

**The Factors That Allowed the Development of
Religious Freedom and Pluralism in Colonial America**

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Introduction

In his preface of the “The Voluntary Church”, Milton Powell states, “The predominant form of religious organization in Western civilization has been the state church. In America nearly two hundred years ago, an alternative pattern began to emerge, characterized by freedom of conscience, constitutional separation of church and state, and voluntary support of religious activity.”¹ Concerning this same subject Sidney Mead declares, “The importance of this change can hardly be overestimated. Professor W. E. Garrison has rightly called it one of ‘the two most profound revolutions which have occurred in the entire history of the church ...’ ”²

If the organization of the Christian church for one and a half millennia³ had been one of religious uniformity and coerced compliance to the state church, what happened in Colonial America that could cause a complete overthrow of that system and move toward a denominational form of church organization? It will be shown that the factors that allowed for the emergence of religious freedom and pluralism in early America include several ideological thrusts, such as Rationalism and Pietism, as well as some environmental circumstances, such as the wide-open space of the new land, which gave rise to a multiplicity of well-established religious groups at the time of American nationalization.

Territorial Uniformity of Religion

From the time of Constantine’s rule early in the 4th century until the Protestant Reformation in the 16th century, there existed a united Christian Church under the ruling

¹ Milton B. Powell, ed., The Voluntary Church: American Religious Life (1740-1865) Seen Through the Eyes of European Visitors (New York: The Macmillan Company, 1967) p. ix.

² Sidney E. Mead, The Lively Experiment: The Shaping of Christianity in America (New York: Harper & Row, Publishers, 1963) p. 18.

³ From the time of the Edict of Milan by Constantine (313 C.E.) to approximately 1800 in America.

power of the Pope. Although there were intermittent power struggles that occurred between secular emperors and the Christian Pope, throughout this time the Church forced religious compliance upon the subjects of the state through means of civil authority.

Although the Protestant Reformers fought to break away from this worldwide, united Roman Catholic Church, the Reformers still held to this idea of territorial uniformity of religion, forced upon the state's subjects by the civil government. They were not fighting for 'freedom of religion' in terms of each person being free to decide for themselves, but only for freedom from the grip of the Pope's control. This is seen by the territorial concessions agreed upon after bitter conflicts by both the Peace of Augsburg (1555), which allowed for peaceful existence for Catholics and Lutherans only, and the Edict of Nantes (1598), which extended that peace to include French Calvinists. The Peace of Augsburg makes statements concerning 'the Estates espousing the Augsburg Confession' and 'the Estates and Princes who cling to the old religion'.⁴ The Edict of Nantes likewise delineates this freedom to be practiced 'in all the towns and districts of our dominion, in which it had been established and publicly observed by them...'.⁵ Both documents clearly describe a territorial type of arrangement, based either upon the prince of that estate, or on the practice of the people living in a certain area.⁶

Mead comments about the further development of this territorial mindset of European Christianity during of the mid 17th century:

By the middle of the century the divisions had been grudgingly recognized and made official by the Peace of Westphalia of 1648. Confessional stabilization was

⁴ "The Peace of Augsburg", 1555. In Documents of the Christian Church, 2nd ed. Henry Bettenson, ed. (Oxford University Press, 1963; Oxford University Press paperback, 1967) p. 215.

⁵ "The Edict of Nantes", 1598. In Documents of the Christian Church, 2nd ed. Henry Bettenson, ed. (Oxford University Press, 1963; Oxford University Press paperback, 1967) p. 216.

⁶ Bruce L. Shelley, Church History in Plain Language, updated 2nd ed. (Dallas: Word Publishing, 1995) p. 302.

achieved primarily on a territorial basis, with Anglicanism dominant in England, Lutheranism in most of Germany and the Scandinavian countries, the Reformed groups in Switzerland, Scotland, and the Low Countries, and Roman Catholicism in Spain and France. Each of these groups claimed within its territory religious absolutism. All the dominant groups believed in and demanded religious uniformity within their civil commonwealth enforced by the civil power.⁷

Forced Religious Uniformity in American Colonies

The religious groups that first came to America had no intention of changing their practice of forcing religious conformity upon those within their respective colonies. In his chapter on “The Colonial Period in America”, Leo Pfeffer opens by saying that “the Old World patterns of church-state union and religious oppression were transplanted to the New World with all their rigor.”⁸ Speaking concerning the Anglicans, Dutch Reformed, Swedes, and Puritans, Mead says that “all assumed that the pattern of religious uniformity would of necessity be transplanted and perpetuated in the colonies.”⁹

