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“A History of the Anglican Church—Part XLIX: An Essay on the Role of Christian Lawyers and Judges within the Secular State”©

By

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“To speak of the separation of church and state is to speak of the separation of soul and body.”
-- Rev. Algernon Sidney Crapsey (Anglican Priest)

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The ideas expressed in this Apostolate Paper are wholly those of the author, and subject to modification as a result of on-going research into this subject matter. This paper is currently being revised and edited, but this version is submitted for the purpose of sharing Christian scholarship with clergy, the legal profession, and the general public.

PREFACE

The organized Christian church of the Twenty-First Century is in crisis and at a crossroad. Christianity as a whole is in flux. And I believe that Christian lawyers and judges are on the frontlines of the conflict and changes which are today challenging both the Christian church and the Christian religion. Christian lawyers and judges have the power to influence and shape the social, economic, political, and legal landscape in a way that will allow Christianity and other faith-based institutions to evangelize the world for the betterment of all human beings. I write this essay, and a series of future essays, in an effort to persuade the American legal profession to rethink and reconsider one of its most critical and important jurisprudential foundations: the Christian religion. To this end, I hereby present the sixty-sixth in this series: “A History of the Anglican Church—Part XLIX.”

Introduction¹

Latitudinarian Anglicanism and Christian Deism were so predominant in early 18th-century England that even leading conservative Tories, such as Henry St. John, Lord Viscount Bolingbroke (1678 - 1751), also embraced these philosophical and religious views as well.² Lord Bolingbroke's latitudinarian Anglicanism was both conservative and "revivalist" in nature. Indeed, the life and times of Lord Bolingbroke covered the period of the Evangelical Revival in England and the First Great Awakening in colonial British North America, during the 1730s and 1740s.³ Everywhere throughout the British Empire, devout Christians reacted to what they believed was a collapse of orthodox Christianity, moral values, and sacred traditions. For Lord Bolingbroke, the Whig Party and its leader, Prime Minister Robert Walpole, represented the collapse of the orthodox British constitution which had been built upon the established Church of England and a strong but limited Christian monarchy.

Lord Bolingbroke's *The Idea of a Patriot King* (1738)⁴ was, in many respects, a part of the great evangelical revival movement which sought to restore the authentic Christian spirit to British life—in Bolingbroke's case, this meant the restoration of *the Christian king and a strong Church of England*. This work reflected the thoughts and ideals of an orthodox Anglican and a Tory politician who felt that Britain's public and governmental structures were collapsing under the weight of Whig-induced immorality and Whig-influenced public corruption. The only hope for Great Britain, argued Lord Bolingbroke in *The Idea of a Patriot*

¹ This paper is dedicated to the Faculty and Staff of the Whitefield Theological Seminary (Lakeland, Florida), to the Christ Presbyterian Church (Lakeland, Florida), and to the Calvinist wing of the Church of England.

² The foundation of the American Federalist Party may rightfully be described as having been deeply-rooted in Lord Bolingbroke's brand of conservative latitudinarian Anglicanism.

³ "The First Great Awakening (sometimes Great Awakening) or the Evangelical Revival was a series of Christian revivals that swept Britain and its thirteen North American colonies in the 1730s and 1740s. The revival movement permanently affected Protestantism as adherents strove to renew individual piety and religious devotion. The Great Awakening marked the emergence of Anglo-American evangelicalism as a trans-denominational movement within the Protestant churches. In the United States, the term Great Awakening is most often used, while in the United Kingdom the movement is referred to as the Evangelical Revival.

"Building on the foundations of older traditions—Puritanism, Pietism and Presbyterianism—major leaders of the revival such as George Whitefield, John Wesley and Jonathan Edwards articulated a theology of revival and salvation that transcended denominational boundaries and helped forge a common evangelical identity. Revivalists added to the doctrinal imperatives of Reformation Protestantism an emphasis on providential outpourings of the Holy Spirit. Extemporaneous preaching gave listeners a sense of deep personal conviction of their need of salvation by Jesus Christ and fostered introspection and commitment to a new standard of personal morality. Revival theology stressed that religious conversion was not only intellectual assent to correct Christian doctrine but had to be a "new birth" experienced in the heart. Revivalists also taught that receiving assurance of salvation was a normal expectation in the Christian life." https://en.wikipedia.org/wiki/First_Great_Awakening

⁴ Henry St. John (Viscount Bolingbroke), *The Idea of a Patriot King* (New York, N.Y.: The Bobbs-Merrill Company, Inc., 1965).

King (1738), was a righteous king who revered both “the law of God and man”⁵ and who understood that the public interests were more important than selfish-gains of the monarch. Thus, in the image of King David and Christ the Messiah, a “Patriot King,” Lord Bolingbroke argued, could preserve the ancient liberties of the British constitution. Led by this new “Patriot King,” a revival of British patriotism—the love of God and country—was necessary in Great Britain. As head of both Church and State, the British “Patriot King” was to be the keeper of Two Tables of one natural moral law.⁶ Lord Bolingbroke wrote:

A Patriot King will see all this in a far different and much truer light. The constitution will be considered by him as **one law, consisting of two tables**, containing the rule of his government, and the measure of his subjects obedience; or as one system, composed of different parts and powers, but all duly proportioned to one another, and conspiring by their harmony to the perfection of the whole. He will make one, and but one, distinction between his rights, and those of his people: he will look on his to be a trust, and those of his people: he will look on his trust, and theirs a property. He will discern, that he can have a right to no more than is trusted to him by the constitution: and that his people, who had an original right to the whole by the law of nature, can have the sole indefeasible right to any part; and really have such a right to that part which they have reserved to themselves. In fine, the constitution will be revered by him as **the law of God and of man**; the force of which binds the king as much as the meanest subject, and the reason of which binds him much more.⁷

Lord Bolingbroke’s *The Idea of a Patriot King* was a revivalist political text in

⁵ Ibid., p. 32.

⁶ See, e.g., Bishop John Jewell, *The Apology for the Church of England: And a Treatise of the Holy Scriptures* (Vol. III) (New York, N.Y.: N.Y. Protestant Episcopal Press, 1831), pp. 219-220 (“For, besides that **a Christian prince hath the charge of both Tables committed to them by God**, to the end he may understand that not temporal matters only, but also religious and ecclesiastical causes pertain to his office.”) Hence, the British Monarch is the Head of Church and the Head of State. See, e.g., “Supreme Governor of the Church of England,”

The Supreme Governor of the Church of England is the titular head of the Church of England, a position which is vested in the British monarch. Although the monarch’s authority over the Church of England is largely ceremonial and is mostly observed in a symbolic capacity, the position is still very relevant to the church. As the supreme governor, the monarch formally appoints high-ranking members of the church on the advice of the prime minister of the United Kingdom, who is in turn advised by church leaders, such as the Lords Spiritual.

https://en.wikipedia.org/wiki/Supreme_Governor_of_the_Church_of_England

⁷ Ibid., p. 32.

support of orthodox Anglicanism, but Lord Bolingbroke's underlying religious philosophy reflected the growing latitudinarian and deistic Anglicanism of his time. He supported the Tory traditionalism of strong monarchy and strong Church-State partnership. However, Lord Bolingbroke adopted the growing latitudinarian Anglicanism that was prevalent during the early 18th Century. Like Matthew Tindal's *Christianity as Old as the Creation*, Bolingbroke embraced the idea that Christianity was a republication of natural religion and natural law. And, to the extent that the Sacred Scriptures conflicted with reason, then reason should have the last word.⁸

Bolingbroke's ideas had a significant influence upon the colonists of British North America.⁹ In 1760, for instance, when Prince George ascended to the throne of England and became George III, the American colonists looked to him for hope and leadership, along the lines as outlined in Lord Bolingbroke's *The Idea of a Patriot King*.¹⁰ At first, the American colonists were not opposed to King George III's leadership, and they only wished for him to succeed.¹¹ The American colonists had in mind the leadership standards endorsed by Lord Bolingbroke in *The Idea of a Patriot King* (1738); and they had hoped that King George III would live up to these standards.¹² The new Enlightenment model of the British "Patriot King" would become the standard whereby the American revolutionaries and many others would come to judge King George III. But by the year 1776, the American

⁸ See, e.g., "The Philosophical Works of the Late Right Honorable Henry St. John, Lord Viscount Bolingbroke" http://lawlibrary.wm.edu/wythepedia/index.php/Philosophical_Works_of_the_Late_Right_Honorable_Henry_St._John,_Lord_Viscount_Bolingbroke ("Henry St. John, First Viscount Bolingbroke (1678-1751), was a prominent member of the Tory party in the British Parliament from 1701 until the 1714 shift of power to the Whigs. After joining the failed 1715 Jacobite Rebellion as secretary of state to James Stuart, he was exiled to France until his pardon in 1723. **During his exile, he encountered the ideas of the French Enlightenment and devoted much time to philosophical study, struggling to develop a system of morality grounded in natural law and reason and tending towards a deist worldview.** His Philosophical Works grew out of this period and his subsequent study, and was first published three years after his death. **Bolingbroke's works had some influence in the American colonial period: John Adams** claimed to have read through his works five times, and Bolingbroke influenced Alexander Pope and Jonathan Swift, who were widely read in the colonies. Additionally, **Bolingbroke's Philosophical Works was a favorite of [Thomas] Jefferson**, who copied approximately 10,000 words from the work into his Literary commonplace Book, compiled in the 1760s.")

⁹ "Republicanism in America. In the late 20th century, Bolingbroke was rediscovered by historians as a major influence on Voltaire, and on the American patriots John Adams, Thomas Jefferson and James Madison. Adams said that he had read all of Bolingbroke's works at least five times; indeed, Bolingbroke's works were widely read in the American colonies, where they helped provide the foundation for the emerging nation's devotion to republicanism. His vision of history as cycles of birth, growth, decline and death of a republic was influential in the colonies, as was his contention on liberty: that one is "free not from the law, but by the law." https://en.wikipedia.org/wiki/Henry_St_John,_1st_Viscount_Bolingbroke#Republicanism_in_America

¹⁰ See, e.g., William D Liddle, "A Patriot King or None?" Lord Bolingbroke and the American Renunciation of George III" *The Journal of American History*, Vol. 65, No. 4 (Mar. 1979), pp. 951 -970.

¹¹ Ibid.

¹² Ibid.

colonists became disillusioned with George III's failed leadership.¹³ Thomas Paine's *Common Sense* and pamphlet *The Crisis* turned the tide of American sentiment against the institution of hereditary monarchy.¹⁴

Although these American colonists rejected the institution of hereditary monarchy, and American political leaders did not ultimately establish a "king," the American colonists, as a whole, did not reject the idea of a strong "Patriot Chief Magistrate" as *viceregent of God* and minister of the *natural moral law*.¹⁵ The early colonial American governorship might have been extracted from this model; and the American founding fathers ultimately established that model in their new constitutional offices, especially that of the Office of President of the United States.¹⁶ And Lord Bolingbroke's influence upon the American founding fathers was significant. Thomas Jefferson, for instance, was introduced to Bolingbroke's writings when he was a student at the College of William and Mary. For it was through Bolingbroke's writings that Jefferson ceased to think in terms of orthodox Anglicanism, and began to adopt, more or less, the "latitudinarian" and "deistic" view of the Christian faith.

Jefferson scholars all knew that Thomas Jefferson often disparaged the label "Tory" in his political writings. For Jefferson, being called a Whig would signify approval, while being called a Tory was quite derogatory and damaging. There were, however, one or two Tory thinkers that Jefferson truly admired, and Henry St John, 1st Viscount Bolingbroke seems to be the most salient one of this very rare category.

Jefferson intensively read Bolingbroke, first in his youth and continuing throughout his life. As Andrew Burstein nicely documented: "in his Literary Commonplace Book, begun in the early 1760s, Jefferson excerpted more from Bolingbroke . . . than from any

¹³ Ibid.

¹⁴ Thomas Paine, *Collected Writings* (New York, N.Y.: The Library of America, 1995).

¹⁵ See, e.g., the attached Appendix "The Natural Religion in the Official Proclamation of United States Presidents" by Roderick O. Ford, Litt.D.

¹⁶ While in England, Bolingbroke's ideas, as stated in *The Idea of a Patriot King*, would have a profound influence upon King George III and the British Tories. That idea of a "Patriot King," could be translated in the minds of the American Founding Fathers as "Patriot President"—for the model for the chief executive set forth by Lord Bolingbroke's masterpiece not only sets forth the model of a true Christian monarch but it was adaptable to any chief executive office, including that of a republic. And it is likely that the American Founding Fathers adopted Bolingbroke's model for the chief executive when establishing the duties, responsibilities, and traditions for Office of the President of the United States Constitution. See, e.g., the attached Appendix "The Natural Religion in the Official Proclamation of United States Presidents" by Roderick O. Ford, Litt.D.

other thinker or writer, classical or modern.” In his later years he still highly recognized Bolingbroke’s contributions. In Jefferson’s January 1821 letter to Francis Eppes, he wrote this famous paragraph on Bolingbroke:

You ask my opinion of Ld Bolingbroke and Thomas Paine. they were alike in making bitter enemies of the priests & Pharisees of their day. both were honest men; both advocates for human liberty. Paine wrote for a country which permitted him to push his reasoning to whatever length it would go: Ld Bolingbroke in one restrained by a constitution, and by public opinion. he was called indeed a tory: but his writings prove him a stronger advocate for liberty than any of his countrymen, the whigs of the present day. irritated by his exile, he committed one act unworthy of him, in connecting himself momentarily with a prince rejected by his country. but **he redeemed that single act by his establishment of the principles which proved it to be wrong.** these two persons differed remarkably in the style of their writing, each leaving a model of what is most perfect in both extremes of the simple and the sublime. no writer has exceeded Paine in ease and familiarity of style; in perspicuity of expression, happiness of elucidation, and in simple and unassuming language . . . Ld Bolingbroke’s, on the other hand, is a style of the highest order: the lofty, rythmical, full-flowing eloquence of Cicero. periods of just measure, their members proportioned, their close full and round. his conceptions too are bold and strong, his diction copious, polished and commanding as his subject. his writings are certainly the finest samples in the English language of the eloquence proper for the senate. his political tracts are safe reading for the most timid religinist, his philosophical, for those who are not afraid to trust their reason with discussions of right and wrong.¹⁷

Thus, Bolingbroke’s prescriptions for a Tory political revival in England was not completely lost upon the American colonists who received them quite favorably—and this was especially true amongst American conservatives who tended to be Federalists.¹⁸ What is important to note here is that many of the political issues

¹⁷ https://en.wikipedia.org/wiki/Henry_St_John,_1st_Viscount_Bolingbroke

¹⁸ See, e.g., William D Liddle, “A Patriot King or None?” Lord Bolingbroke and the American Renunciation of George III” *The Journal of American History*, Vol. 65, No. 4 (Mar. 1979), pp. 951 -970.

that were of concern to Lord Bolingbroke were also of great concern to the American founding fathers—both political and religious.

The collapse of orthodox Christianity was present even within the Church of England, as well as in the Episcopal Churches of colonial British North America and Puritan colonial New England. But the Church of England was the bell weather of all the other churches within the British Empire. What happened to the Church of England significantly impacted all the other churches throughout the British Empire, including the churches of colonial British North America. And the 18th-century Church of England was in a desperate condition, searching for an identity, torn between tradition and orthodoxy on the one hand, and latitudinarian Anglicanism and deism on the other.

Indeed, by 1720, this Church of England had become splintered into two competing factions. On the one hand, there was the Upper Convocation of the Church of England, which included mostly bishops and latitudinarian High-Church Anglicans, who seemed to be tearing down the orthodox Christian faith. This upper chamber was largely represented by the influential Whigs. The Whigs were led by Prime Minister Robert Walpole. These men promoted greater religious liberty for English Protestant dissenters and commercial expansion. On the other hand, there was the Lower Convocation of the Church of England, and this ecclesiastical body consisted largely of parish priests who were Tory sympathizers and who stood against these Whigs—arguably the English working classes, who benefited from the Church’s alms and charities, supported the Tories. The Tories claimed that traditional Christian values and public morals were seriously being undermined by the mammon and materialism of the Whig politicians, merchants, and their latitudinarian Anglican supporters. The Tory Party, of whom Lord Bolingbroke was a major leader, believed itself to be, among other things, the Church of England’s standard bearer of the orthodox Christian faith and of traditional English values. But when the Whigs prorogued Convocation in 1718 and instituted George I as a sort of “puppet king,” the Tory faction within the Church of England and Parliament objected. The Tory-leaning priests and bishops felt that their work of evangelization, particularly amongst the poor, was severely impaired by the Whigs and their latitudinarian Anglican allies in the Upper Convocation. Lord Bolingbroke was a leader of the Tory opposition, and his *The Idea of a Patriot King* must be viewed as a polemic against Whig liberalism.

But during the period 1714 to 1750, the Tory Party was considered to be quite controversial, if not altogether dangerous and treasonous! The Tory Party’s perceived sympathies with the “Jacobins” (i.e., sympathizers of the “House of

Stuart”) appeared to present a Catholic and French threat to Parliament and to the Protestant House of Hanover. Two failed armed “Jacobin” military revolts against King George I occurred in 1719 and against King George II in 1745 contributed to marginalizing the Tory party! Accordingly, Tory leaders such as Henry St. John (Lord Bolingbroke) were stigmatized as traitors, spies, and disloyal during this period. Lord Bolingbroke had himself joined forces with the Old Pretender (James Francis Edward Stuart) and exiled himself to France during the early 1700s. However, he slowly began to move toward a more moderate viewpoint, and in 1723, he received an official pardon and was able to return to England. Lord Bolingbroke would return and again assume a leadership role within the Tory faction.

The Tories were conservative, orthodox Anglicans within the Church of England. They had been staunch supporters of the Stuart monarchy, and powerful supporters of priests and pastors within the Church of England (i.e., the Lower Convocation). They were critical of Whig policies of commercial liberalization and latitudinarian views of Christianity. They were opposed to greater civil rights for religious dissenters. They were staunch supporters of a strong orthodox Anglican Church that worked in cooperation with a strong British Monarchy. The Tories also disapproved of King George II’s (1727 – 1760) subservient position to Parliament and to Whig Prime Minister Robert Walpole, whom they believed was the leader of widespread corruption. What, exactly, did these conservative Tories want? Lord Bolingbroke answered this question in his masterpiece, *The Idea of a Patriot King*.

Lord Bolingbroke did not embrace the orthodox view that the text of the Sacred Scriptures should be the supreme law in England, but instead he held to the view that the law of nature (i.e., reason) was the law of God; and, as such, was a sufficient rule of mankind within civil government. To that degree, at least, Bolingbroke’s viewpoint was quite similar to the latitudinarian viewpoints that were stated in Dr. Matthew Tindal’s *Christianity as Old as the Creation* (1730) and in Bishop Joseph Butler’s *The Analogy of Religion* (1736) and other Deists who elevated the “law of reason” above biblical hermeneutics. Lord Bolingbroke adopted the same point of view on natural law as that held by many latitudinarian Anglicans, and Bolingbroke believed that reason and the law of nature were the supreme laws of God. Lord Bolingbroke was also concerned that within the orthodox Church of England, superstition, corruption, and the self-serving interests of priests and bishops had led many British monarchs to accept the very false idea of that their rulership was based upon the “divine right of kings.” Since God is the supreme sovereign and ruler of the universe, Bolingbroke did not hold to the view

that a king may, through the theory of “divine right,” act tyrannically or arbitrarily.

