in 1741 that he suffered persecution from the established church. Backus and the Baptists resisted paying a mandatory religious tax to support the local Congregational Church. Backus and the Baptists opposed paying a tax

to support a church that upheld the Halfway Covenant and practiced infant baptism. When the Baptists suffered persecution, fines, jail sentences, and their land being taken from them Backus led the Baptists in their fight for religious freedom. He led the persecuted Baptists via the Warren Baptist Association and used civil disobedience to oppose the taxation and demanded a separate church and state.

According to Backus' "pietistic" version of separation of church and state when everyone was guaranteed religious freedom the end result would be a Baptist nation. Backus was convinced that religious freedom would guarantee that the truth be told and the people would be free to choose for themselves. America would be a Christian nation where religious freedom was guaranteed to all due to a separate church and state.

Liberals maintain that the origin of separation of church and state evolved from the Enlightenment and an absolute belief in man's capacity to reason for himself. There is much truth in this view as well. Thomas Jefferson's defense of a wall of separation between church and state was built upon two foundational pillars: his belief in religious freedom for all and his enlightened world view. It was Thomas Jefferson's call for religious liberty and a separate church and state that helped earn him a label as an atheist. Far from being an atheist Jefferson believed in God and in his own version of Christianity. Jefferson was unorthodox in his theology, but he was not hostile toward religion as the Federalists Party claimed. In fact Jefferson was a devoutly religious man who dedicated his life to not only living out his religious convictions, but to defend the idea that religious freedom was an innate natural right of all mankind.

Jefferson's defense of religious liberty was built upon his enlightened world view. Jefferson was greatly affected by John Locke's deistic philosophy of God. A rational

God who created a rational universe resonated with Jefferson. This rational God also created rational men with natural rights. Because mankind was able to reason for himself, maintained Jefferson, he should be free to decide for himself what he believed. The best way to guarantee this religious freedom, argued Jefferson, was to maintain a wall of separation between church and state.

James Madison was also influenced, like his lifelong friend Jefferson, by an enlightened worldview. It was his enlightened world view of the nature of man that shaped Madison the philosopher, statesman, and nationalist. Unlike Jefferson, not much is known of Madison's religious beliefs. His classical education influenced his thinking. He, like Jefferson, believed man was a rational being, and as such should have the freedom to think and decide for himself what he believed. Madison realized both man's potential and limitations; he believed in man's ability to do good and in his potential to do badly. As such, an effective government was essential. However, government was necessary only to preserve and protect one's liberty and property. The greatest liberty of all, to Madison, was religious liberty.

As Virginia's eloquent statesman he defended religious liberty and called for the disestablishment of the Anglican Church. Facing adversaries such as Patrick Henry Madison effectively articulated his call for religious liberty in his *Memorial and Remonstrance*.

Madison did not stop at the state level in his fight for separation of church and state. As a representative in America's first Congressional body he led in the passage of the First Amendment that guaranteed religious freedom and a separate church and state at the national level. As President, Madison continued his fight as he consistently rejected any

infringement upon the First Amendment. James Madison, like Jefferson, Williams, and Backus, spent his lifetime defending the cause of religious liberty by calling for a separate church and state.

In the end both Conservatives and Liberals are correct. The evolution of church and state is a diffusion of both reason and religion with a common element of faith—faith in God and faith in man. This uniquely American version of religious liberty was imparted to our nation via the great minds of Roger Williams, Isaac Backus, Thomas Jefferson, and James Madison.

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