This intention to keep the practice of religious uniformity is seen clearly in the Second Charter of Virginia, made in 1609, which states,

And lastly, because the principal Effect, which we can desire or expect of this Action, is the Conversion and Reduction of the People in those Parts unto the true Worship of God and Christian Religion, in which Respect we should be loath, that any Person should be permitted to pass, that we suspected to affect the Superstitions of the Church of *Rome*, we do hereby Declare, that it is our Will and Pleasure, that none be permitted to pass in any Voyage, from time to time to be made into the said Country, but such, as first shall have taken the Oath of Supremacy; ...¹⁰

The Puritan Pilgrims had the same intention when they settled in Plymouth under the leadership of William Bradford in 1630. “As the Plymouth colony prospered it made support

⁷ Sidney E. Mead, *Ibid.*, p. 2.

⁸ Leo Pfeffer, *Church State and Freedom*, rev. ed. (Boston: Beacon Press, 1967) p. 71.

⁹ Sidney E. Mead, *Ibid.*, p. 17.

¹⁰ “Second Charter of Virginia.” In *Documents of American History*, Eighth Edition, Henry Steele Commager, ed. (New York: Appleton-Century-Crofts, 1968) p. 12.

of the church compulsory, demanded that voters be certified as ‘orthodox in the fundamentals of religion,’ and passed laws against Quakers and other heretics.”¹¹

After the rejection of Anne Hutchinson from their colony, the Massachusetts Bay Colony issued a similar court order in 1637 denying admission to those who did not practice their form of Protestantism:

9. The rule of the apostle (John 2:10) is that such as come and bring not the true doctrine with them should not be received to house, and by the same reason not into the commonweal. 10. Seeing it must be granted that there may come such persons (suppose Jesuits, etc.), which by consent of all ought to be rejected, it will follow that by this law ... is no other but just and needful, ...¹²

These and countless other examples from each of the newly founded American Colonies make it clear that the idea and practice of ‘civil authorities enforcing uniformity of religion’ was a foundational rule for the original colonies in 17th century America. The question is, why didn’t this original practice prevail and continue to the present day? What factors caused there to be an overthrow of this established tradition?

Vast Amounts of Unoccupied Land

One practical reason for the failure of such enforcement of religious uniformity and the consequent development of religious toleration had to do with the tremendous amount of unoccupied land in the new world. It was impossible for the established colonies to force conformity on any dissenter from the established religion since any person could chose to move a few miles away and start their own community. Banishment from one established community only meant opportunity for another establishment with a different religious emphasis or practice.

¹¹ Sidney E. Mead, *Ibid.*, p. 17.

¹² John Winthrop, *The Exclusion of Heretics*, 1637. In *The Annals of America*. vol. 1, ed. Mortimer J. Adler. Encyclopedia Britannica, Inc. (William Benton, Pub. 1968) p. 155.

The zeal of the dissenters, far from being dissipated by banishment, was truly enlarged by the knowledge thus forced upon them that even the long arms of civil and ecclesiastical authority could not encompass the vast spaces of the new land. In rather short order, belief in the effectiveness of suppression by force and the will to use it to maintain religious uniformity were undermined by the obvious futility of trying to land solid blows on the subversive men and women who were seldom there when the blows fell.¹³

This problem, or rather opportunity, was addressed by John Cotton after the banishment of Roger Williams from Plymouth Massachusetts in 1635,

The Jurisdiction (whence a man is banished) is but small, and the Countrey round about it, large and fruitful: where a man may make his choice of variety of more pleasant, and profitable seats, then he leaveth behinde him. In which respect, Banishment in this countrey, is not counted so much a confinement, as an enlargement.¹⁴

Thus in the colonial days of America there arose a multiplicity of religious groups.

Each settlement or colony had its own established church form, each having its own organization, doctrines, creeds, and practices. There was no national government overseeing the religious development of these colonies or forcing them to all practice the same religion. Even if England wanted to enforce religious uniformity on these colonies, the distance was so great and the modes of transportation and communication so slow that efforts of enforcement were of little affect.¹⁵ On the contrary, England's policy was to open 'the gates of American colonies to every kind of religious faith that could be seen in the old world.'¹⁶

Pressure from England

Besides the existence of vast amounts of unsettled land available, England's policy of immigration into the new world turned out to be another practical force at play in the

¹³ Sidney E. Mead, *Ibid.*, p. 24.