Lord Bolingbroke’s *The Idea of a Patriot King* was such a powerful defense of the Tory viewpoint of limited constitutional monarchy, that it had a positive reception even among the Whigs and the American founding fathers. *The Idea of a Patriot King* defended the British Monarchy and held that the hereditary principle was justifiable, but this influential book also upheld the concept of the “Higher Law” which rendered void all unjust, tyrannical, or arbitrary positive civil laws. This was the great heritage of Magna Carta (1215), the Petition of Right (1628), and the English Bill of Rights (1688)—limited constitutional monarchy and governmental authority. Bolingbroke’s *The Idea of a Patriot King* held that the office of the British monarchy is “divine”; that the individual persons who become British monarchs are “sacred”; but, nevertheless, these British monarchs do not possess the “divine right” to rule tyrannically or arbitrarily. The sole purpose of the institution of the monarchy and government in general, explained Lord Bolingbroke, is the good of nation. This ideal would become the blueprint for the office of the President of the United States.

Summary

This paper is a summation of Lord Bolingbroke’s latitudinarian Anglican philosophy as set forth in his *The Idea of a Patriot King* (1738). It sets forth what would later become the Tory standard of civil government in England. It promotes the idea of a strong monarchy—a Patriot King—that is principled, patriotic, and a symbol of tradition. It defends the traditional idea of that the British Constitution is ordered around the two-tables theory of civil government, governed by both the laws of God and of man. 19th-century British Prime Minister Benjamin Disraeli would later call Bolingbroke’s masterpiece, *The Idea of a Patriot King*, as the standard-bearer of conservative Tory philosophy.¹⁹ That fundamental standard maintained that the unwritten British Constitution represented the higher moral law of God, and that the British monarch—as a Patriot King—represented God’s anointed and his vicegerent on earth whose sole purpose is to administer that higher moral law of God. When King George III ascended to the throne of Great Britain in 1760, most of the American colonists had hoped that the new king would be the “Patriot King” as endorsed in Bolingbroke’s *The Idea of a Patriot King*.²⁰

¹⁹ https://en.wikipedia.org/wiki/Henry_St_John,_1st_Viscount_Bolingbroke (“Benjamin Disraeli lionized Bolingbroke as the ‘Founder of Modern Toryism’, eradicating its ‘absurd and odious doctrines’, and establishing its mission to subvert” “Whig attempts to transform the English Constitution into an oligarchy.”)

²⁰ See, e.g., William D Liddle, “A Patriot King or None?” Lord Bolingbroke and the American Renunciation of George III” *The Journal of American History*, Vol. 65, No. 4 (Mar. 1979), pp. 951 -970.

But in 1776, when it became apparent that King George III had failed to live up to the ideals a “Patriot King,” the Americans published their *Declaration of Independence* (1776). However, I believe that Bolingbroke’s idea of a “Patriot King” was incorporated into the American office of the United States President.²¹ The Office of the United States President was thus extracted from a latitudinarian conceptualization of the Christian king or a Christian chief magistrate.

Part XLIX. Anglican Church: Lord Bolingbroke, Toryism, and Latitudinarian Anglicanism: Notes on Lord Bolingbroke’s *The Idea of a Patriot King* (1738)

A. Biography of Henry St. John, Viscount Bolingbroke (1678 – 1751)

Not all latitudinarian Anglicans were Whigs, but some, like Henry St John (1st Viscount Bolingbroke or “Lord Bolingbroke”), were Tories who staunchly supported the Church of England and strong hereditary British monarchy. Lord Bolingbroke wanted to preserve the strong English tradition of hereditary monarchy and Church, both founded upon the traditional authority of divine right, but limited by the rule of Higher Law (i.e., “rule of reason”).²² Bolingbroke’s conservatism mirrored the ideals of the great common law lawyer and Chief Justice Edward Coke. The British monarch must be limited by the rule of law, and must rule, as a patriot king, in the best interests of the commonwealth. This was a new brand of Toryism—one that shifted the foundation of the British monarchy from “divine right” to tradition and “constitutional law.”²³ Lord Bolingbroke was thus a leader of the Tories and supported the Church of England politically, but he held “unorthodox religious views”—i.e., Christian deism—which caused controversy and much criticism from many corners of British society.²⁴

According to Lord Bolingbroke, the Stuart monarchy was still the legitimate monarchy and, at the first, he did not support the ascendancy of the House of

²¹ Ibid.

²² See, e.g., Henry St. John (Viscount Bolingbroke), *The Idea of a Patriot King* (New York, N.Y.: The Bobbs-Merrill Company, Inc., 1965), p. 32 (The editors to the text *The Idea of a Patriot King* wrote at footnote # 30 within that text: “Bolingbroke is here supporting the Whig belief that the king is not above or outside the law.”)

²³ This position endeared Lord Bolingbroke to many of the American Founding Fathers, such as John Adams, Thomas Jefferson, and James Madison.

²⁴ “His unorthodox religious views were at last made public and were denounced on all sides. Modern scholars have paid much less attention to his philosophical works, but he is widely regarded as one of the best contemporary analysts of the politics of the Whig supremacy.” <https://www.britannica.com/biography/Henry-Saint-John-1st-Viscount-Bolingbroke>

Hanover to the British throne. In fact, Lord Bolingbroke supported the Jacobite rebellion of 1715 which sought to overthrow the new king, George I. Escaping to France he became foreign minister for the Old Pretender James Francis Edward Stuart. While in France, Lord Bolingbroke “encountered the ideas of the French Enlightenment and devoted much time to philosophical study, struggling to develop a system of morality grounded in **natural law** and **reason** and tending towards a deist worldview.”²⁵ Lord Bolingbroke’s conservative Toryism thus adopted a philosophy of Christianity that was closer in context to the Whig latitudinarian Anglicans such as Dr. Matthew Tindal (author of *Christianity as Old as the Creation* (1730)); Bishop William Warburton (author of *The Alliance of Religion* (1736)); and Bishop Joseph Butler (author of *The Analogy of Religion* (1736)).²⁶ See, below, Table 1, “Lord Bolingbroke, Toryism, and Latitudinarian Anglicanism”

Table 1. Lord Bolingbroke, Toryism, and Latitudinarian Anglicanism

THE TORIES	THE WHIGS
St. Thomas Aquinas’s Classic Legal Theory and Moral Theology (13 th -Century)	Latitudinarian Anglican Legal Theory and Moral Theology(18 th -Century)
	<p>THE NEW TORIES</p> <p>Lord Bolingbroke’s new conservative Tory philosophy embraced a brand of Natural Law ideology that tended toward the</p>

²⁵ See, e.g., “The Philosophical Works of the Late Right Honorable Henry St. John, Lord Viscount Bolingbroke” http://lawlibrary.wm.edu/wythepedia/index.php/Philosophical_Works_of_the_Late_Right_Honorable_Henry_St._John,_Lord_Viscount_Bolingbroke (“Henry St. John, First Viscount Bolingbroke (1678-1751), was a prominent member of the Tory party in the British Parliament from 1701 until the 1714 shift of power to the Whigs. After joining the failed 1715 Jacobite Rebellion as secretary of state to James Stuart, he was exiled to France until his pardon in 1723. **During his exile, he encountered the ideas of the French Enlightenment and devoted much time to philosophical study, struggling to develop a system of morality grounded in natural law and reason and tending towards a deist worldview.** His Philosophical Works grew out of this period and his subsequent study, and was first published three years after his death. **Bolingbroke’s works had some influence in the American colonial period: John Adams** claimed to have read through his works five times, and Bolingbroke influenced Alexander Pope and Jonathan Swift, who were widely read in the colonies. Additionally, **Bolingbroke’s Philosophical Works was a favorite of [Thomas] Jefferson**, who copied approximately 10,000 words from the work into his Literary Commonplace Book, compiled in the 1760s.”)

²⁶ Ibid.

	same Deistic tendencies of the 18th- Century Whigs
Eternal Law	Eternal Law
<i>Divine Law</i>	<i>Natural Law</i>
<i>Natural Law</i>	<i>Divine Law</i>
Human Law	Human law

During the 18th century, in both England and France, natural law and a philosophy of “reason” began to take preference over the text of the Sacred Scriptures as the supreme canon, law, or gloss. The French Enlightenment also promoted a philosophy of reason and natural law which greatly influenced Lord Bolingbroke, during his exile in France. Thus, Lord Bolingbroke’s brand of conservative British Toryism made Christian deism somewhat palatable among British conservatives and Tories—and especially among the American conservatives, such as John Adams, who promoted the same ideals under the banner of “Federalist” political agenda.²⁷

While in France, Lord Bolingbroke distanced himself from the Old Pretender (James Francis Edward Stuart) and was given a pardon from the British government. Bolingbroke then returned to England in 1723, where he worked to transform the Tory Party. He afterwards looked to the future of the welfare of the House of Hanover and toward the improvement of the British government. His word *The Idea of a Patriot King* (1738) was designed to promote political reform. Bolingbroke hoped to influence the future kings of England, Frederick, Prince of Wales, and his son, who would become the future George III. It was Lord Bolingbroke’s desire that Prince Frederick (and presumably his son, Prince George (the future King George III)) would be a “Patriot King.”

Lord Bolingbroke died on December 12, 1751 at age 73.

B. First Argument: The State of early 18th Britain was an Age of Corruption and Required Strong Moral Leadership.

Writing in 1738, Lord Bolingbroke described “the present state of Great Britain,” and concluded there were “duties of a king to his country” that were indispensable for stability and prosperity. The problem of corruption and

²⁷ Ibid.

ineptitude in 18th Great Britain was, by many historical accounts, a pandemic. Lord Bolingbroke felt that this problem was caused by poor leadership in the present Whig administration that was led by Prime Minister Sir Robert Walpole.²⁸

Up to this source there are few men who take the pains to go: and open as it lies, there are not many who can find their way to it. By such as do, I shall be understood and approved; and, far from fearing the censure, or the ridicule, I should reproach myself with the applause, of men who measure their interest by their passions, and their duty by the examples of a corrupt age; that is, by the examples they afford to one another. Such, I think, are the greatest part of the present generation; not of the vulgar alone but of those who stand foremost, and are raised highest in our nation. Such we may justly apprehend too that the next will be; since they who are to compose it will set out into the world under a direction that must incline them strongly to the same course of self-interest, profligacy, and corruption.

The iniquity of all the principal men in any community, of kings and ministers especially, does not consist alone in the crimes they commit, and in the immediate consequences of these crimes: and therefore their guilt is not to be measured by these alone. Such men sin against posterity, as well as against their own age....²⁹

Lord Bolingbroke inveighed against “avarice” and “the profusion of luxury” within the British Empire, and asked “will the British spirit, that spirit which has preserved liberty hitherto in on corner of the world at least” be allowed to revitalize the British people.³⁰ “To perform, therefore, so great a work,” he wrote, “as to reinfuse the spirit of liberty, to reform the morals, and to raise the sentiments of a people, much time is required....”³¹ Bolingbroke seems pessimistic that England can, or will, be reformed any time soon, but if reform is to take place, it will be, he surmises, by “the influence, of a Patriot King, the most uncommon of all phenomena in the physical or moral world.”³² The “reign of such a prince,” writes Bolingbroke, is necessary to “restore the virtue and public spirit essential to the preservation of liberty and national prosperity.”³³ And he implores his fellow

²⁸ Ibid., p. 39.

²⁹ Ibid., pp. 4-5.

³⁰ Ibid., p. 6.

³¹ Ibid.

³² Ibid., p. 7.

³³ Ibid.

Englishmen “to keep the cause of truth, of reason, of virtue, and of liberty, alive.”³⁴

C. Second Argument: Under the British Constitution, kings have a “divine right” to govern well, not govern tyrannically.

The Patriot King must acknowledge the law of God (or the law of Christ or “the universal law of reason”³⁵) as the Supreme Law of the realm, and he must commit himself to governance according to this law—this is his solemn obligation and it is the only “divine right” which he possesses. Indeed, the Patriot King may not arbitrarily invent law or govern tyrannically or arbitrarily, concluded Lord Bolingbroke. God remains at all times sovereign, even over kings. On this point, Lord Bolingbroke writes:

Now, we are subject, by the constitution of human nature, and therefore by the will of the Author of this and every other nature, to two laws. One given immediately to all men by God, the same to all, and obligatory alike on all. The other given to man by man; and therefore not the same to all, nor obligatory alike on all: founded indeed on the same principles, but varied by different applications of them to times, to characters, and to a number, which may be reckoned infinite, of other circumstances. By the first, I mean the universal law of reason; and by the second, the particular law, or constitution of laws, by which ever distinct community has chosen to be governed.

The obligation, of submission to both, is discoverable by so clear and so simple an use of our intellectual faculties, that it may be said properly enough to be revealed to us by God: and tho both these laws cannot be said properly to be given by him, yet our obligation to submit to the civil law is a principal paragraph in the natural law which he has manifestly given to us.... As supreme Lord over all his works, his genera providence regards immediately the great commonwealth of mankind; but then, as supreme Lord likewise, his authority gives a sanction to the particular bodies of law which are made under it. The law of nature is the law of all his subjects: the constitutions of particular governments are like the by-laws of cities, or the appropriated customs of provinces.³⁶

³⁴ Ibid.

³⁵ Ibid., p. 13.

³⁶ Ibid., p. 13.

Here Lord Bolingbroke echoes the age-old Christian conception of law espoused by theologians such as St. Augustine of Hippo³⁷ and St. Thomas Aquinas—natural law, or the law of God, reigns supreme over all other laws; and human civil laws are created as by-laws of the natural law.

Should the King be considered “divine”? Lord Bolingbroke held that the “office of kings is, then, of right divine,”³⁸ but even though kings and queens should be considered as “sacred,” they are not above God, reason, and the moral law.³⁹ Kings, through their bad actions, “forfeit” these sacred honors.⁴⁰ Kings were instituted for the good of the kingdom and the nation. The kingdoms and nations were not instituted for kings.⁴¹ The Patriot King must rule in accord with the natural law, the universal moral law, argued Lord Bolingbroke. Kings have a divine right to govern well. “A divine right in kings is to be deduced evidently from them: a divine right to govern well, and conformably to the constitution at the head of which they are placed. A divine right to govern ill, is an absurdity: to assert it, is blasphemy. A people may choose, or hereditary succession may raise, a bad prince to the throne;; but a good king alone can derive his right to govern from God. The reason is plain: good governance alone can be in the divine intention.”⁴² Here, Lord Bolingbroke’s prescription for godly kings is quite similar to that expressed in St. Augustine’s *The City of God*, to wit:

But we say that they are happy if they rule justly; if they are not lifted up amid the praises of those who pay them sublime honours, and the obsequiousness of those who salute them with an excessive humility, but remember that they are men; if they make their power the handmaid of His majesty by using it for the greatest possible extension of His worship; if they fear, love, worship God; if more than their own they love that kingdom in which they are not afraid to have partners [i.e., partners with godly members of the city of God or the Church]; if they are slow to punish, ready to pardon; if they apply that

³⁷ St. Augustine, *The Confessions* (New York, N.Y.: Barnes & Nobles Classics, 2007), p. 36. (“Thus, what is agreed upon by convention, and confirmed by custom or the law of any city or nation, may not be violated at the lawless pleasure of any, whether citizen or stranger. For any part that is not consistent with its whole is unseemly. Nevertheless, when god commands anything contrary to the customs or compacts of any nation, even though it were never done by them before, it is to be done; and if it has been interrupted, it is to be restored; and if it has never been established, it is to be established.... For, just as among authorities in human society, the greater authority is obeyed before the lesser, so also must god be above all.”)

³⁸ *Ibid.*, p. 15

³⁹ *Ibid.*, pp. 13- 15.

⁴⁰ *Ibid.*, p. 15.

⁴¹ *Ibid.*

⁴² *Ibid.*, p. 14.

punishment as necessary to government and defense of the republic, and not in order to gratify their own enmity; if they grant pardon, not that iniquity may go unpunished, but with the hope that the transgressor may amend his ways; if they compensate with the lenity of mercy and the liberality of benevolence for whatever severity they may be compelled to decree; if their luxury is as much restrained as it might have been unrestrained; if they prefer to govern depraved desires rather than any nation whatever; and if they do all these things, not through ardent desire of empty glory, but through love of eternal felicity, not neglecting to offer to the true God, who is their God, for their sins, the sacrifices of humility, contrition, and prayer. Such Christian emperors, we say, are happy in the present time by hope, and are destined to be so in the enjoyment of the reality itself, when that which we wait for shall have arrived.⁴³

St. Augustine recommends that secular rulers should form a partnership with the church, in order to help them rule justly. Lord Bolingbroke also embraces the same sentiment, as does the latitudinarian Bishop William Warburton in *The Alliance of Church and State* (1736). Lord Bolingbroke's limited monarchy is thus restricted to carrying out the divine moral law, which is the good and happiness of mankind. "God has made us to desire happiness," he explains, "he has made our happiness dependent on society; and the happiness of society dependent on good or bad government. His intention, therefore, was, that government should be good."⁴⁴

D. Third Argument: Under the British Constitution, kings have no "divine right" to govern with absolute authority

Influenced by the French Enlightenment and latitudinarian Anglicanism, Lord Bolingbroke adopted a more modern, 18th-century view of the Christian or divine foundations of the English monarchy. He rejected Christian superstition regarding the source of kingly power and authority. He rejected the idea that "divine right," as King James I or King Charles II might have defined that term, was a part of the British Constitution. Instead, Bolingbroke's new conservative Toryism held to a slightly different position that made kingly power and authority contingent upon the "law of reason," the good of the kingdom, and the general happiness of those who are governed.⁴⁵ At the same time, Bolingbroke did not deny the validity of the Sacred Scriptures over the question of divine rights, as he

⁴³ St. Augustine, *The City of God* (New York, N.: The Modern Library, 1950), p. 178.

⁴⁴ Henry St. John (Viscount Bolingbroke), *The Idea of a Patriot King*, pp. 14-15.

⁴⁵ *Ibid.*, p. 57

explained:

Now he, who does so in this case, will discover soon, that the notions concerning the divine institutions and right of kings, as well as the absolute power belonging to their office, have no foundation in fact or reason, but have risen from an old alliance between ecclesiastical and civil policy. The characters of king and priest have been sometimes blended together: and when they have been divided, as kings have been taught by experience, that the best method to preserve their own rank, dignity, wealth, and power, all raised upon a supposed divine right, is to communicate the same pretension to kings, and, by a fallacy common to both, impose their usurpations on a silly world. This they have done: and, in the state, as in the church, these pretensions to a divine right have been generally carried highest by those, who have had the least pretension to the divine favor.⁴⁶

In short, there is no “divine right” in a British monarch to do whatsoever he or she pleases, in violation of common right, the law of reason, or the public good.⁴⁷ The best description of what a British monarch must aspire to is that of a “patriot,” argued Bolingbroke, not only because this promotes the good and happiness of the nation, but also “because it is his interest to do so.”⁴⁸ Indeed, the end of monarchical government, “and indeed of every other kind of government... is the good of the people, for whose sake they were made.”⁴⁹ And “the greatest good of a people is their liberty.”⁵⁰ And the obligation “to defend and maintain that freedom of such constitutions, will appear most sacred to a Patriot King,” argued Bolingbroke.⁵¹ In carrying out this noble duty to promote the common good, the British monarch, as a Patriot King, may be considered as exercising “absolute”⁵² power, argued Bolingbroke. But the power of “tyranny” has no place among kings or any other civil magistrate under the British Constitution.

The primary mistake is often found in the training and making of kings, argued Lord Bolingbroke. As a result, here were “so many kings, unfit and

⁴⁶ Ibid., p. 10.

⁴⁷ Ibid., p. 57. (“[A king who] resists this law [of nature], and asserts, on his own private authority, not only a right in contradiction to it, but a right extinguished by it. This absurdity is so great, that it cannot be defended....”).

⁴⁸ Ibid., p. 29.

⁴⁹ Ibid., pp. 29-30.

⁵⁰ Ibid., p. 31.

