

# {essays in history}

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## Coercing Freedom: New Directions in the Historiography of American Religious Liberty



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## Reviewed Work(s)

*The Myth of American Religious Freedom.* By David Sehat (New York: Oxford University Press, 2011). ix + 356 pp. Cloth, \$29.95.

*Endowed by Our Creator: The Birth of Religious Freedom in America.* By Michael I. Meyerson (New Haven: Yale University Press, 2012). xi + 368 pp. Cloth, \$32.50.

*Establishing Religious Freedom: Jefferson's Statute in Virginia.* By Thomas E. Buckley (Charlottesville: University of Virginia Press, 2013). xiv + 359 pp. Cloth, \$39.50.

*The Rise and Decline of American Religious Freedom.* By Steven D. Smith (Cambridge: Harvard University Press, 2014). 240 pp. Cloth, \$39.95.

Constructing “an accurate picture of what freedom of religion meant at the time of the framing,” Michael Meyerson writes, “is essential. What individuals do with that information will vary,” he states, “but our constitutional dialogue will improve if we can create a more accurate and less partisan understanding of this formative period.”<sup>[1]</sup> Meyerson’s claim rightly implies that less accurate and more partisan understandings of the American founding than his own have littered church-state scholarship. Indeed, that sentiment appears in nearly every recent monograph in the field. Scholars often explicitly free themselves from the ideological and partisan interpretations of America’s history of religious freedom before they can provide their own. For many years, historians and legal scholars engaged in pointed but often polemical debates about the place of religion in America, the personal theological beliefs of the Founding Fathers, the original intentions behind the First Amendment, the proper boundaries between church and state, and which favored group – evangelical Protestants or enlightened deists— was most responsible for establishing religious freedom in America.

Although those debates continue, scholars have recently reconsidered a refreshing, though no less politically charged, theme in church-state literature: coercion. Although it is a common subject in studies about religious toleration in the seventeenth and eighteenth centuries,

historians rarely discuss coercion in the period after the American Revolution. Enlightened and republican statesmen, many scholars have declared, drafted liberal constitutions that forever abolished the state's ability to force one to profess a particular set of beliefs or to coerce behaviors that are inconsistent with one's conscience.[2] Indeed, as thematic categories, toleration and religious freedom have grown distant precisely because scholars have often associated the former with coercion in ways that make it distinct from the latter.[3] Historians often point to James Madison's amendment to George Mason's use of the phrase "fullest toleration" in the religious freedom clause of the 1776 Virginia Declaration of Rights. Madison replaced that phrase with "free exercise of religion" because he believed that "toleration" implied that certain creeds were favored over others. Other states followed the Virginia model. In this way, the traditional narrative holds, the American Revolution ushered in true religious liberty.

David Sehat's *The Myth of American Religious Freedom*, however, poses a formidable challenge to that narrative. He contends that religious coercion persisted well past 1776. Beginning with Sehat's book, this essay will compare how four recent monographs have used coercion as an organizational theme in the history of American religious freedom. It concludes with a critical analysis of the competing interpretations.

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Sehat's monograph is a bold attempt to invert the heroic interpretation of American religious freedom, but unlike many partisans who distort American history for political gains, Sehat opens fire on both the political left and right; at those who wish to depict America as a secular nation whose leaders and institutions had a strong commitment to a separation of church and state, and those who portray the United States as an unreservedly Christian nation.[4] He posits a three-fold myth about church-state relations in the new republic. Historians and popular commentators have mistakenly claimed that, first, "separation of church and state," as understood by modern jurists, existed at the Founding. Second, Americans erroneously believe that the United States was in general more religious at the end of the eighteenth century than it is today. Third, and most important, almost all scholars have assumed that religious freedom was a major achievement of the Revolution – an event,

they claim, that granted “exceptional liberty” on formerly ostracized or oppressed religious minorities.[5]

Not so, says Sehat. Rather, a Protestant “moral establishment” rapidly assumed political and cultural hegemony in the young republic and exerted its force on an unwilling populace. While tacitly acknowledging that freedoms expanded for some groups, Sehat claims that the evangelical “regime” was “both coercive and exclusionary.” Tipping his hat to the religious right’s interpretation, Sehat acknowledges that the United States “was a Christian nation in that Christians had significant control over law and governance and used it to enforce morality. But,” he cautions, “if it was a Christian nation, it was not by consent.”[6] Sehat artfully utilizes many of the claims that historians and commentators who lean toward a “Christian nation” interpretation commonly cite as evidence for their case, but he inverts their narrative in order to undercut their claims. Yes, the first congress appointed a chaplain to open prayer. True, individuals were charged with, and prosecuted for, blaspheming Christianity. Indeed, the congress made repeated encomiums to “Jesus Christ.” Far from proving that America was concurrently committed to religious freedom and Christian morality, Sehat contends that these observations illuminate the coercive elements that Protestant moralizers like Samuel Adams and Lyman Beecher were willing to use to force their values on others. Hardly supportive of religious liberty, evangelical Protestants set up a de facto establishment that in fact promoted religious control.