¹⁴ John Cotton, "A Reply to Mr. Williams His Examination: and Answer of the Letters Sent to Him by John Cotton," in *Publications of the Narragansett Club* (Providence, 1862) 1st ser., II, 19. Quoted in Sidney E. Mead, *Ibid.*, p. 13.

¹⁵ See Sidney E. Mead, *Ibid.*, p. 25.

¹⁶ Leo Pfeffer, *Ibid.*, p. 94.

American Colonies by the late 17th century that was pushing towards an atmosphere of religious pluralism and toleration. England's policy was motivated by practical considerations. 'The colonies represented large financial investments which would be profitable only if people would settle there.'¹⁷ Unlike some of the settlements in New England, some of the colonies and settlements in the new world were not formed for religious reasons, but for economic profit.

By 1685, says Greene, more territory along the seaboard than New England and Virginia combined was under proprietary control, and there "governmental policies in relation to religion were radically different from those prevailing either in New England or Virginia." From the viewpoint of the proprietors, he continues, "it was obviously not good business to set up religious tests to exclude otherwise desirable immigrants." "The proprietors tried to attract settlers," Greene explained, "by promising, if not full religious equality, at least greater tolerance than was allowed elsewhere."¹⁸

Besides this pressure for toleration coming from economic self-interest at work in a large portion of the American Colonies, there was also growing pressure from England for all American colonies to provide religious toleration for non-conformists who were living among their colonies. Unlike the policy of emigration to America, which was based on financial considerations, this pressure was based on a change in mindset and a move toward toleration for dissenters. At a time that many of the Colonies were still trying to impose uniformity of religion, James II in England issued his second "Declaration of Indulgence" in 1688 which granted religious freedom to his subjects, no longer requiring them to practice conformity to the state religion.¹⁹ In it he states,

We do likewise declare, that it is our royal will and pleasure that from henceforth the execution of all and all manner of penal laws in matters ecclesiastical, for not coming to church, or not receiving the Sacrament, or for any other

¹⁷ Ibid., p. 94.

¹⁸ Everts B. Greene, Religion and the State: The Making and Testing of an American Tradition, (New York: New York University Press), 1941, p. 52-53. Quoted in Sidney E. Mead, Ibid., p. 22-23.

¹⁹ J.D. Douglas, ed., The New International Dictionary of the Christian Church, p. 288.

nonconformity to the religion established, or for or by reason of the exercise of religion in any manner whatsoever, be immediately suspended; ... we do freely give them leave to meet and serve God after their own way and manner, ...²⁰

This pressure from England for the American Colonies to grant religious liberty to everyone was accentuated after John Clarke wrote a treatise entitled, “*Ill Newes from New England: or a Narrative of New Englands Persecution*” (c.1651). In this pamphlet he first gives an account of the persecutions which he himself experienced by the established order in the Colonies. Clark “refers to being among those ‘who together for liberty of their consciences, and worship of their God, as their hearts were persuaded, long since fled from the persecuting hands of the Lordly Bishops’ only to find intolerance and persecution of another type.”²¹

As a result of his efforts in England Clarke obtained from the king in 1663 a charter whose provisions were of exceptional liberality as far as difference of religion were concerned. It provided that ‘noe person within the sayd colonie, at any time hereafter, shall bee in any wise molested, punished, disquieted, or called in question, for any differences in opinions in matters of religion ... but that all and everye person and persons may ... freelye and fullye have and enjoy his and their own judgments and consciences in matters of religious concernments ...’²²

Intellectual Rationalism

Besides these practical and environmental forces that were creating an atmosphere of religious pluralism and toleration in the newly colonized America, there were also a number of very strong ideologies and new convictions that were coming into bloom during the late 17th century that took hold in America in the 18th century as the national government was being formed. These ideas can be broadly categorized and summarized as intellectual

²⁰“The Declaration of Indulgence”, 1688. In Documents of the Christian Church, 2nd ed. Henry Bettenson, ed. (Oxford University Press, 1963; Oxford University Press paperback, 1967) p. 299.