⁵¹ Ibid. (NOTE: through *The Patriot King*, Lord Bolingbroke constantly referenced Queen Elizabeth I (1533 – 1603) as his perfect example of a “Patriot King.” Ibid., pp. 62-63, 66-67, 80)

⁵² “But yet a king, who is a patriot, may govern with all the former; and besides them, with power as extended as the most absolute monarch can boast....” Ibid., p. 21.

unworthy to be trusted with the government of mankind.”⁵³ One of the chief and fatal errors is when kings “imagine themselves the final cause for which societies were formed, and governments instituted.”⁵⁴ And, finally, the lack of genuine patriotism among kings—the desire for “great and noble ends”—have led to historical disasters throughout human history. A king must have high moral personal character and exemplify “personal behavior” in his “private as well as public life.”⁵⁵ “Just so our Patriot King must be a patriot from the first. He must be such in resolution, before he grows such in practice. He must be such in resolution, before he grows such in practice. He must fix at once the general principles and end of all his actions, and determine that his whole conduct shall be regulated by them, and directed by them.”⁵⁶ “A prince, who does not know the true principles, cannot propose to himself the true ends, of government....”⁵⁷ Vanity and the desire of glory, wealth, and fame have too often led many monarchs astray, argued Lord Bolingbroke. But “[p]atriotism must be founded in great principles, and supported by great virtues.... [A] man can be a good king upon no other [than great principles],”⁵⁸ wrote Bolingbroke.

E. Fourth Argument: Under the British Constitution, kings shall administer one divine moral law according to Two Tables of the Mosaic Covenant.

And finally, lest any person should doubt Lord Bolingbroke’s understanding that the British constitution was deeply-rooted in the Christian faith, it should be pointed out here the Bolingbroke believed that a Patriot King governs based upon the firm belief that the British Constitution is founded upon “the law of God and of man.”⁵⁹ Bolingbroke insisted that the British “constitution will be considered by [the Patriot King] as one law, **consisting of two tables.**”⁶⁰ “In fine, the constitution will be revered by him as **the law of God and of man**; the force of which binds the king as much as the meanest subject, and the reason of which binds him much more.”⁶¹ Hence, the British constitution, unwritten and woven into the law of nature, reflects the eternal moral law of God.

⁵³ Ibid., p. 22.

⁵⁴ Ibid., p. 23.

⁵⁵ Ibid., p. 71.

⁵⁶ Ibid., p. 34.

⁵⁷ Ibid.

⁵⁸ Ibid., p. 21.

⁵⁹ Ibid., p. 32.

⁶⁰ Ibid.

⁶¹ Ibid.

Table 1. Church of England’s Two Tables Theory of Church and State⁶²

Calvinist-Puritan Theology of Church and State	
Eternal Law	Natural Law
Divine Law	Human Law
Ten Commandments (I – IV)	Ten Commandments (V – X)
<p>I am the Lord thy God, which have brought thee out of the land of Egypt, out of the house of bondage. Thou shalt have no other gods before me! Ex. 20:2-3.</p> <p>Thou shalt not make unto thee any graven image, or any likeness of any thing that is in heaven above, or that is in the water under the earth. Thou shalt not bow down thyself to them, nor serve them: for I the LORD thy God am a jealous God, visiting the iniquity of the fathers upon the children unto the third and fourth generation of them that hate me; and shewing mercy unto thousands of them that love me, and keep my commandments. Ex. 20:4-6</p> <p>Thou shalt not take the name of the LORD thy God in vain; for the LORD will not hold him guiltless that taketh his name in vain. Ex. 20: 7</p> <p>Remember the Sabbath day, to keep it holy. Six days shalt thou labour, and do all thy work: but the seventh day is the Sabbath day</p>	<p>Honor thy father and thy mother: that thy days may be long upon the land which the LORD thy God giveth thee. Ex. 20:12</p> <p>Thou shalt not kill! Ex. 20:13</p> <p>Thou shalt not commit adultery! Ex. 20: 14</p> <p>Thou shalt not steal! Ex. 20: 15</p> <p>Thou shalt not bear false witness against thy neighbor! Ex. 20:16</p> <p>Thou shalt not covet thy neighbor’s house, thou shalt not covet thy neighbor’s wife, nor his manservant, nor his maidservant, nor his ox, nor his ass, nor any thing that is thy neighbor’s. Ex. 20: 17</p>

⁶² See, e.g., Bishop John Jewell, *The Apology for the Church of England: And a Treatise of the Holy Scriptures* (Vol. III) (New York, N.Y.: N.Y. Protestant Episcopal Press, 1831), pp. 219-220 (“For, besides that **a Christian prince hath the charge of both Tables committed to them by God**, to the end he may understand that not temporal matters only, but also religious and ecclesiastical causes pertain to his office.”) Hence, the British Monarch is the Head of Church and the Head of State. See, e.g., “Supreme Governor of the Church of England,”

The Supreme Governor of the Church of England is the titular head of the Church of England, a position which is vested in the British monarch. Although the monarch’s authority over the Church of England is largely ceremonial and is mostly observed in a symbolic capacity, the position is still very relevant to the church. As the supreme governor, the monarch formally appoints high-ranking members of the church on the advice of the prime minister of the United Kingdom, who is in turn advised by church leaders, such as the Lords Spiritual.

https://en.wikipedia.org/wiki/Supreme_Governor_of_the_Church_of_England

of the LORD thy God: in it thou shalt not do any work, thou , nor thy son, nor thy daughter, thy manservant, nor thy maidservant, nor thy cattle, nor thy stranger that is within thy gates: for in six days the LORD made heaven and earth, the sea, and all that in them is, and rested the seventh day: wherefore the LORD blessed the Sabbath day, and hallowed it. Ex. 20:8-11.	
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Lord Bolingbroke's new Tory philosophy, expressed in *The Idea of the Patriot King*, ushered into British politics a new conservative ideal of Anglicanism that incorporated Dr. Richard Hooker's conceptualization of Church and State as being two sides of the same coin, as well as the idea of a limited monarch who served as a vicegerent of God.

A Patriot King will see all this in a far different and much truer light. The constitution will be considered by him as **one law, consisting of two tables**, containing the rule of his government, and the measure of his subjects obedience; or as one system, composed of different parts and powers, but all duly proportioned to one another, and conspiring by their harmony to the perfection of the whole. He will make one, and but one, distinction between his rights, and those of his people: he will look on his to be a trust, and those of his people: he will look on his trust, and theirs a property. He will discern, that he can have a right to no more than is trusted to him b the constitution: and that his people, who had an original right to the whole by the law of nature, can have the sole indefeasible right to any part; and really have such a right to that part which they have reserved to themselves. In fine, the constitution will be revered by him as **the law of God and of man**; the force of which binds the king as much as the meanest subject, and the reason of which binds him much more.⁶³

According to Bolingbroke, the law of God was both fundamental and superior to the monarchy, Parliament, the people, and the entire nation. While Bolingbroke's latitudinarian Anglican philosophy was similar to the ideals of the Whig latitudinarian Anglicans, his new Tory philosophy sought to strengthen the monarchy and to preserve church tradition, whereas the tendencies of the Whig latitudinarian Anglicans were to both weaken and to marginalize both British monarchy and the Church of England, in favor of and church with greater

⁶³ Ibid., p. 32.

Parliamentary authority.

CONCLUSION

Lord Bolingbroke's *The Idea of a Patriot King* (1738) was, in many respects, a part of this great revival movement that sought to restore the authentic Christian spirit to English life—especially that of the Christian king or the Christian chief magistrate. This work reflected the thoughts and ideals of an orthodox Anglican and a Tory politician who felt that Britain's public and governmental structures were collapsing under the weight of immorality and public corruption. Bolingbroke's work represented a newer conceptualization of the British monarch not as an absolutist dictator but rather as a constitutional leader and patriot. As head of both Church and State, the British "Patriot King" was to be the keeper of Two Tables of one natural moral law. Lord Bolingbroke's conservative Toryism adopted a philosophy of Christianity that was closer in context to the Whig latitudinarian Anglicans such as Dr. Matthew Tindal (author of *Christianity as Old as the Creation* (1730)); Bishop William Warburton (author of *The Alliance of Religion* (1736)); and Bishop Joseph Butler (author of *The Analogy of Religion* (1736)).

Bolingbroke's appeal in *The Idea of a Patriot King* (1738) to natural law and the law of reason, rather than to the text of the Sacred Scriptures, was noteworthy. The Whig latitudinarian Anglicans were obviously not the only political faction that relied upon the "law of reason" to modernize the Church of England and the Monarchy. The Tory Party moved in the same direction but in a slightly different manner. Both Whigs and Tories no longer upheld the idea of "divine right" of kings. Both parties wished to extricate religious fanaticism and intolerance from society. And even the Tories wished to grant some measure of religious liberty to the dissenters. However, there were marked differences as well, as reflected in the Tory Lord Bolingbroke's *The Idea of a Patriot King*. The Tories were still very much traditionalists who clung to the "two-tables" theory of civil government, much similar to the theological tradition of Dr. Richard Hooker (1554- 1600). The Tories believed that tradition was very important, and that the British Constitution represented tradition. They believed that the institution of the Monarch and the Church also represented very important tradition, and they sought to strengthen both of these institutions. Bolingbroke's *The Idea of a Patriot King* was designed to strengthen the institution of the British monarchy, which he felt had been greatly diminished since the Glorious Revolution of 1688 and the rise of the Whig Party and the House of Hanover in 1714. But Lord Bolingbroke and the new Tory leadership did not seek take England back to the days of James I and Charles II,

when “divine right of kings” was in vogue and often mistaken to mean the “right of kings to do whatsoever they desired.” Instead, in the new Enlightenment spirit of latitudinal Anglicanism, they coined a new phrase, “Patriot King,” which represented what they felt had always been the very nature and essence of the British monarchy since its inceptions: godly rulership.

The new Enlightenment model of the British “Patriot King” would become the standard whereby the American revolutionaries and many others would come to judge King George III. In 1760, when Prince George ascended to the throne of England and became George III, the American colonists looked to him for hope and leadership, along the lines as outlined in Lord Bolingbroke’s *The Idea of a Patriot King*. But it was only by the year 1776 that the American colonists became disillusioned with George III’s failed leadership.⁶⁴ The American founding fathers, many of whom were admirers of the Tory leader Lord Bolingbroke, judged King George III’s leadership by the very standards set forth in *The Idea of the Patriot King*, and found his leadership to be tyrannical and unacceptable.⁶⁵ In addition, these Americans might have incorporated these standards into their requirements of executive leadership in the office of the Presidency as well—but without the hereditary principle endorsed by Lord Bolingbroke.⁶⁶ The British Patriot King—a British constitutional standard founded upon both a conservative hereditary rights but also a liberal Enlightenment ideal—was woven into the idea of an American Patriot President.⁶⁷ It may thus be correctly concluded, as the American Federalists certainly acknowledged, that the United States Constitution had been extracted out from the unwritten British Constitution.⁶⁸

THE END

⁶⁴ See, e.g., William D Liddle, “A Patriot King or None?” Lord Bolingbroke and the American Renunciation of George III” *The Journal of American History*, Vol. 65, No. 4 (Mar. 1979), pp. 951 -970.

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ Ibid.

⁶⁸ See, e.g. Thomas Paine, “Letter to George Washington”, Paris, 30 July, 1796, In *The Writings of Thomas Paine*, ed. Moncure D. Conway, (New York: AMS Press Inc., 1967), Vol. IV, 252. (“**As the [American] Federal Constitution is a copy, not quite so base as the original, of the form of the British government, an imitation of its vices was naturally to be expected.**”)

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Appendix

**The Natural Religion in the Official Proclamations of
United States Presidents**

By

Roderick O. Ford, Litt.D.

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INTRODUCTION

The American *Declaration of Independence* (1776) is merely and truly a restatement of a basic tenet of English constitutional jurisprudence which holds that a “**natural moral law**” (i.e., “God” or “Nature’s God”) is truly the Sovereign¹

¹ This idea of God’s sovereignty and providence is deeply-rooted in classical ideals of natural law within the western theological and legal tradition. See, e.g., W.E.B. Du Bois, *Writings* (New York, N.Y.: The Library of America, 1986), p. 815 (“For it is certain that all human striving must recognize the hard limits of natural law, and that any striving, no matter how intense and earnest, which is against the constitution of the world, is vain.”)

in the United States of America,² and that no other human or secular law—not even a proclamation or an executive order of a U.S. President—may contravene this “natural moral law” (i.e., “fundamental moral law” or “fundamental law”). This “fundamental moral law” is simply the religion of nature (i.e., “natural law”) that has been long woven into the constitutional jurisprudence of the United States. See, e.g., *Calder v. Ball*, 3 Dall 386 (1798); *Fletcher v. Peck*, 6 Cranch 87, 10 U.S. 87 (1810); *Terrett v. Taylor*, 13 U.S. 43 (1815)³; *Darcy v. Ketchum*, 52 U.S. 65 (1850); and *Butchers’ Union, etc. Co. v Crescent, etc. Co.*, 111 U.S. 746, 756 (1883); *Holy Trinity v. United States*, 143 U.S. 457 (1892)⁴; *United States v. Macintosh*, 283 U.S. 605 (1931)⁵; *Zorach v. Clauson*, 343 U.S. 306 (1952). And, according to orthodox Christian theology, the Christian religion (i.e., the “law of Christ”⁶) is a re-statement of this natural religion and “natural or fundamental moral law,” which is reflected in the Preamble to the United States Constitution, which says “We the People of the United States, in order to:

² “When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the **Laws of Nature** and of **Nature's God** entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. **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 among these are Life, Liberty and the pursuit of Happiness.**-- ... In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.... And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.” – *Declaration of Independence* (1776)

³ E.g., *Terrett v. Taylor*, 13 U.S. 43, 52, 9 Cranch 43 (1815):

But that the legislature can repeal statutes creating private corporations, or confirming to them property already acquired under the faith of previous laws, and by such repeal can vest the property of such corporations exclusively in the state or dispose of the same to such purposes as they may please, without the consent or default of the corporators, we are not prepared to admit, and we think ourselves standing upon **the principles of natural justice, upon the fundamental laws of every free government**, upon the spirit and the letter of the Constitution of the United States, and upon the decisions of most respectable judicial tribunals in resisting such a doctrine. The statutes of 1798 ch. 9, and of 1801, ch. 5, are not, therefore, in our judgment, operative so far as to divest the Episcopal Church of the property acquired previous to the Revolution by purchase or by donation. In respect to the latter statute, there is this further objection that it passed after the District of Columbia was taken under the exclusive jurisdiction of Congress, and as to the corporations and property within that district, the right of Virginia to legislate no longer existed....

⁴ *Holy Trinity v. United States*, 143 U.S. 457 (1892)(providing an extensive history of the influence of Christianity upon state and federal constitutional documents and traditions, and concluding that the United States is “**a Christian nation.**”

⁵ *United States v. Macintosh*, 283 U.S. 605, 625 (1931):

We are a Christian people (*Holy Trinity Church v. United States*, 143 U. S. 457, 143 U. S. 470- 471), according to one another the equal right of religious freedom and acknowledging with reverence the duty of obedience to the will of God. But, also, we are a nation with the duty to survive; a nation whose Constitution contemplates war as well as peace; whose government must go forward upon the assumption, and safely can proceed upon no other, that unqualified allegiance to the nation and submission and obedience to the laws of the land, as well those made for war as those made for peace, are not inconsistent with the will of God.

⁶ The fundamental “Law of Christ,” to wit, is to “love ye one another” (John 15:12); to do justice and judgment (Genesis 18:18-19; Proverbs 21: 1-3); to judge not according to appearance but to judge righteous judgments (John 7:24); and to do justice, judgment, and equity (Proverbs 1:2-3).

- form a more perfect union;
- establish justice;
- insure domestic tranquility;
- provide for the common defense;
- promote the general welfare; and
- secure the blessings of liberty to ourselves and our posterity....”

Every element within this “Preamble” reflects the “fundamental moral law” and constitutes the natural-law foundations of civil polity within the western and Christian traditions. See, e.g., Table 1. Natural Religion and the Preamble, U.S. Constitution.

Table 1. Natural Religion and the Preamble, U.S. Constitution

Preamble, U.S. Constitution	Christian Polity
<ul style="list-style-type: none"> • A More Perfect Union • Establish justice • Domestic tranquility • General Welfare • Blessing of Liberty • Common Defense 	<p>See, e.g., Anglican clergyman Algernon Sidney Crapsey’s <i>Religion and Politics</i> comment on The Preamble of U.S. Constitution⁷</p> <p>See, e.g., St. Augustine’s <i>The City of God</i></p> <ul style="list-style-type: none"> • Justice⁸ • Tranquility⁹

⁷ Algernon Sidney Crapsey, *Religion and Politics* (New York, N.Y.: Thomas Whittaker, 1905), pp. 305-306 (“When the Constitutional Convention of 1787 sent forth the Constitution which it devised for the government of the nation it did so in these words: ‘We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our children, do ordain and establish this Constitution for the United States of America.’ **Now can any man write a more perfect description of the Kingdom of God on earth or in the heaven than is to be found in these words? A government resting upon such principles as these is not a godless policy; it is a holy religion....** When the people of the United States decreed by constitutional amendment that the government should never by law establish any religion, they did actually establish the only religion that could comprehend in its membership the whole American people.”)

⁸ “Justice being taken away, then, what are kingdoms but great robberies? For what are robberies themselves, but little kingdoms? The band itself is made up of men; it is ruled by the authority of a prince, it is knit together by the pact of the confederacy; the booty is divided by the law agreed on.” *The City of God*, p. 112.

⁹ “The peace of all things is the tranquility of order,” wrote St. Augustine. “Order is the distribution which allots things equal and unequal, each to its own place.... God, then, the most wise Creator and most just Ordainer of all natures, who placed the human race upon earth as its greatest ornament, imparted to men some good things adapted to this life, to wit, temporal peace, such as we can enjoy in this life from health and safety and human fellowship, and all things needful for the preservation and recovery of this peace.... But as this divine Master inculcates two precepts—the love of God and the love of our neighbor—and as in these precepts a man finds three things he has to love—God; himself, and his neighbor—and that he who loves God loves himself thereby, it follows that he must endeavor to get his neighbor to love God, since he is ordered to love his neighbor as himself.” *The City of God* (New York, N.Y.: The Library of America, 1950), pp.

	<ul style="list-style-type: none"> • Liberty¹⁰ • Common Weal of People/ General Welfare¹¹ • Common Defense (“Just War”)¹²
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Thus, the U.S. Constitution, through the American *Declaration of Independence* (1776)¹³ and its “Preamble,” is governed by natural law and natural religion, and all constitutional officers—the Congress (Article I, U.S. Constitution); the President (Article II, U.S. Constitution), and the Judges and Justices (Article III, U.S. Constitution)—must discharge their duties in accord with those *sacred, fundamental,*

¹⁰ “This is prescribed by the order of nature: it is thus that God has created man. For ‘let them,’ He says, ‘have dominion over the fish of the sea, and over the fowl of the air, and over every creeping thing which creepeth on the earth.’ He did not intend that His rational creature, who was made in His image, should have dominion over anything but the irrational creation—not man over man, but man over the beasts... for it is with justice, we believe, that the condition of slavery is the result of sin. And this is why we do not find the word ‘slave’ in any part of Scripture until righteous Noah branded the sin of his son with this name. It is a name, therefore, introduced by sin and not by nature. The origin of the Latin word for slave is supposed to be found in the circumstances that those who by the law of war were liable to be killed were sometimes preserved by their victors, and were hence called servants. And these circumstances could never have arisen save through sin. For even if we wage a just war, our adversaries must be sinning; and every victory, even though gained by wicked men, is a result of the first judgment of God... But by nature, as God first created us, no one is the slave either of man or of sin. This servitude is, however, penal, and is appointed by that law which enjoins the preservation of the natural order and forbids its disturbance; for if nothing had been done in violation of that law, there would have been nothing to restrain by penal servitude.” St. Augustine in *The City of God* (New York, N.Y.: The Library of America, 1950), pp. 693-694

¹¹ “Scipio reverts to the original thread of discourse, and repeats with commendation his own brief definition of a republic, that it is the weal of the people. ‘The people’ he defines as being not every assemblage or mob, but an assemblage associated by a common acknowledge of law, and by community of interests. Then he shows the use of definition in debate; and from these definitions of his own he gathers that a republic, or ‘weal of the people,’ then exists only when it is well and justly governed, whether by a monarch, or an aristocracy, or by the whole people [i.e., democracy]. But when the monarch is unjust, or, as the Greeks say, a tyrant; or the aristocrats are unjust, and form a faction; or the people themselves are unjust, and become, as Scipio for want of a better name calls them, themselves the tyrant, then the republic is not only blemished (as had been proved the day before), but by legitimate deduction from those definitions, it altogether ceases to be. For it could not be the people’s weal when a tyrant factiously lorded it over the state; neither would the people be any longer a people if it were unjust, since it would no longer answer the definition of a people—‘an assemblage associated by a common acknowledgment of law, and by a community of interests.’” St. Augustine in *The City of God* (New York, N.Y.: The Library of America, 1950), p. 62.