Not quite a relic of the benighted colonial past, Sehat demonstrates how coercion extended into the nineteenth and twentieth centuries. In Sehat’s view, the state-sponsored coercion that typified colonial America gave way to a kind of moral and cultural compulsion which forced Americans to participate in activities that violated their beliefs, silenced the speech of deists and free thinkers, prohibited groups like Jehovah’s Witnesses from proselytizing their faith, and routinely suppressed religious dissent. Those kinds of violations continued in the nineteenth and twentieth centuries. Not until what Sehat calls the “Liberal Moment” – when the Supreme Court dismantled the moral establishment with its decisions in *Engel v. Vitale* (1962) and *Abington School District v. Schempp* (1963), which banned prayer in public schools – did American religious freedom begin to materialize. He shows how the courts have been inconsistent in

applying the principles of separation, no-aid, and neutrality since that time, but generally applauds the significant changes that the court has engendered.

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While Sehat's book is more conceptual, Thomas Buckley's *Establishing Religious Freedom* offers readers a more empirical study of the subject. Rather than survey the broad history of American religious freedom, Buckley narrowly focuses on Virginia's experiment with religious liberty—a state that, because of Thomas Jefferson's and James Madison's efforts, has received disproportionate attention from scholars. He begins with colonial Jamestown and concludes with events in the early twentieth century. Buckley's task is to examine how Jefferson's Statute for Establishing Religious Freedom influenced church-state relations in the Old Dominion and how different factions used coercion in the culture and law. He argues that the strict interpretation of the statute which guided many policies in the first half of the nineteenth century was in fact "mitigated as lay elites who governed the state" began to view the statute as a barrier to "another key value: their evangelical vision of Virginia as a Christian commonwealth."<sup>[7]</sup>

Buckley's central premise is that the meaning of Jefferson's statute was never fixed. Instead, legislators, jurists, and theologians constantly debated how far the statute extended and under what circumstances it should be applied. After chronicling the colonial period in ways not unfamiliar to church-state scholars, he turns to the passage of the statute and the ensuing legal battles over the selling of glebes – land owned by the disestablished Anglican/Episcopal Church. During the early republic Virginians debated whether or not the state could rescind the titles to those lands and sell them to the highest bidder. Buckley demonstrates that those most committed to stripping the Episcopal Church of its legal privileges were the Separate Baptists, who eventually earned a series of legal victories over the glebe lands in the beginning of the nineteenth century.

Hardly coercing their fellow Virginians, Buckley argues that the Baptists instead developed a sharp political acumen during the 1760s and 1770s which remained with them throughout the nineteenth century. Under their General Committee, which was a political action group dedicated to

opposing those who wanted to unite church and state, the Baptists, according to Buckley, gained public support not by intimidation or compulsion, but through “ingenious argument.”<sup>[8]</sup> Yet, these political victories gave rise to new problems that afflicted church-state relations in Virginia throughout the remainder of the nineteenth century.

The second half of Buckley’s book explores how Virginians interpreted the statute in ways that allowed them to simultaneously establish religious freedom and maintain a “Christian commonwealth.” They “expected their civil authorities to support a legal code reflective of Christian values,” Buckley explains, while consistently championing the cause of religious liberty. Most important, Buckley contends that Virginia’s legislators obliged.<sup>[9]</sup> Those sitting in the General Assembly repeatedly invoked verses from the Bible to sustain marriage and divorce laws, Sabbath statutes, and anti-gambling regulations. If Buckley softens Sehat’s thesis with his analysis, he lends credence to Sehat’s claims when he writes that “Legislatures and judges” approved of “religious aids” of these kinds because “the political culture demanded involvement, not rigid separation.” Consequently, “Virginia achieved a functional establishment of Protestant Christianity.”<sup>[10]</sup>