²¹ Anson Phelps Stokes and Leo Pfeffer, Church and State in the United States, rev. one-vol. ed. (New York: Harper & Row, Publishers, 1964) p. 17.

²² Leon Whipple, Our Ancient Liberties, pp. 65, 66. Quoted in Anson Phelps Stokes and Leo Pfeffer, *Ibid.*, p. 18.

rationalism stemming from the European Enlightenment and the Pietistic movement that gave way to revivalism and the Great Awakening.

A strong voice arguing for rationalism in matters of religious toleration and civil government came from John Locke (1632-1704). His writings had a great influence on the founding fathers of America; many of his ideas can clearly be seen in the writings and speeches of people like Thomas Jefferson²³ and James Madison.²⁴ Even social contract theory made popular by Locke was considered to be a self-evident truth to the signers of the Declaration of Independence.²⁵ In Locke's first Letter on Toleration, in 1685, he makes it clear that government should only be involved in civil matters, leaving religious convictions and persuasions up to each individual. In that letter he says:

The toleration of those that differ from others in matters of religion is so agreeable to the Gospel of Jesus Christ, and to the genuine reason of mankind that it seems monstrous for men to be so blind as not to perceive the necessity and advantage of it in so clear a light. ...

The commonwealth seems to me to be a society of men constituted only for the procuring, preserving, and advancing their own civil interests. Civil interests I call life, liberty, health, and indolency of body; and the possession of outward things, such as money, lands, houses, furniture, and the like....

Now that the whole jurisdiction of the magistrate reaches only to these civil concerns, and that all civil power, right and dominion, is bounded and confined to the only care of promoting these things; and that it neither can nor ought in any manner to be extended to the salvation of souls, these following considerations seem unto me abundantly to demonstrate.

First, because the care of souls is not committed to the civil magistrate, any more than to other men. It is not committed unto him, I say, by God; because it appears not that God has ever given any such authority to one man over another, as to compel anyone to his religion. ...

In the second place, the care of souls cannot belong to the civil magistrate, because his power consists only in outward force; but true and saving religion consists

²³ Thomas Jefferson, "Notes on Religion, October, 1776" in "The Complete Jefferson, Containing his Major Writings, Published and Unpublished, Except his Letters. Assembled and arranged by Saul K. Padover, with illustrations and analytic index (New York: Duell, Sloan & Pearce, Inc., 1943); Quoted in Sidney E. Mead, *Ibid.*, pp. 57-58.

²⁴ See Leo Pfeffer, *Ibid.*, p. 102-103.

²⁵ Leo Pfeffer, *Ibid.*, p. 101.

in the inward persuasion of the mind, without which nothing can be acceptable to God.
...²⁶

Not only were John Locke's ideas of the role of civil government and religious toleration changing the way people viewed the relationship between church and state, even before that time, and much closer to the American scene, was the great advocate for the separation of church and state, Roger Williams (1603-1683). His most important literary contribution was called "The Bloody Tenet of Persecution for Cause of Conscience," written in 1644. In this booklet he argued that "God requireth not a uniformity of religion" and that "all civil states ... are proved essentially civil, and therefore not judges ... of the spiritual or Christian state and worship."²⁷ Not only did Williams' written message ring loud and clear to the American people, so also did his actual practice of religious toleration and the separation of church and state in the colony of Rhode Island. "In the same year in which the *Bloudy Tenent* appeared he went far toward realizing its ideal by securing a charter for" the present state of Rhode Island, "in which only civil government was recognized. Three years later (1647) a civil code was drawn up under his leadership granting complete liberty of conscience."²⁸

Similar to Roger Williams, another person who was leading the way to religious toleration in America was William Penn. As the founder of Pennsylvania, Penn wrote his constitution for the colony called the 'Frame of Government' that "allowed unprecedented

John Locke, "Letter on Toleration", 1685. In The People Shall Judge: Readings in the Formation of American Policy, vol. 1. The Staff, Social Sciences 1, The College of the University of Chicago (Chicago: University of Chicago Press, 1949) pp. 118-119.

²⁷ Roger Williams, "The Bloudy Tenent of Persecution for Cause of Conscience", Publications of the Narragansett Club, (Providence, R.I.) Vol. III, 1867. In The People Shall Judge: Readings in the Formation of American Policy, vol. 1. The Staff, Social Sciences 1, The College of the University of Chicago. (Chicago: University of Chicago Press, 1949) p. 21.