¹² St. Augustine acknowledges the idea of “just war” in *The City of God*, where he states: “And, accordingly, they who have waged war in obedience to the divine command, or in conformity with His laws have represented in their persons the public justice or the wisdom of government, and in this capacity have put to death wicked men; such persons have by no means violated the commandment, ‘Thou shalt not kill.’” *The City of God*, supra, p. 27

¹³ “When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. 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 among these are Life, Liberty and the pursuit of Happiness.-- ... In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.... And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.” – *Declaration of Independence* (1776)

*and natural-law principles.*¹⁴ This constitutional ideal is actually a re-statement or a re-publication of the unwritten ideals of the British constitution which holds, fundamentally, that the God of creation and nature (i.e., his law and divine providence) is supreme:

“This law of nature, being coeval with mankind, and dictated by God himself, is of course superior in obligation to any other. It is binding over all the globe in all countries, and at all times: no human laws are of any validity, if contrary to this; and such of them as are valid derive all their force and all their authority, mediately or immediately, from this original.”

– William Blackstone, *Commentaries on the Laws of England* (1753)

Within this historical context, it is safe to conclude that the Office of the U.S. President was extracted from the “monarchial-executive” component of the British constitution. The U.S. President and his Cabinet were modeled after the British monarch and his ministers—both executive offices have been conceptualized as viceregents of God. And it is likely that the Office of the United States President was patterned after Lord Bolingbroke’s “The Patriot King.”¹⁵

Moreover, there is a non-denominational “civil religion” in the United States of America—patterned after the two-tables theory of Christian polity and deeply rooted in natural religion. This “civil religion” is deeply-rooted in the 16th-century English Protestant Reformation—to Queen Elizabeth I’s great religious settlement (i.e., the Elizabethan Settlement of 1559) and to the latitudinarian Anglicanism which emerged from that settlement.

¹⁴ See, e.g., the United States Supreme Court in e.g., *Terrett v. Taylor*, 13 U.S. 43, 52, 9 Cranch 43 (1815):

But that the legislature can repeal statutes creating private corporations, or confirming to them property already acquired under the faith of previous laws, and by such repeal can vest the property of such corporations exclusively in the state or dispose of the same to such purposes as they may please, without the consent or default of the corporators, we are not prepared to admit, and **we think ourselves standing upon the principles of natural justice, upon the fundamental laws of every free government**, upon the spirit and the letter of the Constitution of the United States, and upon the decisions of most respectable judicial tribunals in resisting such a doctrine. The statutes of 1798 ch. 9, and of 1801, ch. 5, are not, therefore, in our judgment, operative so far as to divest the Episcopal Church of the property acquired previous to the Revolution by purchase or by donation. In respect to the latter statute, there is this further objection that it passed after the District of Columbia was taken under the exclusive jurisdiction of Congress, and as to the corporations and property within that district, the right of Virginia to legislate no longer existed....

¹⁵ Henry St. John (Viscount Bolingbroke), *The Idea of a Patriot King* (New York, N.Y.: The Bobbs-Merrill Company, Inc., 1965). Indeed, it has been argued that Article II of the United States Constitution (Office of the U.S. President) is patterned after the “monarchial” component of the British Constitution.

When Elizabeth inherited the throne, England was bitterly divided between Catholics and Protestants as a result of various religious changes initiated by Henry VIII, Edward VI and Mary I. Henry VIII had broken from the Roman Catholic Church and the authority of the pope, becoming Supreme Head of the Church of England. During Edward's reign, the Church of England adopted a Reformed theology and liturgy. In Mary's reign, these religious policies were reversed, England was re-united with the Catholic Church and Protestantism was suppressed.

The Elizabethan Settlement, sometimes called the Revolution of 1559, was an attempt to end this religious turmoil. The Act of Supremacy of 1558 re-established the Church of England's independence from Rome, and Parliament conferred on Elizabeth the title of Supreme Governor of the Church of England. The Act of Uniformity of 1559 re-introduced the *Book of Common Prayer* from Edward's reign, which contained the liturgical services of the church. Some modifications were made to appeal to Catholics and Lutherans, including **giving individuals greater latitude** concerning belief in the real presence of Christ in the Eucharist and permission to use traditional priestly vestments. In 1571, the Thirty-Nine Articles were adopted as a confessional statement for the church, and a Book of Homilies was issued outlining the church's reformed theology in greater detail. Throughout the reigns of Elizabeth and James I, Calvinism was the predominant theology within the Church of England.

The Settlement failed to end religious disputes. While most of the population gradually conformed to the established church, a minority of recusants remained loyal Roman Catholics. Within the Church of England, Puritans pressed to remove what they considered papist abuses from the church's liturgy and to replace bishops with a presbyterian system of church government. After Elizabeth's death, the Puritans were challenged by a high church, Arminian party that gained power during the reign of Charles I. The English Civil War and overthrow of the monarchy allowed the Puritans to pursue their reform agenda and the dismantling of the Elizabethan Settlement for a period. After the Restoration in 1660, the Settlement was restored, and the Puritans were forced out of the Church of England. Anglicanism became defined by the *via media* or middle way between the religious extremes of Catholicism and Protestantism; Arminianism and Calvinism; and high church and low church.¹⁶

The “latitudinarian Anglicanism” which developed within the Church of England since the days of Queen Elizabeth I (1533 - 1603) became more and more liberal during late 17th century. And by the early 1700s, latitudinarian Anglicanism was widely rebranded as “natural religion.” That Queen Elizabeth I left her

¹⁶ https://en.wikipedia.org/wiki/Elizabethan_Religious_Settlement

imprint upon the Church of England is manifest in the fact that for several generations her religious policy of *promoting tolerance* amongst the various ideologies of the Protestant faith—the orthodox Catholics, the Presbyterians, the Puritans, the Baptists, the Independents, etc.— became the established dogma of the Protestant Church of England. All of this became the religious foundation and heritage of colonial British North America. When the first colonies were established in America, the emerging tendencies were to come to terms with the problems of religious war and intolerance on the European continent and in England. European and English religious dissenters of all stripes populated the American colonies, and so naturally there was a tendency to allow for freedom of conscience and religion. At the same time, the colonies insisted upon the official acknowledgement of the Christian religion and established Christian churches. And so, while the “freedom of religion” was allowed to flourish in most of the colonies, that freedom did not prohibit the colonies from establishing Christianity as the official religion. This whole process of compromise was borne of Queen Elizabeth I’s tendency toward religious tolerance and latitudinarian balance. Although a complete rendition of that history is beyond the scope of this paper, it is sufficient, however, to state that the general principles of Christianity were eventually embraced as the civil religion of the United States. To that end, it is appropriate to direct the reader to the United States Supreme Court case of *Holy Trinity v. United States*,¹⁷ which thoroughly records the constitutional history of the Christian religion in colonial British North America, to wit:

- The first colonial grant from Queen Elizabeth I of England to Sir Walter Raleigh, requiring that the new colony of Virginia “not be against the true Christian faith now professed in the Church of England”
- The Mayflower Compact of 1620
- The Fundamental Orders of Connecticut of 1638-39
- The Charter of 1701 given to William Penn
- The Declaration of Independence of 1776
- The Constitution of the various states of the United States (citing the constitutions of the forty-four states all “recognizes a profound reverence for religion.”
- The Oath of Office, universal in the State and federal government, containing the words, “So Help Me God”
- The U.S. Constitution’s First Amendment’s declaration, which is common to all states, that there shall be “free exercise” of religion
- The U.S. Supreme Court’s decision in *Updegraph v Commonwealth*, 11 S & R 394, 400, which acknowledged that Christianity was a part of Pennsylvania’s common law.

¹⁷ 143 U.S. 457 (1892)

- That fact that each of these aforementioned documents are not the expressions of private individuals but constitute the “organic utterances” of the “entire people”

What is readily apparent in American ecclesiastical history, as is supported by some of the reported law cases, is that the “religious freedom” that was adopted by the individual colonies, and later by the individual states in the United States, was really and truly an expression of the “general doctrines of Christianity”¹⁸ (i.e., latitudinarian Anglicanism) because it was widely believed that the “Almighty God” is “the only Lord of Conscience.”³¹⁹ This was the fruit of Rev. Roger Williams’ colonial experiment in founding the colony of Rhode Island. And, by the “general doctrines of Christianity,” it was understood to mean “natural religion,” or the “latitudinarian Anglicanism” of Queen Elizabeth I and the Church of England, particularly as expressed in Bishop William Warburton’s *An Alliance of Church and State*.²⁰

The American “civil religion,” therefore, is the product of the latitudinarian Anglicanism set in motion by the Elizabethan Settlement of 1558. The culmination of this religious expression was the American *Declaration of Independence* of 1776. It is a form of Christianity that insists only upon the “general principles” of the Christian faith, and nothing more. As is stated in *Church and State in the United States*,

Throughout [our] history, our governments, both national and state, have cooperated with religion and shown friendliness to it. God is invoked in the Declaration of Independence and in practically every state constitution. Sunday, the Christian Sabbath, is universally observed as a day of rest. The sessions of Congress and of the state legislatures are invariably opened with prayer, in Congress by chaplains who are employed by the Federal government. We have chaplains in our armed forces and in our penal institutions. Oaths in courts of law are administered through use of the Bible. Public officials take an oath of office ending with ‘so help me God.’ Religious institutions are tax exempt throughout the nation. Our pledge of allegiance declares that we are a nation

¹⁸ *People v. Ruggles*, 8 Johns. 290, 294-295 (Opinion of Chancellor Kent).

¹⁹ Pennsylvania Charter of 1701.

²⁰ This natural religion is usually described in the same latitudinal-Anglican manner in which Bishop William Warburton described it in his *Alliance of Church and State* (1736), which set forth the “Three Articles of Natural Religion,” to wit:

1. First, the being of God;
2. Second, the Providence of God over human affairs; and,

‘under God.’ Our national motto is ‘In God We Trust’ and is inscribed on our currency and on some of our postage stamps.²¹

This civil or natural religion is the same latitudinarian Anglicanism that is expressed in the American *Declaration of Independence* is the same philosophical ideal which Bishop William Warburton described in his *An Alliance of Church and State* (1736), which set forth the “Three Articles of Natural Religion,” to wit:

1. First, “the being of God”;
2. Second, the Providence of God over human affairs; and,
3. Third, the “natural essential difference between moral good and evil.”

As we shall observe in the various official statements from several American Presidents—from George Washington to Donald Trump—there is a “civil religion” in the United States, that is rooted in natural law, and is fully acknowledged and evident in the official speeches and addresses of America’s chief executives, which exemplifies latitudinarian Anglicanism. Indeed, much like a Mosaic patriarch over the nation, the American President is frequently called upon to religiously exemplify, and to religiously symbolize, the spiritual ideals of the nation. That official religious function of the U.S. President has become “customary sacred tradition,” but, significantly, that function is also “constitutional” as well. Article II, Section 3 of the United States Constitution says, *inter alia*, that the President “shall take Care that the Laws be faithfully executed.” Hence, the execution of the constitution and laws of the United States are entrusted to the Office of the President. The Oath of Office for this position ends with the words, “So Help Me God,” a phrase added by George Washington. As the Supreme Court has acknowledged in the case of *Holy Trinity v. United States* such an oath of office constitutes an “organic utterance” of entire American people that the United States is, fundamentally, a Christian nation.²² And I believe, as Rev. Algernon Sidney Crapsey (Anglican) has suggested, that the now-customary words, “so help me God,” acknowledges the role of the American President as a vicegerent of the Almighty God, as exemplified in the following presidential addresses:

²¹ Anson Phelps Stokes and Leo Pfeffer, *Church and State in the United States* (New York, NY: Harper & Row, 1964), pp. 102-103.

²² *Ibid.*

A. President George Washington and Natural Religion

President George Washington was a life-long Anglican.²³ In his *Farewell Address* of 1796, President Washington made it quite clear that he could not conceptualize a functional government without the validity of oaths of office; or the integrity of the courts of law, without a religious sense of duty. In other words, President Washington believed that there must be “morality” and “virtue” in order to support and to fuel a functional civil polity. His ideals were not radical; they were tantamount to those of ideals of “virtue” espoused by Socrates, Plato, Cicero, and the ancients. St. Paul and St. Augustine echoed the same ideals of “virtue” in their writings—both of these Christian saints promoted civic duty and holiness. Here, President Washington’s *Farewell Address*, reflected the same sentiments on the necessity of morals for a properly-functioning civil polity. Washington states:

Of all the dispositions and habits which lead to political prosperity, **religion and morality are indispensable supports.** In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked where is the security for property, for reputation, for life, if **the sense of religious obligation desert the oaths**, which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, **reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.**

Observe **good faith and justice towards all nations**; cultivate peace and harmony with all—religion and morality enjoin this conduct; and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be

²³ “Washington attended the Anglican Church through all of his life, and was baptized as an infant. He was a member of several churches which he attended, and served as an Anglican vestryman and warden for more than fifteen years, when Virginia had an established church. As a young man he also joined the Freemasons, which also promoted spiritual and moral values for society. His personal letters and public speeches sometimes referred to ‘Providence,’ a term for God used by both Christians and deists.” See, e.g., “Religious Views of George Washington,” https://en.wikipedia.org/wiki/Religious_views_of_George_Washington

lost by a **steady adherence** to it? Can it be, that **Providence** has not connected the **permanent felicity of a nation** with its **virtue**?

Thus, for President Washington “religion and morality” were indispensable supports for the proper functioning of the secular government. In so many words, President Washington seemingly embraced the Augustinian view that the “kingdom of God” (i.e., morality, religion, the church, etc.) should serve as a “partner”⁹ or as an “advisor”¹⁰ to the secular State.¹¹ He tied the essential ingredients of morality and religion to the prosperity of the secular polity in essentially the same manner as did St. Augustine in *The City of God*.

B. President Thomas Jefferson and Natural Religion

Although rumored to be a non-believer,¹² President Thomas Jefferson was an

⁹ Indeed, St. Augustine in *The City of God* advises secular rulers to permit the Church to serve as its “partner.” In other words, the Church must, inter alia, advise the State as to what is or is not true justice. Of such was the same conclusion reached by Bishop William Warburton (Anglican) in his work, *An Alliance of Church and State* (1736). Of such was the same conclusion reached by Rev. Algernon Sidney Crapsey (Anglican) who wrote in his work *Religion and Politics* (1905), supra, pp. 248- 249: “To speak of the separation of church and state is to speak of the separation of soul and body. If the state is without a church it is without warrant in the conscience of man; if the church is without a state it is without power in the life of the world.... When the church is true to itself and true to its God it becomes the conscience of the state. Then the state must be in subjection to the church, or the state must perish. When the church forgets its high calling, and becomes simply a function of the state, then both church and state go down in one common ruin. The present separation of the religions from the civil and political life of the nation is cause for grave apprehension for the future of the American people.” Similarly, in *The City of God*, St. Augustine says that the “happiness” of the Christian emperor is largely dependent upon, among other things, his willingness to be “not afraid to have partners” in “the kingdom of God.” *The City of God*, supra, p 178.

¹⁰ See, also, Gary Demar, *God and Government: A Biblical, Historical, and Constitutional Perspective* (Powder Springs, GA: American Vision, 2011), p. 174 (“The Church should perform a prophetic role in offering advice and exhortation to the State. It should remind State officials what the Bible says about civil affairs. The Church, made up of Christians, should be a voice that will encourage the State when it does right and warn and direct the State when it does evil (2 Samuel 12:1-15; Matthew 14:1-4; Acts 4:5-12; 26 [especially vv. 27-29]).”

¹¹ Interestingly, President Washington tied the “sense of religious obligation” in the “oaths” to the integrity of America’s “courts of justice.” What does this statement imply, regarding the religious character and the religious qualifications needed of American lawyers and judges who serve on the bar and bench?

¹² “Jefferson's views on Jesus and the Bible were mixed, but were progressively far from what was and is largely considered orthodox in Christianity. Jefferson stated in a letter in 1819, ‘You say you are a Calvinist. I am not. I am of a sect by myself, as far as I know.’ He also rejected the idea of the divinity of Christ, but as he wrote to William Short on October 31, 1819, he was convinced that the fragmentary teachings of Jesus constituted the ‘outlines of a system of the most sublime morality which has ever fallen from the lips of man.’ On one hand Jefferson affirmed, ‘We all agree in the obligation of the moral precepts of Jesus, and nowhere will they be found delivered in greater

18th-century lawyer whose religious views fell in line with a version of latitudinarian Anglicanism that was espoused by ecclesiastical lawyer Matthew Tindal (Anglican) and his work, *Christianity as Old as the Creation: Or the Gospel a Republication of the Religion of Nature* (1730). Jefferson believed in both the “moral teachings” of Jesus (i.e. Christianity) and in natural theology (i.e., Science or Deism). Thus, as a “Christian Deist,” Jefferson was a promoter of both Christianity and Deism, which was not uncommon among the 18th-century Anglican bishops and theologians of that time. Jefferson was an Anglican, and a life-long member of the Anglican (Episcopal) Church—in a word, Jefferson was a champion of latitudinarian Anglicanism that allowed for freedom of thought and conscience.¹³ President Jefferson frequently used religious illustrations in his public speeches. For example, in his “Second Inaugural Address” (March 4, 1805), he said:

Let us, then, with courage and confidence pursue our own Federal and Republican principles, our attachment to union and representative government. Kindly separated by nature and a wide ocean from the exterminating havoc of one quarter of the globe; too high-minded to endure the degradations of the others; possessing a chosen country, with room enough for our descendents to the thousandth and thousandth generation; entertaining a due sense of our equal right to the use of our own faculties, to the acquisitions of our own industry, to honor and confidence from our fellow-citizens, resulting not from birth, but from our actions and their sense of them; **enlightened by a benign religion, professed, indeed, and practiced in various forms**, yet all of them inculcating honesty, truth, temperance, gratitude, and the love of man; acknowledging and adoring an overruling **Providence**, which by all its dispensations proves that it delights in the happiness of man here and his greater happiness hereafter—with

purity than in his discourses,’ that he was ‘sincerely attached to His doctrines in preference to all others,’ and that ‘the doctrines of Jesus are simple, and tend all to the happiness of man.’ However, Jefferson considered much of the New Testament of the Bible to be false. In a letter to William Short in 1820, Jefferson described many biblical passages as ‘so much untruth, charlatanism and imposture.’ In the same letter Jefferson states he describes Paul as the ‘first corrupter of the doctrines of Jesus.’” See, “Religious Views of Thomas Jefferson,” Wikipedia On-Line. https://en.wikipedia.org/wiki/Religious_views_of_Thomas_Jefferson

¹³ “In an 1820 letter to William Short, Jefferson wrote, ‘[T]he serious enemies are the priests of the different religious sects, to whose spells on the human mind its improvement is ominous.’ Jefferson intensely opposed Calvinism. He never ceased to denounce the ‘blasphemous absurdity of the five points of Calvin,’ writing three years before his death to John Adams, ‘His [Calvin's] religion was demonism. If ever man worshiped a false God, he did. The being described in his five points is ... a demon of malignant spirit. It would be more pardonable to believe in no God at all, than to blaspheme him by the atrocious attributes of Calvin.’” See, “Religious Views of Thomas Jefferson,” Wikipedia On-Line. https://en.wikipedia.org/wiki/Religious_views_of_Thomas_Jefferson

all these blessings, what more is necessary to make us a happy and a prosperous people?