Unlike Sehat, Buckley acknowledges that coercion was a double-edged sword. Religious Christians were imposing their values through the law even while the coercive arm of the secular state similarly placed churches under its thumb. Buckley argues that by the middle of the nineteenth century, “even a casual observer could see that the gentry used the statutes’s [*sic*] language to bolster their continuing control over the church.” Finding continuity where other scholars have emphasized abrupt change, Buckley contends that the amount of oversight that the state imposed on Virginia’s churches is comparable to that exercised over dissenting churches during the colonial period. He points to the legislature’s refusal to incorporate churches even while it accepted applications for incorporation from all kinds of groups. “Constructing a wall in antebellum Virginia,” Buckley asserts, “invariably discriminated against the churches.” Strict separation of church and state, in his account, infringed upon the rights and freedoms of churches as much as any union of the two. Indeed, Buckley argues that “religious groups were less free in the Old Dominion than anywhere else in the Union.”<sup>[11]</sup> And they had those most committed to church-state separation – Separate

Baptists and rationalists – to thank. His analysis, then, suggests that Sehat’s interpretation marginalizes the ways that even those committed to a “moral establishment” suffered under state-sponsored coercion.

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Legal scholar Steven D. Smith’s *The Rise and Decline of American Religious Freedom*, like Sehat’s book, presents itself as a way to radically rethink what Smith calls the “standard story” to American religious freedom – a story that is, according to Smith, “if not flatly false, at least fundamentally misleading.”<sup>[12]</sup> In stark opposition to Sehat’s unfavorable interpretation, Smith argues that the first century and a half of the United States marked the apogee of religious freedom in America. Smith acknowledges the restrictions that religious minorities faced during that period, but the “genius” behind the “American settlement” was, for Smith, a non-coercive principle that prohibited courts and legislatures from narrowly defining what religious freedom meant. Americans universally agreed on the principle of religious freedom, but continued to debate what that principle entailed. Allowing Americans to make those decisions on the local level, he argues, was a healthy way to settle church-state disputes.

Borrowing a framework originally theorized by legal scholar and historian John Witte, Smith traces two competing and equally legitimate interpretations of American religious liberty.<sup>[13]</sup> The “providentialist” interpretation, represented by most Americans at the time of the founding, is grounded in scriptural justifications and posits that the state has *no jurisdiction* in religious matters, but it nonetheless has an obligation to encourage morality and virtue. The “secularist” interpretation, represented by many modern jurists but also seen in the writings of Jefferson and Madison, holds that the state *ought not* interfere with church affairs and should be neutral in those matters.

Although these two views have competed “from the Republic’s inception to the present day,” Smith argues that their overlapping goals helped to legitimate both interpretations throughout the first two centuries of American history.<sup>[14]</sup> According to Smith, the vitality of both of these views enabled religious freedom to expand to include ever more groups without alienating others. Smith credits America’s increasing pluralism in part to the mutual respect that the courts and legislatures had for

competing providentialist and secularist interpretations of religious freedom. He argues that jurists and legislators practiced what he calls a non-coercive “soft” constitutionalism until the middle of the twentieth century. The First Amendment and its guarantee of religious liberty, in his analysis, merely provided a framework that allowed local officials to negotiate satisfactory solutions for all parties involved in a given conflict.

But just as Sehat turned what seemed to be a progressive moment following the American Revolution into a troubling tale of religious coercion, so too does Smith explain that by the 1960s, while the tides of racial and gender discrimination began to recede, religious intimidation expanded. Although they acted with the noble intention of protecting religious (or irreligious) minorities, Smith contends that the courts in fact created a climate of resentment with their rulings in *Engel* and *Abington*. In Smith’s study, the courts and the “secular egalitarians” who support them have used coercion to set up an informal secular establishment where religious believers face unwarranted restrictions on the free exercise of their beliefs.<sup>[15]</sup> He asserts that the courts have invented a “hard” constitutionalism wherein that document no longer lays the framework for debate, but emphatically endorses one interpretation (the secularist) at the expense of others. An additional problem with this settlement, Smith continues, is that the new “secular orthodoxy” implemented by the courts refuses to acknowledge its own coercive tactics or the novelty of its interpretation. Rather, jurists and legal scholars are convinced that they are implementing principles that had always been in the constitution, “even if this plain truth,” Smith sardonically adds, “had been systematically ignored” by all preceding generations of Americans.<sup>[16]</sup>

The departure from the original American settlement that gave equal room to the providentialist and secularist views, Smith maintains, has led to an incoherent First Amendment jurisprudence wherein schools are allowed to provide religious books but not religious maps; statutes containing religious verses are allowed outside of federal courts but not inside of them; and, historical symbols on century-old relics are dismissed as unconstitutional “endorsements” of religion.<sup>[17]</sup> But unlike polemics coming from the religious right, Smith first recognizes the valid historical and constitutional ground upon which these secular arguments are made. Second, he grants the secular egalitarians in his



narrative the benefit of the doubt by insisting that even though they coerce others to adopt their practices and beliefs, in doing so they are merely attempting to find ways to accommodate America's unprecedentedly pluralistic population.