²⁸ Anson Phelps Stokes and Leo Pfeffer, *Ibid.*, p. 15.

freedom of religion to all who believed in one God.”²⁹ “Pennsylvania thereafter became the most secure home for religious toleration in the world.”³⁰

The experiments of Rhode Island and Pennsylvania in religious freedom and separation proved of great value in the final evolution of the American principle. They were bold experiments, but they were successful, and, all in all, permanent. When the Constitutional fathers convened in Philadelphia in 1787, and when Congress and the states adopted the First Amendment in 1791, they were fully familiar with, and greatly influenced by, the success of these experiments, which they contrasted with the practice of religious persecution and oppression that – as the Supreme Court said – had “become to commonplace as to shock the freedom-loving colonists into a feeling of abhorrence,” and which had led to the adoption the First Amendment.³¹

Pietism and the Great Awakening

Adding strength to these ideas that were growing in the minds of all Americans concerning religious toleration and the relationship between church and state, there was a movement of renewal imported from Europe beginning to take place in many Christian hearts on America’s landscape. This movement is known as Pietism and was “a movement within churches aimed at the revitalization of the personal religious life of the members and a restoration of Christian unity.”³² When this movement spread from Europe to America and met with already weakened ecclesiastical forms, it helped to create the phenomenon known as the Great Awakening. One of the results of Pietism and the Great Awakening in America, that developed during the middle of the 18th century and is relevant to this discussion, was an increased emphasis on personal decision and a stress on “religious experience ... more than correctness of belief, adherence to creedal statements, and proper observance of traditional forms.”³³ Gilbert Tennent even called for individual discernment and freedom of choice

²⁹ Mark A. Noll, A History of Christianity in the United States and Canada (Grand Rapids: William B. Eerdmans Publishing Company, 1992) p. 67.

³⁰ Ibid., p. 66.

³¹ Leo Pfeffer, Ibid., pp. 98-99.

³² Sidney E. Mead, Ibid., p. 29.

³³ Ibid., p. 33.

when he encouraged church members to go to another parish if their minister was unconverted. He stated that to deprive a person of his choice to attend a different church and hear a different minister was “an unscriptural Infringement on Christian Liberty.”³⁴ This push for personal decision so strongly championed by revivalism was playing a big part in shaping the mindset of America to be one that promoted the democratic spirit and valued freedom of choice.

The Great Awakening was soon attacked as being too ‘enthusiastic’ by many traditionalists in the established religions. But Pietists wanted freedom from these old religious restraints. “They fought for the right to promote their own point of view in their own way unmolested by traditional civil and ecclesiastical customs and laws.”³⁵ This caused many individuals, who would have otherwise not made a political impact, to take a stand for their right to freedom of religious choice. So, it seemed that both the rationalist and the Pietist were aligned with each other in the fight for freedom from religious restraints. The rationalist was operating under the principles of the Enlightenment with John Locke’s ideas of toleration and civil liberty, while the Pietists, having been religiously awakened, were seeking to escape ecclesiastical oppression.

America’s Founding Documents

Thus, when the time was ripe to form one united, national government as the United States, it was this unique set of ideological thrusts and practical circumstances that necessitated the adoption of a kind of government that would allow for religious freedom, the separation of church and state, and voluntaryism, and thus guarantee religious choice for its

³⁴ Gilbert Tennent, The Danger of an Unconverted Ministry; Considered in a Sermon on Mark VI. 34, second ed. (Philadelphia: Ben Franklin, 1740) p. 21.

³⁵ Sidney E. Mead, *Ibid.*, p. 34.

constituents. The enlightened view of the nation's founding fathers such as Thomas Jefferson, Benjamin Franklin, and James Madison demanded that freedom and individuality as an inherent human right was written into our founding documents. Within the thirteen colonies there existed firmly established religious bodies with seemingly irreconcilable differences of feeling about church government, doctrines of predestination or freewill, baptism, and other matters. If indeed there was going to be a "united" nation at all, it seemed that the circumstances demanded that each group would grant the other toleration. Only in the forming of the civil and legal documents could these ideas be institutionalized.