Still one thing more, fellow-citizens—a wise and frugal Government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.

And may that **Infinite Power which rules the destinies of the universe lead our councils to what is best, and give them a favorable issue for your peace and prosperity.**

Like George Washington, Thomas Jefferson was a life-long member of the Anglican Church in Virginia, but his personal beliefs and desires to disestablish the Anglican Church represent a brand of “latitudinarian Anglicanism” that was on the opposite end of the spectrum than George Washington’s more conservative views.

C. President Abraham Lincoln and Natural Religion

Arguably America’s greatest President, Abraham Lincoln was called upon literally to save both the body and the soul of the American People, as evidenced in the text of his famous *Gettysburg Address*. Lincoln was raised in a Baptist Church, but during his career as lawyer and politician, he joined no church. He was, in fact, called upon to defend against charges of infidelity, because he was not a churchman. But Lincoln seems to have adhered to St. Augustine’s basic natural-law and religious injunction *to love God and neighbor*,¹⁴ and considered this to be all that was needed of a good Christian. Church membership and dogma had become much too cumbersome and complicated for Lincoln, and he is reported to have said:

I have never united myself to any church because I have found difficulty in giving my assent without mental reservation to the long complicated statements of Christian doctrine which characterize their articles of belief and confessions of faith. When any church will

¹⁴ St. Augustine, *Confessions* (New York, N.Y.: Barnes & Nobles Classics, 2007), p. 36. (“Can it ever, at any time or place, be unrighteous for a man to love god with all his heart, with all his soul, and with all his mind; and his neighbor as himself? Similarly, offenses against nature are everywhere and at all times to be held in detestation and should be punished.”)

inscribe over its altar as the sole qualification for membership the Savior's condensed statement of the substance of both law and gospel: **"Thou shalt love the Lord thy God with all thy heart and with all thy soul and with all thy mind, and love thy neighbor as thyself,"** that church I will join with all my heart.

Hence, Lincoln was, in terms of the Christian religion, an "English Independent." Like the Baptists, the Independents could be Calvinistic or Armenian, or a combination of both. But in either respect, the latitudinarian Anglicans wished to protect the religious rights of the Independents—of whom Abraham Lincoln clearly was a constituent part.

During Lincoln's presidency, he regularly attended the New York Avenue Presbyterian Church in Washington, D.C.—a Calvinist-leaning church.¹⁵ By the time of his "Second Inaugural Address" (March 4, 1865), a war-weary Lincoln had become convinced that the "providence of God" had been made manifest for all of his fellow countrymen to see, stating:

The Almighty has His own purposes. 'Woe unto the world because of offenses; for it must needs be that offenses come, but woe to that man by whom the offense cometh.' If we shall suppose that American slavery is one of those offenses which, in **the providence of God**, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives to both North and South this terrible war as to the woe due to those by whom the offense came, shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to Him? Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondman's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said **'the judgments of the Lord are true and righteous altogether.'**¹⁶

¹⁵ President Lincoln was raised a Baptist but during most of his adult life, as a practicing lawyer, he was a secularist, an independent, and an unorthodox Christian. During his Presidency, Lincoln attended a Presbyterian Church in the city of Washington, D.C. Lincoln's prior belief in a "doctrine of necessity" may have caused him to lean toward Calvinist theology. See, e.g., "Religious Views of Abraham Lincoln," https://en.wikipedia.org/wiki/Religious_views_of_Abraham_Lincoln

¹⁶ President Abraham Lincoln, "Second Inaugural Address" (March 4, 1865).

Indeed, Lincoln also believed that the very “natural rights” principles contained within that *Declaration of Independence* (1776) justified the overthrow of the institution of African slavery, stating in his famous senatorial debate:

I have never said anything to the contrary, but I hold that, notwithstanding all this, there is no reason in the world why the negro is not entitled to all the **natural rights enumerated in the Declaration of Independence**, the right to **life, liberty, and the pursuit of happiness**. [Loud cheers.] I hold that he is as much entitled to these as the white man. I agree with Judge Douglas he is not my equal in many respects—certainly not in color, perhaps not in moral or intellectual endowment. But in the right to eat the bread, without the leave of anybody else, which his own hand earns, he is my equal and the equal of Judge Douglas, and the equal of every living man. [Great applause.]¹⁷

This leaves no doubt but that, at least according to President Lincoln, that the “natural rights” (i.e., natural religion) enumerated in the *Declaration of Independence*, and not just the text of the United States Constitution, were to be the guiding directives for the execution and administration of federal and state laws in the United States.

D. President Franklin Delano Roosevelt and Natural Religion

President Franklin Roosevelt was a life-long member of the Anglican Church (i.e., the Episcopal Church).¹⁸ As commander-in-chief during World War II, he was called upon as the spiritual leader for the nation. For example, following the Japanese attack on Pearl Harbor, Pres. Franklin D. Roosevelt stated on December 8, 1941:

Yesterday, December 7th, 1941—a date which will live in infamy—the

¹⁷ Abraham Lincoln, “First Lincoln-Douglas Debate,” Ottawa, Illinois (August 21, 1858).

¹⁸ James D. Bratt has said of FDR’s religion: “Franklin Delano Roosevelt was a lifelong Episcopalian. He was taken to St. James’ Church in Hyde Park, [New York], as a lad, even though he didn’t much care for it at the time. His father was on the vestry, and Franklin himself became a member of the vestry in adulthood. He was loyal to his church, he knew the liturgy and revered the music, and he cared much more about the ceremonial aspects than about the theology. He loved the social ethics most of all. His attachment to the liberal branch of Episcopalianism was solidified during the years that he spent studying at the Groton School in Massachusetts, under the famous headmaster Endicott Peabody. Groton at that time was one of the heartlands of the Social Gospel movement. So I think you could say that he was a liturgical Episcopalian and a Social Gospel Christian.”
<https://religionandpolitics.org/2019/11/05/franklin-d-roosevelt-a-christian-and-a-democrat/>

United States of America was suddenly and deliberately attacked by naval and air forces of the Empire of Japan. As commander in chief of the Army and Navy, I have directed that all measures be taken for our defense. But always will our whole nation remember the character of the onslaught against us. No matter how long it may take us to overcome this premeditated invasion, the American people in their righteous might will win through to absolute victory. I believe that I interpret the will of the Congress and of the people when I assert that we will not only defend ourselves to the uttermost, but will make it very certain that this form of treachery shall never again endanger us. Hostilities exist. There is no blinking at the fact that our people, our territory, and our interests are in grave danger. With confidence in our armed forces, with the unbounding determination of our people, we will gain the inevitable triumph—**so help us God.**

Thus echoing “so help us God,” first used by fellow Anglican George Washington, FDR certainly embraced the “civil theology” of latitudinal Anglicanism during his presidency.

E. President John F. Kennedy and Natural Religion

The Presidential Inaugural Address has perhaps been the most popular forum for expressing profound religious sentiments, as so stated by President Lincoln in 1865.¹⁹ For example, in his inaugural address of January 20, 1961, Pres. John F. Kennedy said:

We observe today not a victory of party but a celebration of freedom—symbolizing an end as well as a beginning—signifying renewal as well as change. For I have sworn before you and **Almighty God** the same solemn oath our forebears prescribed nearly a century and three quarters ago.

The world is very different now. For man holds in his mortal hands the power to abolish all forms of human poverty and to abolish all forms of human life. And yet the same revolutionary beliefs for which our forebears fought are still at issue around the globe—the belief that

¹⁹ President John F. Kennedy was the nation’s first Roman Catholic President at the time of his election in 1960. However, JFK repeatedly stated that he would abide by, and uphold, the United States Constitution, and not be controlled by the Pope or the Roman Catholic Church.

the rights of man come not from the generosity of the state but from the hand of God....

Finally, whether you are citizens of America or of the world, ask of us the same high standards of strength and sacrifice that we shall ask you. With a good conscience our only sure reward, with history the final judge of our deeds, let us go forth to lead the land we love, **asking His blessing and His help**, but knowing that **here on earth God's work must truly be our own.**

President Kennedy's eloquence and religious conviction were displayed in his official addresses in such a manner that no doubt about their sincerity and authenticity.

F. President William Jefferson Clinton and Natural Religion

President Clinton was raised Baptist and was a member of the Southern Baptist Convention. He frequently appealed to "natural religion" in his inaugural addresses and in speeches in response to catastrophic events. For instance, in his First Inaugural Address (Jan. 21, 1993), Pres. William J. Clinton said:

And so, my fellow Americans, as we stand at the edge of the twenty-first century, let us begin anew with energy and hope, with faith and discipline.... From this joyful mountaintop of celebration we hear a call to service in the valley. We have heard the trumpets. We have changed the guard. And now, **each in our own way and with God's help**, we must answer the call. Thank you, and **God bless you all.**

And in his address in response to the bombing of a government building in Oklahoma City, Oklahoma, he said:

Let us teach our children that **the God of comfort is also the God of righteousness.** Those who trouble their own house will inherit the wind. Justice will prevail....

When there is talk of violence, let us stand up and talk against it. In the face of death, let us honor life. **As St. Paul admonished us, let us not be overcome by evil, but overcome evil with good....**

So this morning before we got on the plane to come here, at the White

House, we planted a tree in honor of the children of Oklahoma. It was a dogwood with its wonderful spring flower and its deep, enduring roots. It embodies **the lesson of the Psalms**—that the life of a good person is like a tree whose leaf does not wither....

Those who are lost now **belong to God**. Some day we will be with them. But until that happens, their legacy must be our lives.

The Baptists had presented an important sector of the English Separatists during the 17th and 18th centuries, and in the colonial British North America, they led the movement for religious freedom and the doctrine of separation of Church and State. The founding of the colony of Rhode Island was soon followed by the founding of the first Baptist Church in America in Providence, R.I. President Clinton, as a Baptist, represented the most numerous group of mainline Christians in the United States.

G. President George W. Bush and Natural Religion

And, finally, President George W. Bush, who was an avid Evangelical and member of the United Methodist Church, loved to use religious jargon in his speeches. For example, in his response to the terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001, President Bush stated:

At St. Patrick's Cathedral in New York on Tuesday, a woman said, 'I prayed to God to give us a sign that He is still here.' Others have prayed for the same, searching hospital to hospital, carrying pictures of those still missing.

God's signs are not always the ones we look for. We learn in tragedy that his purposes are not always our own. Yet the prayers of private suffering, whether in our homes or in this great cathedral, are known and heard, and understood.

There are prayers that help us last through the day, or endure the night. There are prayers of friends and strangers, that give us strength or the journey. And there are prayers that yield our will to a will greater than our own.

This world He created is of moral design.... And the Lord of life holds all who die, and all who mourn....

America is a nation full of good fortune, with so much to be grateful for. But we are not spared from suffering. In every generation, the world has produced enemies of human freedom. They have attacked America, because we are freedom's home and defender. And the commitment of our fathers is now the calling of our time.

President Bush's presidency was filled with robust speeches that merged the "civil religion" with public policies, such as his faith-based initiatives.

H. President Barak Obama and Natural Religion

President Barak Obama, perhaps more than any other President before him, personified the "latitudinarian Anglican" balance of 18th-century Church of England. President Obama either joined or affiliated with various Protestant churches during his adult lifetime, including Congregational, Episcopalian, Methodist, and Baptist churches. His former church, the Trinity United Church of Christ, which was led by Rev. Jeremiah Wright, is a majority-black church located in Chicago. Trinity is affiliated with the United Church of Christ, which is a majority-white, Calvinist-leaning, Congregational Church denomination. President Obama relied upon the American "civil religion" in order to connect with the electorate, and especially the African American community.

In his eulogy given before the African Methodist Episcopal Church in Charleston, South Carolina in 2015, President Obama highlighted the important role that religion and the church has played in the African American experience.

To the families of the fallen, the nation shares in your grief. Our pain cuts that much deeper because it happened in a church. The church is and always has been the center of African-American life -- (applause) -- a place to call our own in a too often hostile world, a sanctuary from so many hardships.

Over the course of centuries, **black churches served as "hush harbors" where slaves could worship in safety; praise houses where their free descendants could gather and shout hallelujah -- (applause) -- rest stops for the weary along the Underground Railroad; bunkers for the foot soldiers of the Civil Rights Movement.** They have been, and continue to be, **community centers where we organize for jobs and justice;** places of scholarship and network; places where children are loved and fed and kept out of harm's way, and told that they are beautiful and smart -- (applause) -- and taught that they matter. (Applause.) That's what happens in church.

That's what the black church means. Our beating heart. The place where our dignity as a people is inviolate. When there's no better example of this tradition than Mother Emanuel -- (applause) -- a church built by blacks seeking liberty, burned to the ground because its founder sought to end slavery, only to rise up again, a Phoenix from these ashes. (Applause.)

When there were laws banning all-black church gatherings, services happened here anyway, in defiance of unjust laws. When there was a righteous movement to dismantle Jim Crow, Dr. Martin Luther King, Jr. preached from its pulpit, and marches began from its steps. **A sacred place, this church. Not just for blacks, not just for Christians, but for every American who cares about the steady expansion -- (applause) -- of human rights and human dignity in this country; a foundation stone for liberty and justice for all.** That's what the church meant. (Applause.)

Through the example of their lives, they've now passed it on to us. May we find ourselves worthy of that precious and extraordinary gift, as long as our lives endure. May grace now lead them home.

President Obama was a friend of religious freedom and, given his support for same-sex marriage, he was certainly a friend of the more “liberal” positions within American Christianity, which perhaps explains his later affiliations with the Episcopal Church (i.e., the liberal diocese of the Anglican Church that is located in the United States). Here, President Obama articulates an African American view of the Christian faith. Furthermore, what is quite interesting is his “latitudinarian Anglican” perspective of the “sacred place” of the Emmanuel A.M.E. Church and of its struggle for “liberty and justice for all,” which, says President Obama, is “[n]ot just for blacks, not just for Christians.”²⁴

I. President Donald Trump and Natural Religion

President Donald Trump was raised Presbyterian and Reformed. However while in the White House, he identified himself as a non-denominational Christian.²⁵ This would place him squarely into the same

²⁴ President Obama's description of the sacred historic mission of the black church (in this case, the Emanuel A.M.E. Church) suggest that it not only has promoted the Great Commission of Christ (Matthew 28:23) but that it has also promoted human rights and human dignity for everyone—a conceptualization of Christianity that is deeply-rooted in natural religion and natural justice (i.e., “latitudinarian Anglicanism.”)

²⁵ “Trump went to Sunday school and was confirmed in 1959 at the First Presbyterian Church in Jamaica, Queens.

In the 1970s, his parents joined the Marble Collegiate Church in Manhattan, which belongs to the Reformed Church. The pastor at Marble, Norman Vincent Peale, ministered to the family until his death in 1993. Trump has described him as a

theological position of the English “Independents” within historical Anglicanism. As we have documented throughout this series, the English Independents included the Separatists, Baptists, Quakers, Arminians, as well as many Presbyterians and Calvinists. These Independents, to be sure, were critical of the Church of England’s strict application and imposition of Anglican liturgical practices upon their churches. They fought for tolerance and religious liberty, and they detested the 17th and 18th- century “Test Acts” and other forms of religious persecution. This led to the “latitudinarian Anglicanism” throughout the British Empire—including colonial British North America. In colonial British North America, as reflected in the *Declaration of Independence* (1776), the God of nature, natural law, and reason (i.e., natural religion) became the foundation of both civil religion and religious freedom. Most of the colonial charters established Christianity and funded state churches, but tolerance of various Christian sects were generally tolerated. There were a few notable exceptions, such as in Virginia where the Anglicans were still oppressing the Baptist as late as the 1770s. But eventually the American Revolution of 1776 firmly established the idea of religious liberty through the new United States of America.

The Trump Presidency symbolized the American Revolution’s push for religious liberty and freedom of conscience. That religious tolerance has been deeply-rooted in the Protestant Reformation, which established the right of the common man (i.e., the laity) to read the *Holy Bible* and to judge it for himself. Now this very act of the “right” to read and to judge implied the right of the common man to apply his own *moral reasoning* to the Sacred Scriptures—and thus the right to his own conscience. Hence, it was actually this “right of conscience”—or the right to distinguish science, truth, fact, and veracity from falsity, superstition, lies, and fiction—which was the great gift of the Protestant reformers to western civilization. Matthew Tindal argued in *Christianity as Old as the Creation* that this “right of conscience” is the first step toward acknowledging the supremacy of natural religion over the authority of the Sacred Scriptures. No longer could a religious institution, such as the Roman Catholic Church or the Church of England impose its own “orthodox” truths upon others. Religious freedom thus became the defining moment of the Protestant Reformation, and in England this was worked out, constitutionally, within the framework of latitudinarian Anglicanism. President Trump’s presidency sought to preserve this sacred part of American’s political heritage.

President Trump’s proclamation on religious freedom, given on January 15, 2021, perfectly reflected this religious heritage:

mentor. In 2015, the church stated Trump "is not an active member". In 2019, he appointed his personal pastor, televangelist Paula White, to the White House Office of Public Liaison. In 2020, he said he identified as a non-denominational Christian.” https://en.wikipedia.org/wiki/Donald_Trump#Religion

Faith inspires hope. **Deeply embedded in the heart and soul of our Nation, this transcendent truth has compelled men and women of uncompromising conscience to give glory to God by worshiping both openly and privately, lifting up themselves and others in prayer.**

On Religious Freedom Day, we pledge to always protect and cherish this **fundamental human right.**

When the **Pilgrims first crossed the Atlantic Ocean more than 400 years ago in pursuit of religious freedom,**²⁶ their dedication to this first freedom shaped the character and purpose of our Nation. Later, **with the signing of the Declaration of Independence, the Constitution, and the Bill of Rights, their deep desire to practice their religion unfettered from government intrusion was realized.** Since then, the United States has set an example for the world in permitting believers to live out their faith in freedom.

Over the past 4 years, my Administration has worked tirelessly to honor the vision of our Founders and defend our proud history of religious liberty. From day one, we have taken action to restore the foundational link between faith and freedom and promote a culture of religious liberty. My Administration has protected the rights of individual religious believers, communities of faith, and faith-based organizations. We have defended religious liberty domestically and around the world. For example, **I signed an Executive Order Promoting Free Speech and Religious Liberty to ensure that faith-based organizations would not be forced to compromise their religious beliefs as they serve their communities.** This includes defending the rights of religious orders to care for the infirm and elderly without being fined out of existence for refusing to facilitate access to services that violate their faith.

We have also protected healthcare providers' rights not to be forced to perform procedures that violate their most deeply-held convictions.

Additionally, **we have ended the misguided policies of denying access to educational funding to historically black colleges and universities because of their religious character and of denying loan forgiveness to those who perform public services at religious organizations.**

Throughout this difficult year, we have continued these efforts, cutting red tape to ensure houses of worship and other faith-based organizations could receive Paycheck Protection Program loans on the same grounds and with the same parameters as any other entity.