Smith concludes by astutely noting that the changing demographics of the United States have altered the church-state settlement. What began as a universal freedom – freedom of religion – has, with the growth of secularism, been turned into a special interest that seems to come at the expense of others.[18] Why, legal scholars such as Noel Feldman have asked, should religious believers hold more rights than unbelievers? Special freedoms that protect religious beliefs, Feldman argues, at best give a class of citizens an unfair advantage under the law, and at worst enable intolerance and bigotry. Smith counters by arguing that Madison had it right when he declared that religious rights are the “most sacred” of all rights, and that special protections are needed to guarantee freedom of conscience. He fears that if Feldman and his secular allies gain enough support, “We may be living in the last chapter of the story of American religious freedom.”[19] Yet, even if the “conflict is irreconcilable,” Smith concludes, “compromise is not impossible.”[20]

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Michael Meyerson's *Endowed by Our Creator* goes a long way toward achieving the compromise that Smith calls for by organizing his monograph around two major themes – division and unity. Like the others, his book reads as a corrective to the prevailing polemics on each side of America's church-state debates and begins with a survey of the colonial period before moving to the crucial Revolutionary era. Meyerson thoughtfully examines the religious speech of the most influential Founders, the principles of religious freedom that they espoused, and the inconsistencies between the rhetoric and reality of American religious freedom. Despite all the complexities that he unravels, Meyerson never strays too far from his main theme – that although the Founders recognized religion's ability to divide, they “believed that if the government was careful, religion could help unify a diverse nation.”[21]

Meyerson positions George Washington as the best exemplar of this idea and argues that he – not Jefferson or Madison – was the most important

figure in the history of American religious freedom. Offered a number of opportunities to alienate certain segments of the American populace, Washington repeatedly used religion to unify the country. He warned his troops not to partake in the anti-Catholic festivals that were annually celebrated on November 5 and cordially known as Guy Fawkes Day. Washington wrote sympathetic letters to religious minority groups, including Catholics and Jews, telling them that they were equal members of the American republic. His rhetoric as president was littered with religious, but non-sectarian language that, Meyerson claims, was not viewed negatively by those who were not religiously inclined. Although he employed blatantly Christian rhetoric as Commander-in-Chief of the Continental Army, Washington refrained from the practice as president because he knew that uniting the country on common principles was essential to the vitality of the republic. Any sectarian language, Washington reasoned, might estrange religious minorities from the rest of their countrymen.

Uniting people through persuasion and good-will rather than coercion, Meyerson contends, was central to the United States' experiment in religious freedom. In his interpretation, there were not two, but three strains of thought that advocated religious liberty in the new republic. First, a religious view embodied by Baptist minister John Leland; second, a philosophical strain represented by Jefferson; and third, a political view exemplified by Washington. None of these three strains, Meyerson is quick to note, were hostile to religion. Rather, they each viewed religion not as a knife to carve up the citizenry into distinct groups, but as a thread to help weave America's diverse population into a unified whole.

That inclusivity, Meyerson argues, is one of the major differences between the past and the present. The "framers' language was expansive enough to permit those who belonged to minority religions," he writes, "along with those outside the mainstream of religious belief, to join in the experience of a conscientious communion with the rest of their nation." Meyerson even argues that the first few presidents' religious rhetoric was well-received by deists, agnostics, and unbelievers, all of whom knew that they "were valued members of the political community." True, Meyerson admits, "some will always decline this invitation, and that is their right," but it is incumbent upon those seeking harmony to offer a religious olive branch.<sup>[22]</sup> Meyerson encourages

readers, scholars, jurists, and policy makers to follow “Washington’s guidance,” in their church-state debates; that is, to reject coercion in all its forms, to remember that those on all sides are “deserving of great respect,” and to attempt to create “some reasonable alternative” to the zero-sum-game approach that seems to dominate our modern discourse.