Statements concerning the freedom of religion and its separation of church and state had been made in the "Declaration of Rights" (the Virginia Bill of Rights, June 12, 1776). It stated "That all men are by nature equally free and independent" and "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".³⁶ However, the culmination of ideological and practical forces that were at work demanding religious freedom for each person can be seen in Thomas Jefferson's "Virginia Statute of Religious Liberty" of 1786. Henry Steele Commager says concerning this document,

Jefferson characterized the long struggle for religious freedom as "the severest contest in which I have ever been engaged," and it was not until 1785 that his bill ... passed the House: in January 1786 it was accepted by the Senate and became law. "Thus," wrote Madison, "in Virginia was extinguished forever the ambitious hope of making laws for the human mind", while Jefferson regarded it as one of his three memorable contributions to history.³⁷

³⁶ The Virginia Bill of Rights, June 12, 1776. From The Federal and State Constitutions, Part. II, p. 1908-9, Poore, ed. In Henry Steele Commager, *Ibid.*, p. 103.

³⁷ Henry Steele Commager, *Ibid.*, p. 125.

This “Statute of Religious Liberty” represents the legal enactment of the ideas and circumstances that had been at work to break down religious intolerance and civilly enforced compliance to a uniform religion. It states that

Whereas Almighty God hath created the mind free; that all attempts to influence it by temporal punishments or burthens, 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, ...; that the impious presumption of legislators and rulers, civil as well as ecclesiastical, ..., 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 endeavoring to impose them on others, hath established and maintained false religions over the greatest part of the world, and through all time; ... II. Be it enacted by the General Assembly, that no man shall be compelled to frequent or support any religious worship, pace or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; ... and that the same shall in no wise diminish, enlarge or affect their civil capacities.³⁸

The Revolutionary War

Whereas from the legal and constitutional standpoint laws were being enacted to ensure religious freedom in America, the Revolutionary War (1775-1783) also had a big influence on the continued journey toward complete religious freedom in America. The practicality and outworking of these legal declarations and constitutions had yet to be seen. The Revolutionary War was in a large part justified in American minds by the ideal of Locke’s social contract theory and the belief in the inherent rights of equality and freedom for every person; this is clearly seen in statements made in the Declaration of Independence. The American people had just broken away from what they considered a tyrannical rule. “It was difficult to justify inequality in religious treatment by a nation which severed its political

³⁸ Virginia Statute of Religious Liberty, January 16, 1786. From Statutes at Large of Virginia, Vol. XII, p. 84 ff., W. W. Hening, ed. In Henry Steele Commager, *Ibid.*, p. 125-126.

bonds with the king of England because he violated the self-evident truth that all men are created equal.”³⁹

The American Experiment

Thus, by the beginning of the 19th century, the stage had been set in the legal realm, ideological arena, and circumstantial landscape for a full flowering and development of religious freedom, toleration, and pluralism. Over the next fifty years America developed into a religiously pluralistic country with no one religion holding sway over any other religious body.

The impact of this absolute change in the practice of civil and religious life has been working itself out since these laws and constitutions were established. The end of this ‘experiment’ (as it was called by John Clarke and other colonial Americans and founding fathers⁴⁰) has yet to be seen. Concerning the importance of this idea of religious liberty as contained in the First Amendment, Leo Pfeffer makes the following statements:

‘Congress shall make no law respecting the establishment of religion or prohibiting the free exercise thereof.’ These sixteen words epitomize a radical experiment unique in human history. It was of this experiment that one great American jurist said:⁴¹

‘The greatest achievement ever made in the cause of human progress is the total and final separation of church and state. If we had nothing else to boast of, we could lay claim with justice that first among the nations we of this country made it an article of organic law that the relation between man and his Maker were a private concern, into which other men have no right to intrude. To measure the stride thus made for the Emancipation of the race, we have only to look back over the centuries that have gone before us, and recall the dreadful persecutions in the name of religion that have filled the world.’⁴²

³⁹ Leo Pfeffer, *Ibid.*, p. 97.

⁴⁰ See Anson Phelps Stokes and Leo Pfeffer, *Ibid.*, p. 18.

⁴¹ Leo Pfeffer, *Ibid.*, Foreword.

⁴² David Dudley Field, “American Progress” in *Jurisprudence*. (New York, Martin B. Brown, 1893), p. 6. Quoted in Leo Pfeffer, *Ibid.*, Foreword.

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