²⁶ This is not wholly accurate: the Puritans wished to establish Christ's "city on a hill," or a Church-polity based upon the Law of Moses and the *Holy Bible* (i.e., Calvinism). They Puritans of Massachusetts Bay Colony and Connecticut, for example, did not allow for religious liberty. For these reasons, both Rev. Roger Williams and Ann Hutchinson were banned from the Massachusetts Bay Colony, because they were non-conformists. The lasting idea which these Puritans contributed to American constitutional law, however, was that God (i.e., the "natural moral law") is the true Sovereign in America—not the King of England. See, e.g., Algernon Sidney Crapsey, *Religion and Politics* (1905), supra.

We have also aggressively **defended faith communities against overreach by State and local governments that have tried to shut down communal worship**. Together, we have honored **the sanctity of every life, protected the rights of Americans to follow their conscience, and preserved the historical tradition of religious freedom in our country**.

While Americans enjoy the blessings of religious liberty, we must never forget others around the world who are denied this unalienable right. Sadly, millions of people across the globe are persecuted and discriminated against for their faith. My Administration has held foreign governments accountable for trampling — in many cases, egregiously so — on religious liberty. In 2019, to shed light on this important issue, I welcomed survivors of religious persecution from 16 countries in the Oval Office, including Christians, Jews, and Muslims, and made history by standing before the United Nations General Assembly and calling on all nations of the world to stop persecuting people of faith.

The United States will never waver in these efforts to expand religious liberty around the world and calls on all nations **to respect the rights of its citizens to live according to their beliefs and conscience**.

On Religious Freedom Day, we honor the vision of our Founding Fathers for a Nation made strong and righteous by a people free to exercise their faith and follow their conscience. As Americans united in unparalleled freedom, we recommit to safeguarding and preserving religious freedom across our land and around the world.

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim January 16, 2021, as Religious Freedom Day.

I call on all Americans to commemorate this day with events and activities that remind us of our shared heritage of religious liberty and that teach us how to secure this blessing both at home and around the world.²⁷

Here President Trump expressly acknowledged the status of natural religion under the United States Constitution. That natural religion fundamentally acknowledges a God of nature²⁸; the fundamental difference between Good and Evil²⁹; the fundamental obligation to follow the “Golden Rule”³⁰; and the

²⁷ [Proclamation on Religious Freedom Day, 2021 – The White House \(archives.gov\)](#)

²⁸ See, e.g., the *American Declaration of Independence* (1776).

²⁹ This natural religion is usually described in the same latitudinal-Anglican manner in which Bishop William Warburton described it in his *Alliance of Church and State* (1736), which set forth the “Three Articles of Natural Religion,” to wit:

3. First, the being of God;
4. Second, the Providence of God over human affairs; and,
5. Third, the “natural essential difference between moral good and evil.”

³⁰ *Ibid.*

fundamental right of individuals to determine their own form of religious worship.³¹ Indeed, by the late 18th century, for many Englishmen and Americans, **this system of natural religion (i.e., Christian deism, or Christianity as a republication of natural religion)**³² **was the crowning achievement of the Protestant Reformation**—this was the new Christian polity of religious tolerance and of the right of conscience, **but always subservient and subordinate to the “fundamental moral law” (i.e., the “Golden Rule”; the doctrine of “Due Process of Law”; or the “law of Christ”).** Indeed, **for under the United States Constitution, the “fundamental moral law” is the true Sovereign (i.e., “God” or “Nature’s God”).** For this reason, the legacy of the establishment of “religious liberty” and “right of conscience,” however, is that its orthodox Christian foundations have become obscured—leading many to wrongfully conclude that the First Amendment, U.S. Constitution prohibits all religion from having any role or influence whatsoever in govern. But in reality, however, the **“fundamental moral law”** (i.e., “God”; “Nature’s God”; “Due Process of Law”; the “Golden Rule”) is the true Sovereign under the United States Constitution—this is the natural religion promulgated under the American *Declaration of Independence* (1776). This natural religion is also deeply-rooted in the “orthodox” Christian theologies of Martin Luther (1483 – 1546) and John Calvin (1509 – 1564), and of the dissenting English Independents, such as the Puritan-Baptist minister Roger Williams (1603 – 1683). This natural religion reflects the Jewish latitudinarian ideals of religious liberty³³ that were found in Christ’s *Parable of the Good Samaritan*³⁴, *Parable of the Sheep and the Goats*³⁵, and *Parable of the Wheat and the Tares*.³⁶

CONCLUSION

Lord Bolingbroke’s “The Patriot King” was an early 18th-century conceptualization of the British monarchy as a vicegerent of God.³⁷ It had a lasting impression upon America’s founding fathers. Indeed, the manner in which the U.S. Presidents have discharged their constitutional duties under Article II of the United States Constitution suggests that this office is also a vicegerent of God. Both the Patriot King and the American President represent the same constitutional idea of a righteous ruler and of the chief executive as a moral agent. And the same conclusion

³¹ First Amendment, U.S. Constitution.

³² See, e.g., Matthew Tindal, *Christianity as Old as the Creation* (1730); William Warburton, *Alliance of Church and State* (1736); and Joseph Butler, *The Analogy of Religion* (1736).

³³ The very crucifixion of Jesus by the religious bigots of his day was the strongest theological argument of all, within Christendom, in favor of religious liberty.

³⁴ Luke 10: 25-37.

³⁵ Matthew 25: 31-46.

³⁶ Matthew 13: 24-30.

³⁷ Henry St. John (Viscount Bolingbroke), *The Idea of a Patriot King* (New York, N.Y.: The Bobbs-Merrill Company, Inc., 1965).

might be reached where the Oaths of Office contains that phrase “So Help Me God.”³⁸ What this says about the nature of American constitutional law and jurisprudence is that the orthodox Christian faith (e.g., the classical theology of St. Augustine of Hippo; St. Thomas Aquinas’s basic juridical structure—Eternal Law ---→ Divine Law ---→ Natural Law --→ Human Law; and the theologies of Luther and Calvin) is still very much the foundation of American constitutional law and jurisprudence,³⁹ in which the “law of Christ,”⁴⁰ at least politically, if not juristically,⁴¹ reigns supreme.⁴² The latitudinarian Protestant-Anglican approach to 18th-century law and jurisprudence was to translate this “law of Christ”⁴³ into natural religion, which defined the “civil religion”⁴⁴ of the new United States of America.

THE END

³⁸ For instance, The Florida Bar’s “**Oath of Admission to the Florida Bar**,” concludes with the words: "I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay anyone's cause for lucre or malice. **So help me God.**"

³⁹ Throughout the history of English jurisprudence, the Christian faith was made manifest through the canon law of the Church, and had a massive influence upon England’s equity, chancery, and ecclesiastical jurisprudence, as well as provided definition of the meaning of “fundamental law.” See, e.g., Roderick O. Ford, *Jesus Master of Law: A Juridical Science of Christianity and the Law of Equity* (Tampa, FL.: Xlibris, 2015).

⁴⁰ The fundamental “Law of Christ,” to wit, is to “love ye one another” (John 15:12); to do justice and judgment (Genesis 18:18-19; Proverbs 21: 1-3); to judge not according to appearance but to judge righteous judgments (John 7:24); and to do justice, judgment, and equity (Proverbs 1:2-3).

⁴¹ I mean here to say, that the American law of equity and its constitutional ideals of procedural and substantive due process of law represent its “fundamental law,” which Christian ecclesiastics call the “law of Christ.”

⁴² For, as President George Washington himself stated, a sense of religious obligation accompany the oath of office: “*So Help Me God.*”

⁴³ *Ibid.*

⁴⁴ See, e.g., *Holy Trinity v. United States*, 143 U.S. 457 (1892).

Appendix

**The Natural Religion in the Official Proclamations of
United States Presidents**

By

Roderick O. Ford, Litt.D.

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- I. President Donald J. Trump and Natural Religion

INTRODUCTION

The American *Declaration of Independence* (1776) is merely and truly a restatement of a basic tenet of English constitutional jurisprudence which holds that a “**natural moral law**” (i.e., “God” or “Nature’s God”) is truly the Sovereign¹

¹ This idea of God’s sovereignty and providence is deeply-rooted in classical ideals of natural law within the western theological and legal tradition. See, e.g., W.E.B. Du Bois, *Writings* (New York, N.Y.: The Library of America, 1986), p. 815 (“For it is certain that all human striving must recognize the hard limits of natural law, and that any striving, no matter how intense and earnest, which is against the constitution of the world, is vain.”)

in the United States of America,² and that no other human or secular law—not even a proclamation or an executive order of a U.S. President—may contravene this “natural moral law” (i.e., “fundamental moral law” or “fundamental law”). This “fundamental moral law” is simply the religion of nature (i.e., “natural law”) that has been long woven into the constitutional jurisprudence of the United States. See, e.g., *Calder v. Ball*, 3 Dall 386 (1798); *Fletcher v. Peck*, 6 Cranch 87, 10 U.S. 87 (1810); *Terrett v. Taylor*, 13 U.S. 43 (1815)³; *Darcy v. Ketchum*, 52 U.S. 65 (1850); and *Butchers’ Union, etc. Co. v Crescent, etc. Co.*, 111 U.S. 746, 756 (1883); *Holy Trinity v. United States*, 143 U.S. 457 (1892)⁴; *United States v. Macintosh*, 283 U.S. 605 (1931)⁵; *Zorach v. Clauson*, 343 U.S. 306 (1952). And, according to orthodox Christian theology, the Christian religion (i.e., the “law of Christ”⁶) is a re-statement of this natural religion and “natural or fundamental moral law,” which is reflected in the Preamble to the United States Constitution, which says “We the People of the United States, in order to:

² “When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the **Laws of Nature** and of **Nature's God** entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. **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 among these are Life, Liberty and the pursuit of Happiness.**-- ... In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.... And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.” – *Declaration of Independence* (1776)

³ E.g., *Terrett v. Taylor*, 13 U.S. 43, 52, 9 Cranch 43 (1815):

But that the legislature can repeal statutes creating private corporations, or confirming to them property already acquired under the faith of previous laws, and by such repeal can vest the property of such corporations exclusively in the state or dispose of the same to such purposes as they may please, without the consent or default of the corporators, we are not prepared to admit, and we think ourselves standing upon **the principles of natural justice, upon the fundamental laws of every free government**, upon the spirit and the letter of the Constitution of the United States, and upon the decisions of most respectable judicial tribunals in resisting such a doctrine. The statutes of 1798 ch. 9, and of 1801, ch. 5, are not, therefore, in our judgment, operative so far as to divest the Episcopal Church of the property acquired previous to the Revolution by purchase or by donation. In respect to the latter statute, there is this further objection that it passed after the District of Columbia was taken under the exclusive jurisdiction of Congress, and as to the corporations and property within that district, the right of Virginia to legislate no longer existed....

⁴ *Holy Trinity v. United States*, 143 U.S. 457 (1892)(providing an extensive history of the influence of Christianity upon state and federal constitutional documents and traditions, and concluding that the United States is “**a Christian nation.**”

⁵ *United States v. Macintosh*, 283 U.S. 605, 625 (1931):

We are a Christian people (*Holy Trinity Church v. United States*, 143 U. S. 457, 143 U. S. 470- 471), according to one another the equal right of religious freedom and acknowledging with reverence the duty of obedience to the will of God. But, also, we are a nation with the duty to survive; a nation whose Constitution contemplates war as well as peace; whose government must go forward upon the assumption, and safely can proceed upon no other, that unqualified allegiance to the nation and submission and obedience to the laws of the land, as well those made for war as those made for peace, are not inconsistent with the will of God.

⁶ The fundamental “Law of Christ,” to wit, is to “love ye one another” (John 15:12); to do justice and judgment (Genesis 18:18-19; Proverbs 21: 1-3); to judge not according to appearance but to judge righteous judgments (John 7:24); and to do justice, judgment, and equity (Proverbs 1:2-3).

- form a more perfect union;
- establish justice;
- insure domestic tranquility;
- provide for the common defense;
- promote the general welfare; and
- secure the blessings of liberty to ourselves and our posterity....”

Every element within this “Preamble” reflects the “fundamental moral law” and constitutes the natural-law foundations of civil polity within the western and Christian traditions. See, e.g., Table 1. Natural Religion and the Preamble, U.S. Constitution.

Table 1. Natural Religion and the Preamble, U.S. Constitution

Preamble, U.S. Constitution	Christian Polity
<ul style="list-style-type: none"> • A More Perfect Union • Establish justice • Domestic tranquility • General Welfare • Blessing of Liberty • Common Defense 	<p>See, e.g., Anglican clergyman Algernon Sidney Crapsey’s <i>Religion and Politics</i> comment on The Preamble of U.S. Constitution⁷</p> <p>See, e.g., St. Augustine’s <i>The City of God</i></p> <ul style="list-style-type: none"> • Justice⁸ • Tranquility⁹

⁷ Algernon Sidney Crapsey, *Religion and Politics* (New York, N.Y.: Thomas Whittaker, 1905), pp. 305-306 (“When the Constitutional Convention of 1787 sent forth the Constitution which it devised for the government of the nation it did so in these words: ‘We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our children, do ordain and establish this Constitution for the United States of America.’ **Now can any man write a more perfect description of the Kingdom of God on earth or in the heaven than is to be found in these words? A government resting upon such principles as these is not a godless policy; it is a holy religion....** When the people of the United States decreed by constitutional amendment that the government should never by law establish any religion, they did actually establish the only religion that could comprehend in its membership the whole American people.”)

⁸ “Justice being taken away, then, what are kingdoms but great robberies? For what are robberies themselves, but little kingdoms? The band itself is made up of men; it is ruled by the authority of a prince, it is knit together by the pact of the confederacy; the booty is divided by the law agreed on.” *The City of God*, p. 112.

⁹ “The peace of all things is the tranquility of order,” wrote St. Augustine. “Order is the distribution which allots things equal and unequal, each to its own place.... God, then, the most wise Creator and most just Ordainer of all natures, who placed the human race upon earth as its greatest ornament, imparted to men some good things adapted to this life, to wit, temporal peace, such as we can enjoy in this life from health and safety and human fellowship, and all things needful for the preservation and recovery of this peace.... But as this divine Master inculcates two precepts—the love of God and the love of our neighbor—and as in these precepts a man finds three things he has to love—God; himself, and his neighbor—and that he who loves God loves himself thereby, it follows that he must endeavor to get his neighbor to love God, since he is ordered to love his neighbor as himself.” *The City of God* (New York, N.Y.: The Library of America, 1950), pp.

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| | <ul style="list-style-type: none"> • Liberty¹⁰ • Common Weal of People/
General Welfare¹¹ • Common Defense (“Just War”)¹² |
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Thus, the U.S. Constitution, through the American *Declaration of Independence* (1776)¹³ and its “Preamble,” is governed by natural law and natural religion, and all constitutional officers—the Congress (Article I, U.S. Constitution); the President (Article II, U.S. Constitution), and the Judges and Justices (Article III, U.S. Constitution)—must discharge their duties in accord with those *sacred, fundamental,*

¹⁰ “This is prescribed by the order of nature: it is thus that God has created man. For ‘let them,’ He says, ‘have dominion over the fish of the sea, and over the fowl of the air, and over every creeping thing which creepeth on the earth.’ He did not intend that His rational creature, who was made in His image, should have dominion over anything but the irrational creation—not man over man, but man over the beasts... for it is with justice, we believe, that the condition of slavery is the result of sin. And this is why we do not find the word ‘slave’ in any part of Scripture until righteous Noah branded the sin of his son with this name. It is a name, therefore, introduced by sin and not by nature. The origin of the Latin word for slave is supposed to be found in the circumstances that those who by the law of war were liable to be killed were sometimes preserved by their victors, and were hence called servants. And these circumstances could never have arisen save through sin. For even if we wage a just war, our adversaries must be sinning; and every victory, even though gained by wicked men, is a result of the first judgment of God... But by nature, as God first created us, no one is the slave either of man or of sin. This servitude is, however, penal, and is appointed by that law which enjoins the preservation of the natural order and forbids its disturbance; for if nothing had been done in violation of that law, there would have been nothing to restrain by penal servitude.” St. Augustine in *The City of God* (New York, N.Y.: The Library of America, 1950), pp. 693-694

¹¹ “Scipio reverts to the original thread of discourse, and repeats with commendation his own brief definition of a republic, that it is the weal of the people. ‘The people’ he defines as being not every assemblage or mob, but an assemblage associated by a common acknowledge of law, and by community of interests. Then he shows the use of definition in debate; and from these definitions of his own he gathers that a republic, or ‘weal of the people,’ then exists only when it is well and justly governed, whether by a monarch, or an aristocracy, or by the whole people [i.e., democracy]. But when the monarch is unjust, or, as the Greeks say, a tyrant; or the aristocrats are unjust, and form a faction; or the people themselves are unjust, and become, as Scipio for want of a better name calls them, themselves the tyrant, then the republic is not only blemished (as had been proved the day before), but by legitimate deduction from those definitions, it altogether ceases to be. For it could not be the people’s weal when a tyrant factiously lorded it over the state; neither would the people be any longer a people if it were unjust, since it would no longer answer the definition of a people—‘an assemblage associated by a common acknowledgment of law, and by a community of interests.’” St. Augustine in *The City of God* (New York, N.Y.: The Library of America, 1950), p. 62.

¹² St. Augustine acknowledges the idea of “just war” in *The City of God*, where he states: “And, accordingly, they who have waged war in obedience to the divine command, or in conformity with His laws have represented in their persons the public justice or the wisdom of government, and in this capacity have put to death wicked men; such persons have by no means violated the commandment, ‘Thou shalt not kill.’” *The City of God*, supra, p. 27

¹³ “When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. 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 among these are Life, Liberty and the pursuit of Happiness.-- ... In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.... And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.” – *Declaration of Independence* (1776)

*and natural-law principles.*¹⁴ This constitutional ideal is actually a re-statement or a re-publication of the unwritten ideals of the British constitution which holds, fundamentally, that the God of creation and nature (i.e., his law and divine providence) is supreme:

“This law of nature, being coeval with mankind, and dictated by God himself, is of course superior in obligation to any other. It is binding over all the globe in all countries, and at all times: no human laws are of any validity, if contrary to this; and such of them as are valid derive all their force and all their authority, mediately or immediately, from this original.”

– William Blackstone, *Commentaries on the Laws of England* (1753)

Within this historical context, it is safe to conclude that the Office of the U.S. President was extracted from the “monarchial-executive” component of the British constitution. The U.S. President and his Cabinet were modeled after the British monarch and his ministers—both executive offices have been conceptualized as viceregents of God. And it is likely that the Office of the United States President was patterned after Lord Bolingbroke’s “The Patriot King.”¹⁵

Moreover, there is a non-denominational “civil religion” in the United States of America—patterned after the two-tables theory of Christian polity and deeply rooted in natural religion. This “civil religion” is deeply-rooted in the 16th-century English Protestant Reformation—to Queen Elizabeth I’s great religious settlement (i.e., the Elizabethan Settlement of 1559) and to the latitudinarian Anglicanism which emerged from that settlement.

¹⁴ See, e.g., the United States Supreme Court in e.g., *Terrett v. Taylor*, 13 U.S. 43, 52, 9 Cranch 43 (1815):

But that the legislature can repeal statutes creating private corporations, or confirming to them property already acquired under the faith of previous laws, and by such repeal can vest the property of such corporations exclusively in the state or dispose of the same to such purposes as they may please, without the consent or default of the corporators, we are not prepared to admit, and **we think ourselves standing upon the principles of natural justice, upon the fundamental laws of every free government**, upon the spirit and the letter of the Constitution of the United States, and upon the decisions of most respectable judicial tribunals in resisting such a doctrine. The statutes of 1798 ch. 9, and of 1801, ch. 5, are not, therefore, in our judgment, operative so far as to divest the Episcopal Church of the property acquired previous to the Revolution by purchase or by donation. In respect to the latter statute, there is this further objection that it passed after the District of Columbia was taken under the exclusive jurisdiction of Congress, and as to the corporations and property within that district, the right of Virginia to legislate no longer existed....