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Reasonable alternatives to one group, however, seem to constitute coercion to another. One need not look any farther than the way that Sehat and Smith, for example, interpret the religious freedom afforded to Americans either historically or today, to see the difficulties that beset religious freedom historiography and modern church-state jurisprudence. Sehat argues that religious freedom was a useful myth for more than one hundred and fifty years after the ratification of the First Amendment – that is, until modern courts began to strike down laws that favored Protestants. He chronicles the first two centuries of American history as a series of transgressions perpetrated by Protestants’ “moral regime” and which were directed toward dissenters of all kinds. Smith, however, insists that Sehat’s “Liberal Moment” in the middle of the twentieth century in fact marked the beginning of the end of religious freedom in the United States. He argues that jurists and policy makers began using their own coercive tactics to restrict the religious freedom of some Americans in order to protect others. Moreover, Sehat sees the nineteenth century as a dark interlude of cultural and legal coercion, while Smith considers that same period as the height of religious freedom in America. Their interpretations, in short, are diametrically opposed to one another. Smith implies that Sehat is blind to his own orthodoxies while Sehat contends that those in Smith’s camp are unaware of the imposition that dominant religious groups have placed on religious minorities.

To be sure, Sehat’s provocative narrative ignores the unprecedented amount of religious freedom that Catholics, Jews, Universalists, and other religious minorities enjoyed in the new republic.[24] He offers no explanation for why members of those supposedly oppressed groups celebrated their freedoms as Americans and favorably compared their liberties to those in other parts of the world.[25] Furthermore, Sehat fails to explain what “true” religious freedom would entail. If the United

States offered nothing more than a myth of religious freedom until the middle of the twentieth century, then no nation has done so. Millions of Europeans flooded the shores of the American republic in the wake of the American Revolution; some for economic opportunity, others for social or cultural reasons. But many came to the United States – including millions religious minorities – for religious liberty. Sehat’s book amply documents the disabilities that some religious groups faced in the United States, but it fails to place those difficulties in historical or comparative perspective.

Likewise, Smith downplays the barriers that religious minorities faced during what amounts to something of a golden age argument about religious freedom in America. The violent outbreaks against Mormons in the antebellum period, for example, receive only passing comment in his study. Smith paints a misleading picture of church-state debates in the early republic in arguing that those who held providentialist and secularist views respected one another and worked together to advance the cause of religious freedom. But as Buckley demonstrates in his study, debates over the proper relationship between church and state were at times as intense and divisive in the nineteenth century as they are in the twenty first. Smith therefore underestimates the degree to which Sehat’s “moral establishment” in fact imposed its values on religious outsiders. He ignores the plight of Catholics, for example, who were all but forced out of public schools in the middle of the nineteenth century in part because the “soft constitutionalism” he advocates was unable to resolve religious conflict.[\[26\]](#)

Buckley and Meyerson, however, manage to explore the important advances in the history of religious freedom in the United States while qualifying those gains in a way that does justice to those who suffered cultural bigotry and endured economic and social disabilities. Buckley demonstrates that while a Protestant establishment in fact existed in Virginia, the impositions were rarely of the kind experienced either during the colonial period or in countries throughout Europe. The Protestant establishment that Sehat details was, at least in Buckley’s Virginia, severely restrained by courts and legislatures that did more to curtail the religious freedom of practicing Protestants than it did to impose the latter’s values onto others. Hardly waiting until the 1960s, as both Sehat and Smith assert, Buckley shows how officials began to strike

down laws that they believed violated the spirit of Jefferson's Statute for Religious Freedom almost immediately after it became law. His careful church-state history of the Old Dominion complicates both Sehat's and Smith's narratives by demonstrating that the courts have been involved since late in the eighteenth century and that both evangelicals and secularists employed coercive tactics when it suited their interests.

Like Buckley's work, Meyerson's account strikes a nuanced tone. He spends considerable space debunking many of the myths and distortions about church and state that appear in popular culture, including the (in)significance of the Great Seal, the invocation of prayer during congressional sessions, the text found in the Treaty of Tripoli, and the religious language used in the founding documents. Always sober in his analysis, Meyerson refrains from using words like "regime," and "coercion" to describe Protestants or secularists, nineteenth-century evangelicals or modern jurists. His argument amounts to a fair critique of polemicists on both sides, as he emphasizes the crucial place that religion played in the law and the culture of the new republic. But he also explains the importance that Americans of all religious persuasions placed on separating church and state. Harmony rather than discord, unity over division, cooperation instead of conflict; Meyerson traces these themes during the founding and the early republic and uses America's early battles over church and state to draw lessons for uniting the nation today.