¹⁵ Henry St. John (Viscount Bolingbroke), *The Idea of a Patriot King* (New York, N.Y.: The Bobbs-Merrill Company, Inc., 1965). Indeed, it has been argued that Article II of the United States Constitution (Office of the U.S. President) is patterned after the “monarchial” component of the British Constitution.

When Elizabeth inherited the throne, England was bitterly divided between Catholics and Protestants as a result of various religious changes initiated by Henry VIII, Edward VI and Mary I. Henry VIII had broken from the Roman Catholic Church and the authority of the pope, becoming Supreme Head of the Church of England. During Edward's reign, the Church of England adopted a Reformed theology and liturgy. In Mary's reign, these religious policies were reversed, England was re-united with the Catholic Church and Protestantism was suppressed.

The Elizabethan Settlement, sometimes called the Revolution of 1559, was an attempt to end this religious turmoil. The Act of Supremacy of 1558 re-established the Church of England's independence from Rome, and Parliament conferred on Elizabeth the title of Supreme Governor of the Church of England. The Act of Uniformity of 1559 re-introduced the *Book of Common Prayer* from Edward's reign, which contained the liturgical services of the church. Some modifications were made to appeal to Catholics and Lutherans, including **giving individuals greater latitude** concerning belief in the real presence of Christ in the Eucharist and permission to use traditional priestly vestments. In 1571, the Thirty-Nine Articles were adopted as a confessional statement for the church, and a Book of Homilies was issued outlining the church's reformed theology in greater detail. Throughout the reigns of Elizabeth and James I, Calvinism was the predominant theology within the Church of England.

The Settlement failed to end religious disputes. While most of the population gradually conformed to the established church, a minority of recusants remained loyal Roman Catholics. Within the Church of England, Puritans pressed to remove what they considered papist abuses from the church's liturgy and to replace bishops with a presbyterian system of church government. After Elizabeth's death, the Puritans were challenged by a high church, Arminian party that gained power during the reign of Charles I. The English Civil War and overthrow of the monarchy allowed the Puritans to pursue their reform agenda and the dismantling of the Elizabethan Settlement for a period. After the Restoration in 1660, the Settlement was restored, and the Puritans were forced out of the Church of England. Anglicanism became defined by the *via media* or middle way between the religious extremes of Catholicism and Protestantism; Arminianism and Calvinism; and high church and low church.¹⁶

The “latitudinarian Anglicanism” which developed within the Church of England since the days of Queen Elizabeth I (1533 - 1603) became more and more liberal during late 17th century. And by the early 1700s, latitudinarian Anglicanism was widely rebranded as “natural religion.” That Queen Elizabeth I left her

¹⁶ https://en.wikipedia.org/wiki/Elizabethan_Religious_Settlement

imprint upon the Church of England is manifest in the fact that for several generations her religious policy of *promoting tolerance* amongst the various ideologies of the Protestant faith—the orthodox Catholics, the Presbyterians, the Puritans, the Baptists, the Independents, etc.— became the established dogma of the Protestant Church of England. All of this became the religious foundation and heritage of colonial British North America. When the first colonies were established in America, the emerging tendencies were to come to terms with the problems of religious war and intolerance on the European continent and in England. European and English religious dissenters of all stripes populated the American colonies, and so naturally there was a tendency to allow for freedom of conscience and religion. At the same time, the colonies insisted upon the official acknowledgement of the Christian religion and established Christian churches. And so, while the “freedom of religion” was allowed to flourish in most of the colonies, that freedom did not prohibit the colonies from establishing Christianity as the official religion. This whole process of compromise was borne of Queen Elizabeth I’s tendency toward religious tolerance and latitudinarian balance. Although a complete rendition of that history is beyond the scope of this paper, it is sufficient, however, to state that the general principles of Christianity were eventually embraced as the civil religion of the United States. To that end, it is appropriate to direct the reader to the United States Supreme Court case of *Holy Trinity v. United States*,¹⁷ which thoroughly records the constitutional history of the Christian religion in colonial British North America, to wit:

- The first colonial grant from Queen Elizabeth I of England to Sir Walter Raleigh, requiring that the new colony of Virginia “not be against the true Christian faith now professed in the Church of England”
- The Mayflower Compact of 1620
- The Fundamental Orders of Connecticut of 1638-39
- The Charter of 1701 given to William Penn
- The Declaration of Independence of 1776
- The Constitution of the various states of the United States (citing the constitutions of the forty-four states all “recognizes a profound reverence for religion.”)
- The Oath of Office, universal in the State and federal government, containing the words, “So Help Me God”
- The U.S. Constitution’s First Amendment’s declaration, which is common to all states, that there shall be “free exercise” of religion
- The U.S. Supreme Court’s decision in *Updegraph v Commonwealth*, 11 S & R 394, 400, which acknowledged that Christianity was a part of Pennsylvania’s common law.

¹⁷ 143 U.S. 457 (1892)

- That fact that each of these aforementioned documents are not the expressions of private individuals but constitute the “organic utterances” of the “entire people”

What is readily apparent in American ecclesiastical history, as is supported by some of the reported law cases, is that the “religious freedom” that was adopted by the individual colonies, and later by the individual states in the United States, was really and truly an expression of the “general doctrines of Christianity”¹⁸ (i.e., latitudinarian Anglicanism) because it was widely believed that the “Almighty God” is “the only Lord of Conscience.”³¹⁹ This was the fruit of Rev. Roger Williams’ colonial experiment in founding the colony of Rhode Island. And, by the “general doctrines of Christianity,” it was understood to mean “natural religion,” or the “latitudinarian Anglicanism” of Queen Elizabeth I and the Church of England, particularly as expressed in Bishop William Warburton’s *An Alliance of Church and State*.²⁰

The American “civil religion,” therefore, is the product of the latitudinarian Anglicanism set in motion by the Elizabethan Settlement of 1558. The culmination of this religious expression was the American *Declaration of Independence* of 1776. It is a form of Christianity that insists only upon the “general principles” of the Christian faith, and nothing more. As is stated in *Church and State in the United States*,

Throughout [our] history, our governments, both national and state, have cooperated with religion and shown friendliness to it. God is invoked in the Declaration of Independence and in practically every state constitution. Sunday, the Christian Sabbath, is universally observed as a day of rest. The sessions of Congress and of the state legislatures are invariably opened with prayer, in Congress by chaplains who are employed by the Federal government. We have chaplains in our armed forces and in our penal institutions. Oaths in courts of law are administered through use of the Bible. Public officials take an oath of office ending with ‘so help me God.’ Religious institutions are tax exempt throughout the nation. Our pledge of allegiance declares that we are a nation

¹⁸ *People v. Ruggles*, 8 Johns. 290, 294-295 (Opinion of Chancellor Kent).

¹⁹ Pennsylvania Charter of 1701.

²⁰ This natural religion is usually described in the same latitudinal-Anglican manner in which Bishop William Warburton described it in his *Alliance of Church and State* (1736), which set forth the “Three Articles of Natural Religion,” to wit:

1. First, the being of God;
2. Second, the Providence of God over human affairs; and,

Third, the “natural essential difference between moral good and evil.”

‘under God.’ Our national motto is ‘In God We Trust’ and is inscribed on our currency and on some of our postage stamps.²¹

This civil or natural religion is the same latitudinarian Anglicanism that is expressed in the American *Declaration of Independence* is the same philosophical ideal which Bishop William Warburton described in his *An Alliance of Church and State* (1736), which set forth the “Three Articles of Natural Religion,” to wit:

1. First, “the being of God”;
2. Second, the Providence of God over human affairs; and,
3. Third, the “natural essential difference between moral good and evil.”

As we shall observe in the various official statements from several American Presidents—from George Washington to Donald Trump—there is a “civil religion” in the United States, that is rooted in natural law, and is fully acknowledged and evident in the official speeches and addresses of America’s chief executives, which exemplifies latitudinarian Anglicanism. Indeed, much like a Mosaic patriarch over the nation, the American President is frequently called upon to religiously exemplify, and to religiously symbolize, the spiritual ideals of the nation. That official religious function of the U.S. President has become “customary sacred tradition,” but, significantly, that function is also “constitutional” as well. Article II, Section 3 of the United States Constitution says, *inter alia*, that the President “shall take Care that the Laws be faithfully executed.” Hence, the execution of the constitution and laws of the United States are entrusted to the Office of the President. The Oath of Office for this position ends with the words, “So Help Me God,” a phrase added by George Washington. As the Supreme Court has acknowledged in the case of *Holy Trinity v. United States* such an oath of office constitutes an “organic utterance” of entire American people that the United States is, fundamentally, a Christian nation.²² And I believe, as Rev. Algernon Sidney Crapsey (Anglican) has suggested, that the now-customary words, “so help me God,” acknowledges the role of the American President as a vicegerent of the Almighty God, as exemplified in the following presidential addresses:

²¹ Anson Phelps Stokes and Leo Pfeffer, *Church and State in the United States* (New York, NY: Harper & Row, 1964), pp. 102-103.

²² *Ibid.*

A. President George Washington and Natural Religion

President George Washington was a life-long Anglican.²³ In his *Farewell Address* of 1796, President Washington made it quite clear that he could not conceptualize a functional government without the validity of oaths of office; or the integrity of the courts of law, without a religious sense of duty. In other words, President Washington believed that there must be “morality” and “virtue” in order to support and to fuel a functional civil polity. His ideals were not radical; they were tantamount to those of ideals of “virtue” espoused by Socrates, Plato, Cicero, and the ancients. St. Paul and St. Augustine echoed the same ideals of “virtue” in their writings—both of these Christian saints promoted civic duty and holiness. Here, President Washington’s *Farewell Address*, reflected the same sentiments on the necessity of morals for a properly-functioning civil polity. Washington states:

Of all the dispositions and habits which lead to political prosperity, **religion and morality are indispensable supports.** In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked where is the security for property, for reputation, for life, if **the sense of religious obligation desert the oaths**, which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, **reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.**

Observe **good faith and justice towards all nations**; cultivate peace and harmony with all—religion and morality enjoin this conduct; and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be

²³ “Washington attended the Anglican Church through all of his life, and was baptized as an infant. He was a member of several churches which he attended, and served as an Anglican vestryman and warden for more than fifteen years, when Virginia had an established church. As a young man he also joined the Freemasons, which also promoted spiritual and moral values for society. His personal letters and public speeches sometimes referred to ‘Providence,’ a term for God used by both Christians and deists.” See, e.g., “Religious Views of George Washington,” https://en.wikipedia.org/wiki/Religious_views_of_George_Washington

lost by a **steady adherence** to it? Can it be, that **Providence** has not connected the **permanent felicity of a nation** with its **virtue**?

Thus, for President Washington “religion and morality” were indispensable supports for the proper functioning of the secular government. In so many words, President Washington seemingly embraced the Augustinian view that the “kingdom of God” (i.e., morality, religion, the church, etc.) should serve as a “partner”⁹ or as an “advisor”¹⁰ to the secular State.¹¹ He tied the essential ingredients of morality and religion to the prosperity of the secular polity in essentially the same manner as did St. Augustine in *The City of God*.

B. President Thomas Jefferson and Natural Religion

Although rumored to be a non-believer,¹² President Thomas Jefferson was an

⁹ Indeed, St. Augustine in *The City of God* advises secular rulers to permit the Church to serve as its “partner.” In other words, the Church must, inter alia, advise the State as to what is or is not true justice. Of such was the same conclusion reached by Bishop William Warburton (Anglican) in his work, *An Alliance of Church and State* (1736). Of such was the same conclusion reached by Rev. Algernon Sidney Crapsey (Anglican) who wrote in his work *Religion and Politics* (1905), supra, pp. 248- 249: “To speak of the separation of church and state is to speak of the separation of soul and body. If the state is without a church it is without warrant in the conscience of man; if the church is without a state it is without power in the life of the world.... When the church is true to itself and true to its God it becomes the conscience of the state. Then the state must be in subjection to the church, or the state must perish. When the church forgets its high calling, and becomes simply a function of the state, then both church and state go down in one common ruin. The present separation of the religions from the civil and political life of the nation is cause for grave apprehension for the future of the American people.” Similarly, in *The City of God*, St. Augustine says that the “happiness” of the Christian emperor is largely dependent upon, among other things, his willingness to be “not afraid to have partners” in “the kingdom of God.” *The City of God*, supra, p 178.

¹⁰ See, also, Gary Demar, *God and Government: A Biblical, Historical, and Constitutional Perspective* (Powder Springs, GA: American Vision, 2011), p. 174 (“The Church should perform a prophetic role in offering advice and exhortation to the State. It should remind State officials what the Bible says about civil affairs. The Church, made up of Christians, should be a voice that will encourage the State when it does right and warn and direct the State when it does evil (2 Samuel 12:1-15; Matthew 14:1-4; Acts 4:5-12; 26 [especially vv. 27-29]).”

¹¹ Interestingly, President Washington tied the “sense of religious obligation” in the “oaths” to the integrity of America’s “courts of justice.” What does this statement imply, regarding the religious character and the religious qualifications needed of American lawyers and judges who serve on the bar and bench?

¹² “Jefferson's views on Jesus and the Bible were mixed, but were progressively far from what was and is largely considered orthodox in Christianity. Jefferson stated in a letter in 1819, ‘You say you are a Calvinist. I am not. I am of a sect by myself, as far as I know.’ He also rejected the idea of the divinity of Christ, but as he wrote to William Short on October 31, 1819, he was convinced that the fragmentary teachings of Jesus constituted the ‘outlines of a system of the most sublime morality which has ever fallen from the lips of man.’ On one hand Jefferson affirmed, ‘We all agree in the obligation of the moral precepts of Jesus, and nowhere will they be found delivered in greater

18th-century lawyer whose religious views fell in line with a version of latitudinarian Anglicanism that was espoused by ecclesiastical lawyer Matthew Tindal (Anglican) and his work, *Christianity as Old as the Creation: Or the Gospel a Republication of the Religion of Nature* (1730). Jefferson believed in both the “moral teachings” of Jesus (i.e. Christianity) and in natural theology (i.e., Science or Deism). Thus, as a “Christian Deist,” Jefferson was a promoter of both Christianity and Deism, which was not uncommon among the 18th-century Anglican bishops and theologians of that time. Jefferson was an Anglican, and a life-long member of the Anglican (Episcopal) Church—in a word, Jefferson was a champion of latitudinarian Anglicanism that allowed for freedom of thought and conscience.¹³ President Jefferson frequently used religious illustrations in his public speeches. For example, in his “Second Inaugural Address” (March 4, 1805), he said:

Let us, then, with courage and confidence pursue our own Federal and Republican principles, our attachment to union and representative government. Kindly separated by nature and a wide ocean from the exterminating havoc of one quarter of the globe; too high-minded to endure the degradations of the others; possessing a chosen country, with room enough for our descendents to the thousandth and thousandth generation; entertaining a due sense of our equal right to the use of our own faculties, to the acquisitions of our own industry, to honor and confidence from our fellow-citizens, resulting not from birth, but from our actions and their sense of them; **enlightened by a benign religion, professed, indeed, and practiced in various forms**, yet all of them inculcating honesty, truth, temperance, gratitude, and the love of man; acknowledging and adoring an overruling **Providence**, which by all its dispensations proves that it delights in the happiness of man here and his greater happiness hereafter—with

purity than in his discourses,’ that he was ‘sincerely attached to His doctrines in preference to all others,’ and that ‘the doctrines of Jesus are simple, and tend all to the happiness of man.’ However, Jefferson considered much of the New Testament of the Bible to be false. In a letter to William Short in 1820, Jefferson described many biblical passages as ‘so much untruth, charlatanism and imposture.’ In the same letter Jefferson states he describes Paul as the ‘first corrupter of the doctrines of Jesus.’” See, “Religious Views of Thomas Jefferson,” Wikipedia On-Line. https://en.wikipedia.org/wiki/Religious_views_of_Thomas_Jefferson

¹³ “In an 1820 letter to William Short, Jefferson wrote, ‘[T]he serious enemies are the priests of the different religious sects, to whose spells on the human mind its improvement is ominous.’ Jefferson intensely opposed Calvinism. He never ceased to denounce the ‘blasphemous absurdity of the five points of Calvin,’ writing three years before his death to John Adams, ‘His [Calvin's] religion was demonism. If ever man worshiped a false God, he did. The being described in his five points is ... a demon of malignant spirit. It would be more pardonable to believe in no God at all, than to blaspheme him by the atrocious attributes of Calvin.’” See, “Religious Views of Thomas Jefferson,” Wikipedia On-Line. https://en.wikipedia.org/wiki/Religious_views_of_Thomas_Jefferson

all these blessings, what more is necessary to make us a happy and a prosperous people?

Still one thing more, fellow-citizens—a wise and frugal Government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.

And may that **Infinite Power which rules the destinies of the universe lead our councils to what is best, and give them a favorable issue for your peace and prosperity.**

Like George Washington, Thomas Jefferson was a life-long member of the Anglican Church in Virginia, but his personal beliefs and desires to disestablish the Anglican Church represent a brand of “latitudinarian Anglicanism” that was on the opposite end of the spectrum than George Washington’s more conservative views.

C. President Abraham Lincoln and Natural Religion

Arguably America’s greatest President, Abraham Lincoln was called upon literally to save both the body and the soul of the American People, as evidenced in the text of his famous *Gettysburg Address*. Lincoln was raised in a Baptist Church, but during his career as lawyer and politician, he joined no church. He was, in fact, called upon to defend against charges of infidelity, because he was not a churchman. But Lincoln seems to have adhered to St. Augustine’s basic natural-law and religious injunction *to love God and neighbor*,¹⁴ and considered this to be all that was needed of a good Christian. Church membership and dogma had become much too cumbersome and complicated for Lincoln, and he is reported to have said:

I have never united myself to any church because I have found difficulty in giving my assent without mental reservation to the long complicated statements of Christian doctrine which characterize their articles of belief and confessions of faith. When any church will

¹⁴ St. Augustine, *Confessions* (New York, N.Y.: Barnes & Nobles Classics, 2007), p. 36. (“Can it ever, at any time or place, be unrighteous for a man to love god with all his heart, with all his soul, and with all his mind; and his neighbor as himself? Similarly, offenses against nature are everywhere and at all times to be held in detestation and should be punished.”)

inscribe over its altar as the sole qualification for membership the Savior's condensed statement of the substance of both law and gospel: **"Thou shalt love the Lord thy God with all thy heart and with all thy soul and with all thy mind, and love thy neighbor as thyself,"** that church I will join with all my heart.

Hence, Lincoln was, in terms of the Christian religion, an "English Independent." Like the Baptists, the Independents could be Calvinistic or Armenian, or a combination of both. But in either respect, the latitudinarian Anglicans wished to protect the religious rights of the Independents—of whom Abraham Lincoln clearly was a constituent part.

During Lincoln's presidency, he regularly attended the New York Avenue Presbyterian Church in Washington, D.C.—a Calvinist-leaning church.¹⁵ By the time of his "Second Inaugural Address" (March 4, 1865), a war-weary Lincoln had become convinced that the "providence of God" had been made manifest for all of his fellow countrymen to see, stating:

The Almighty has His own purposes. 'Woe unto the world because of offenses; for it must needs be that offenses come, but woe to that man by whom the offense cometh.' If we shall suppose that American slavery is one of those offenses which, in **the providence of God**, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives to both North and South this terrible war as to the woe due to those by whom the offense came, shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to Him? Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondman's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said **'the judgments of the Lord are true and righteous altogether.'**¹⁶

¹⁵ President Lincoln was raised a Baptist but during most of his adult life, as a practicing lawyer, he was a secularist, an independent, and an unorthodox Christian. During his Presidency, Lincoln attended a Presbyterian Church in the city of Washington, D.C. Lincoln's prior belief in a "doctrine of necessity" may have caused him to lean toward Calvinist theology. See, e.g., "Religious Views of Abraham Lincoln," https://en.wikipedia.org/wiki/Religious_views_of_Abraham_Lincoln

¹⁶ President Abraham Lincoln, "Second Inaugural Address" (March 4, 1865).