Collectively, these books provide students a variety of interpretations to explain the United States' history with that religious freedom. Hackneyed debates about to whom religious freedom is indebted – rationalist deists or evangelicals – still capture the attention of scholars.<sup>[27]</sup> But much of the recent work on the subject has turned in a new direction. The titles reviewed above consider how evangelical Christians, secular egalitarians, and jurists of all political and religious persuasions have used cultural and legal methods to coerce fellow citizens to adhere to their values. No single interpretive lens will satisfy every reader. But examining coercion as a continuous theme throughout all of American history has already prompted refreshing conversations about one of Americans' most cherished ideals.

**Nicholas Pellegrino**

University of Nevada, Las Vegas

[1] Michael I. Meyerson, *Endowed by Our Creator: The Birth of Religious Freedom in America* (New Haven, Connecticut: Yale University Press, 2012), 236.

[2] Sidney Mead, *The Lively Experiment: The Shaping of Christianity in America* (New York: Harper & Row, 1963), 60; Rhys Isaac, *The Transformation of Virginia, 1740-1790* (Chapel Hill: University of North Carolina Press, 1982), 279-282; William L. Miller, *The First Liberty: Religion and the American Republic* (New York: Knopf, 1986), 3-16; Daniel L. Dreisbach, "George Mason's Pursuit of Religious Liberty in Revolutionary Virginia," *The Founders on God and Government*, Dreisbach, Mark D. Hall and Jeffery H. Morrison, eds., (Lanham, Maryland: Rowman & Littlefield, 2003), 211.

[3] For distinctions, see Gordon J. Schochet, "From Persecution to 'Toleration,'" *Liberty Secured?: Britain Before and After 1688*, J.R. Jones, ed., (Stanford, California: Stanford University Press, 1992), 127.

[4] Irresponsible interpretations from both left and right abound. See Isaac Kramnick and R. Lawrence Moore, *The Godless Constitution: The Case against Religious Correctness* (New York: W.W. Norton & Company, 1996) and David Barton, *The Myth of Separation: What is the Correct Relationship between Church and State?* (Aledo, Texas: Wallbuilders Press, 1992).

[5] David Sehat, *The Myth of American Religious Freedom* (New York: Oxford University Press, 2011), 4, 6.

[6] *Ibid.*, 8.

[7] Thomas E. Buckley, *Establishing Religious Freedom: Jefferson's Statute in Virginia* (Charlottesville: University of Virginia Press, 2013), 2.

[8] *Ibid.*, 97.

[9] *Ibid.*, 181.

[10] *Ibid.*, 186.

[11] *Ibid.*, 255.

[12] Steven D. Smith, *The Rise and Decline of American Religious Freedom* (Cambridge: Harvard University Press, 2014), 6.

[13] John Witte, *God's Joust, God's Justice: Law and Religion in the Western Tradition* (Grand Rapids, Michigan: Wm. B. Eerdsman's Publishing Company, 2006).

[14] Smith, *Rise and Decline*, 87.

[15] *Ibid.*, 123.

[16] *Ibid.*, 122.

[17] *Ibid.*, 116.

[18] *Ibid.*, 150.

[19] *Ibid.*, 166.

[20] *Ibid.*, 156.

[21] Meyerson, *Endowed by Our Creator*, 11.

[22] *Ibid.*, 270.

[23] *Ibid.*, 265.

[24] Chris Beneke, "The 'Catholic Spirit Prevailing in Our Country': America's Moderate Religious Revolution," *The First Prejudice: Religious Tolerance and Intolerance in Early America*, Chris Beneke and Christopher S. Grenda, eds., (Philadelphia: University of Pennsylvania Press, 2011), 265-285.

[25] For one of many examples, see John Carroll to Vitaliano Borromeo, November 10, 1783, in Thomas O'Brien Hanley, ed., *The John Carroll Papers* (Notre Dame, Indiana: University of Notre Dame Press, 1976), 1:80-81, wherein he celebrates America's new political and religious structures as "a blessing and advantage" over the alternatives.

[26] See Steven K. Green, *The Bible, the School, and the Constitution: The Clash that Shaped Modern Church-State Doctrine* (New York: Oxford University Press, 2012).

[27] Nicholas P. Miller, *The Religious Roots of the First Amendment* (New York: Oxford University Press, 2012); John Ragosta, *Religious Freedom: Jefferson's Legacy, America's Creed* (Charlottesville: University of Virginia Press, 2013).

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