Indeed, Lincoln also believed that the very “natural rights” principles contained within that *Declaration of Independence* (1776) justified the overthrow of the institution of African slavery, stating in his famous senatorial debate:

I have never said anything to the contrary, but I hold that, notwithstanding all this, there is no reason in the world why the negro is not entitled to all the **natural rights enumerated in the Declaration of Independence**, the right to **life, liberty, and the pursuit of happiness**. [Loud cheers.] I hold that he is as much entitled to these as the white man. I agree with Judge Douglas he is not my equal in many respects—certainly not in color, perhaps not in moral or intellectual endowment. But in the right to eat the bread, without the leave of anybody else, which his own hand earns, he is my equal and the equal of Judge Douglas, and the equal of every living man. [Great applause.]¹⁷

This leaves no doubt but that, at least according to President Lincoln, that the “natural rights” (i.e., natural religion) enumerated in the *Declaration of Independence*, and not just the text of the United States Constitution, were to be the guiding directives for the execution and administration of federal and state laws in the United States.

D. President Franklin Delano Roosevelt and Natural Religion

President Franklin Roosevelt was a life-long member of the Anglican Church (i.e., the Episcopal Church).¹⁸ As commander-in-chief during World War II, he was called upon as the spiritual leader for the nation. For example, following the Japanese attack on Pearl Harbor, Pres. Franklin D. Roosevelt stated on December 8, 1941:

Yesterday, December 7th, 1941—a date which will live in infamy—the

¹⁷ Abraham Lincoln, “First Lincoln-Douglas Debate,” Ottawa, Illinois (August 21, 1858).

¹⁸ James D. Bratt has said of FDR’s religion: “Franklin Delano Roosevelt was a lifelong Episcopalian. He was taken to St. James’ Church in Hyde Park, [New York], as a lad, even though he didn’t much care for it at the time. His father was on the vestry, and Franklin himself became a member of the vestry in adulthood. He was loyal to his church, he knew the liturgy and revered the music, and he cared much more about the ceremonial aspects than about the theology. He loved the social ethics most of all. His attachment to the liberal branch of Episcopalianism was solidified during the years that he spent studying at the Groton School in Massachusetts, under the famous headmaster Endicott Peabody. Groton at that time was one of the heartlands of the Social Gospel movement. So I think you could say that he was a liturgical Episcopalian and a Social Gospel Christian.”
<https://religionandpolitics.org/2019/11/05/franklin-d-roosevelt-a-christian-and-a-democrat/>

United States of America was suddenly and deliberately attacked by naval and air forces of the Empire of Japan. As commander in chief of the Army and Navy, I have directed that all measures be taken for our defense. But always will our whole nation remember the character of the onslaught against us. No matter how long it may take us to overcome this premeditated invasion, the American people in their righteous might will win through to absolute victory. I believe that I interpret the will of the Congress and of the people when I assert that we will not only defend ourselves to the uttermost, but will make it very certain that this form of treachery shall never again endanger us. Hostilities exist. There is no blinking at the fact that our people, our territory, and our interests are in grave danger. With confidence in our armed forces, with the unbounding determination of our people, we will gain the inevitable triumph—**so help us God.**

Thus echoing “so help us God,” first used by fellow Anglican George Washington, FDR certainly embraced the “civil theology” of latitudinal Anglicanism during his presidency.

E. President John F. Kennedy and Natural Religion

The Presidential Inaugural Address has perhaps been the most popular forum for expressing profound religious sentiments, as so stated by President Lincoln in 1865.¹⁹ For example, in his inaugural address of January 20, 1961, Pres. John F. Kennedy said:

We observe today not a victory of party but a celebration of freedom—symbolizing an end as well as a beginning—signifying renewal as well as change. For I have sworn before you and **Almighty God** the same solemn oath our forebears prescribed nearly a century and three quarters ago.

The world is very different now. For man holds in his mortal hands the power to abolish all forms of human poverty and to abolish all forms of human life. And yet the same revolutionary beliefs for which our forebears fought are still at issue around the globe—the belief that

¹⁹ President John F. Kennedy was the nation’s first Roman Catholic President at the time of his election in 1960. However, JFK repeatedly stated that he would abide by, and uphold, the United States Constitution, and not be controlled by the Pope or the Roman Catholic Church.

the rights of man come not from the generosity of the state but from the hand of God....

Finally, whether you are citizens of America or of the world, ask of us the same high standards of strength and sacrifice that we shall ask you. With a good conscience our only sure reward, with history the final judge of our deeds, let us go forth to lead the land we love, **asking His blessing and His help**, but knowing that **here on earth God's work must truly be our own.**

President Kennedy's eloquence and religious conviction were displayed in his official addresses in such a manner that no doubt about their sincerity and authenticity.

F. President William Jefferson Clinton and Natural Religion

President Clinton was raised Baptist and was a member of the Southern Baptist Convention. He frequently appealed to "natural religion" in his inaugural addresses and in speeches in response to catastrophic events. For instance, in his First Inaugural Address (Jan. 21, 1993), Pres. William J. Clinton said:

And so, my fellow Americans, as we stand at the edge of the twenty-first century, let us begin anew with energy and hope, with faith and discipline.... From this joyful mountaintop of celebration we hear a call to service in the valley. We have heard the trumpets. We have changed the guard. And now, **each in our own way and with God's help**, we must answer the call. Thank you, and **God bless you all.**

And in his address in response to the bombing of a government building in Oklahoma City, Oklahoma, he said:

Let us teach our children that **the God of comfort is also the God of righteousness.** Those who trouble their own house will inherit the wind. Justice will prevail....

When there is talk of violence, let us stand up and talk against it. In the face of death, let us honor life. **As St. Paul admonished us, let us not be overcome by evil, but overcome evil with good....**

So this morning before we got on the plane to come here, at the White

House, we planted a tree in honor of the children of Oklahoma. It was a dogwood with its wonderful spring flower and its deep, enduring roots. It embodies **the lesson of the Psalms**—that the life of a good person is like a tree whose leaf does not wither....

Those who are lost now **belong to God**. Some day we will be with them. But until that happens, their legacy must be our lives.

The Baptists had presented an important sector of the English Separatists during the 17th and 18th centuries, and in the colonial British North America, they led the movement for religious freedom and the doctrine of separation of Church and State. The founding of the colony of Rhode Island was soon followed by the founding of the first Baptist Church in America in Providence, R.I. President Clinton, as a Baptist, represented the most numerous group of mainline Christians in the United States.

G. President George W. Bush and Natural Religion

And, finally, President George W. Bush, who was an avid Evangelical and member of the United Methodist Church, loved to use religious jargon in his speeches. For example, in his response to the terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001, President Bush stated:

At St. Patrick's Cathedral in New York on Tuesday, a woman said, 'I prayed to God to give us a sign that He is still here.' Others have prayed for the same, searching hospital to hospital, carrying pictures of those still missing.

God's signs are not always the ones we look for. We learn in tragedy that his purposes are not always our own. Yet the prayers of private suffering, whether in our homes or in this great cathedral, are known and heard, and understood.

There are prayers that help us last through the day, or endure the night. There are prayers of friends and strangers, that give us strength or the journey. And there are prayers that yield our will to a will greater than our own.

This world He created is of moral design.... And the Lord of life holds all who die, and all who mourn....

America is a nation full of good fortune, with so much to be grateful for. But we are not spared from suffering. In every generation, the world has produced enemies of human freedom. They have attacked America, because we are freedom's home and defender. And the commitment of our fathers is now the calling of our time.

President Bush's presidency was filled with robust speeches that merged the "civil religion" with public policies, such as his faith-based initiatives.

H. President Barak Obama and Natural Religion

President Barak Obama, perhaps more than any other President before him, personified the "latitudinarian Anglican" balance of 18th-century Church of England. President Obama either joined or affiliated with various Protestant churches during his adult lifetime, including Congregational, Episcopalian, Methodist, and Baptist churches. His former church, the Trinity United Church of Christ, which was led by Rev. Jeremiah Wright, is a majority-black church located in Chicago. Trinity is affiliated with the United Church of Christ, which is a majority-white, Calvinist-leaning, Congregational Church denomination. President Obama relied upon the American "civil religion" in order to connect with the electorate, and especially the African American community.

In his eulogy given before the African Methodist Episcopal Church in Charleston, South Carolina in 2015, President Obama highlighted the important role that religion and the church has played in the African American experience.

To the families of the fallen, the nation shares in your grief. Our pain cuts that much deeper because it happened in a church. The church is and always has been the center of African-American life -- (applause) -- a place to call our own in a too often hostile world, a sanctuary from so many hardships.

Over the course of centuries, **black churches served as "hush harbors" where slaves could worship in safety; praise houses where their free descendants could gather and shout hallelujah -- (applause) -- rest stops for the weary along the Underground Railroad; bunkers for the foot soldiers of the Civil Rights Movement.** They have been, and continue to be, **community centers where we organize for jobs and justice;** places of scholarship and network; places where children are loved and fed and kept out of harm's way, and told that they are beautiful and smart -- (applause) -- and taught that they matter. (Applause.) That's what happens in church.

That's what the black church means. Our beating heart. The place where our dignity as a people is inviolate. When there's no better example of this tradition than Mother Emanuel -- (applause) -- a church built by blacks seeking liberty, burned to the ground because its founder sought to end slavery, only to rise up again, a Phoenix from these ashes. (Applause.)

When there were laws banning all-black church gatherings, services happened here anyway, in defiance of unjust laws. When there was a righteous movement to dismantle Jim Crow, Dr. Martin Luther King, Jr. preached from its pulpit, and marches began from its steps. **A sacred place, this church. Not just for blacks, not just for Christians, but for every American who cares about the steady expansion -- (applause) -- of human rights and human dignity in this country; a foundation stone for liberty and justice for all.** That's what the church meant. (Applause.)

Through the example of their lives, they've now passed it on to us. May we find ourselves worthy of that precious and extraordinary gift, as long as our lives endure. May grace now lead them home.

Here, President Obama articulates an African American view of the Christian faith. President Obama was a friend of religious freedom and, given his support for same-sex marriage, he was certainly a friend of the more "liberal" positions within American Christianity, which perhaps explains his later affiliations with the Episcopal Church (i.e., the liberal diocese of the Anglican Church that is located in the United States). Furthermore, what is quite interesting is his "latitudinarian Anglican" perspective of the "sacred place" of the Emmanuel A.M.E. Church and of its struggle for "liberty and justice for all," which, says President Obama, is "[n]ot just for blacks, not just for Christians."²⁴

I. President Donald Trump and Natural Religion

President Donald Trump was raised Presbyterian and Reformed. However while in the White House, he identified himself as a non-denominational Christian.²⁵ This would place him squarely into the same

²⁴ President Obama's description of the sacred historic mission of the black church (in this case, the Emanuel A.M.E. Church) suggest that the Black church has not only promoted the Great Commission of Christ (Matthew 28:23) but that it has also promoted human rights and human dignity for everyone—a conceptualization of Christianity that is deeply-rooted in natural law, natural religion and natural justice (i.e., "latitudinarian Anglicanism.")

²⁵ "Trump went to Sunday school and was confirmed in 1959 at the First Presbyterian Church in Jamaica, Queens. In the 1970s, his parents joined the Marble Collegiate Church in Manhattan, which belongs to the Reformed Church. The pastor at Marble, Norman Vincent Peale, ministered to the family until his death in 1993. Trump has described him as a

theological position of the English “Independents” within historical Anglicanism. As we have documented throughout this series, the English Independents included the Separatists, Baptists, Quakers, Arminians, as well as many Presbyterians and Calvinists. These Independents, to be sure, were critical of the Church of England’s strict application and imposition of Anglican liturgical practices upon their churches. They fought for tolerance and religious liberty, and they detested the 17th and 18th- century “Test Acts” and other forms of religious persecution. This led to the “latitudinarian Anglicanism” throughout the British Empire—including colonial British North America. In colonial British North America, as reflected in the *Declaration of Independence* (1776), the God of nature, natural law, and reason (i.e., natural religion) became the foundation of both civil religion and religious freedom. Most of the colonial charters established Christianity and funded state churches, but tolerance of various Christian sects were generally tolerated. There were a few notable exceptions, such as in Virginia where the Anglicans were still oppressing the Baptist as late as the 1770s. But eventually the American Revolution of 1776 firmly established the idea of religious liberty through the new United States of America.

The Trump Presidency symbolized the American Revolution’s push for religious liberty and freedom of conscience. That religious tolerance has been deeply-rooted in the Protestant Reformation, which established the right of the common man (i.e., the laity) to read the *Holy Bible* and to judge it for himself. Now this very act of the “right” to read and to judge implied the right of the common man to apply his own *moral reasoning* to the Sacred Scriptures—and thus the right to his own conscience. Hence, it was actually this “right of conscience”—or the right to distinguish science, truth, fact, and veracity from falsity, superstition, lies, and fiction—which was the great gift of the Protestant reformers to western civilization. Matthew Tindal argued in *Christianity as Old as the Creation* that this “right of conscience” is the first step toward acknowledging the supremacy of natural religion over the authority of the Sacred Scriptures. No longer could a religious institution, such as the Roman Catholic Church or the Church of England impose its own “orthodox” truths upon others. Religious freedom thus became the defining moment of the Protestant Reformation, and in England this was worked out, constitutionally, within the framework of latitudinarian Anglicanism. President Trump’s presidency sought to preserve this sacred part of American’s political heritage.

President Trump’s proclamation on religious freedom, given on January 15, 2021, perfectly reflected this religious heritage:

mentor. In 2015, the church stated Trump "is not an active member". In 2019, he appointed his personal pastor, televangelist Paula White, to the White House Office of Public Liaison. In 2020, he said he identified as a non-denominational Christian.” https://en.wikipedia.org/wiki/Donald_Trump#Religion

Faith inspires hope. **Deeply embedded in the heart and soul of our Nation, this transcendent truth has compelled men and women of uncompromising conscience to give glory to God by worshiping both openly and privately, lifting up themselves and others in prayer.**

On Religious Freedom Day, we pledge to always protect and cherish this **fundamental human right.**

When the **Pilgrims first crossed the Atlantic Ocean more than 400 years ago in pursuit of religious freedom,**²⁶ their dedication to this first freedom shaped the character and purpose of our Nation. Later, **with the signing of the Declaration of Independence, the Constitution, and the Bill of Rights, their deep desire to practice their religion unfettered from government intrusion was realized.** Since then, the United States has set an example for the world in permitting believers to live out their faith in freedom.

Over the past 4 years, my Administration has worked tirelessly to honor the vision of our Founders and defend our proud history of religious liberty. From day one, we have taken action to restore the foundational link between faith and freedom and promote a culture of religious liberty. My Administration has protected the rights of individual religious believers, communities of faith, and faith-based organizations. We have defended religious liberty domestically and around the world. For example, **I signed an Executive Order Promoting Free Speech and Religious Liberty to ensure that faith-based organizations would not be forced to compromise their religious beliefs as they serve their communities.** This includes defending the rights of religious orders to care for the infirm and elderly without being fined out of existence for refusing to facilitate access to services that violate their faith.

We have also protected healthcare providers' rights not to be forced to perform procedures that violate their most deeply-held convictions.

Additionally, **we have ended the misguided policies of denying access to educational funding to historically black colleges and universities because of their religious character and of denying loan forgiveness to those who perform public services at religious organizations.**

Throughout this difficult year, we have continued these efforts, cutting red tape to ensure houses of worship and other faith-based organizations could receive Paycheck Protection Program loans on the same grounds and with the same parameters as any other entity.

²⁶ This is not wholly accurate: the Puritans wished to establish Christ's "city on a hill," or a Church-polity based upon the Law of Moses and the *Holy Bible* (i.e., Calvinism). They Puritans of Massachusetts Bay Colony and Connecticut, for example, did not allow for religious liberty. For these reasons, both Rev. Roger Williams and Ann Hutchinson were banned from the Massachusetts Bay Colony, because they were non-conformists. The lasting idea which these Puritans contributed to American constitutional law, however, was that God (i.e., the "natural moral law") is the true Sovereign in America—not the King of England. See, e.g., Algernon Sidney Crapsey, *Religion and Politics* (1905), supra.

We have also aggressively **defended faith communities against overreach by State and local governments that have tried to shut down communal worship**. Together, we have honored **the sanctity of every life, protected the rights of Americans to follow their conscience, and preserved the historical tradition of religious freedom in our country**.

While Americans enjoy the blessings of religious liberty, we must never forget others around the world who are denied this unalienable right. Sadly, millions of people across the globe are persecuted and discriminated against for their faith. My Administration has held foreign governments accountable for trampling — in many cases, egregiously so — on religious liberty. In 2019, to shed light on this important issue, I welcomed survivors of religious persecution from 16 countries in the Oval Office, including Christians, Jews, and Muslims, and made history by standing before the United Nations General Assembly and calling on all nations of the world to stop persecuting people of faith.

The United States will never waver in these efforts to expand religious liberty around the world and calls on all nations **to respect the rights of its citizens to live according to their beliefs and conscience**.

On Religious Freedom Day, we honor the vision of our Founding Fathers for a Nation made strong and righteous by a people free to exercise their faith and follow their conscience. As Americans united in unparalleled freedom, we recommit to safeguarding and preserving religious freedom across our land and around the world.

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim January 16, 2021, as Religious Freedom Day.

I call on all Americans to commemorate this day with events and activities that remind us of our shared heritage of religious liberty and that teach us how to secure this blessing both at home and around the world.²⁷

Here President Trump expressly acknowledged the status of natural religion under the United States Constitution. That natural religion fundamentally acknowledges a God of nature²⁸; the fundamental difference between Good and Evil²⁹; the fundamental obligation to follow the “Golden Rule”³⁰; and the

²⁷ [Proclamation on Religious Freedom Day, 2021 – The White House \(archives.gov\)](#)

²⁸ See, e.g., the American *Declaration of Independence* (1776).

²⁹ This natural religion is usually described in the same latitudinal-Anglican manner in which Bishop William Warburton described it in his *Alliance of Church and State* (1736), which set forth the “Three Articles of Natural Religion,” to wit:

3. First, the being of God;
4. Second, the Providence of God over human affairs; and,
5. Third, the “natural essential difference between moral good and evil.”

³⁰ *Ibid.*

fundamental right of individuals to determine their own form of religious worship.³¹ Indeed, by the late 18th century, for many Englishmen and Americans, **this system of natural religion (i.e., Christian deism, or Christianity as a republication of natural religion)**³² **was the crowning achievement of the Protestant Reformation**—this was the new Christian polity of religious tolerance and of the right of conscience, **but always subservient and subordinate to the “fundamental moral law” (i.e., the “Golden Rule”; the doctrine of “Due Process of Law”; or the “law of Christ”).** Indeed, **for under the United States Constitution, the “fundamental moral law” is the true Sovereign (i.e., “God” or “Nature’s God”).** For this reason, the legacy of the establishment of “religious liberty” and “right of conscience,” however, is that its orthodox Christian foundations have become obscured—leading many to wrongfully conclude that the First Amendment, U.S. Constitution prohibits all religion from having any role or influence whatsoever in govern. But in reality, however, the **“fundamental moral law”** (i.e., “God”; “Nature’s God”; “Due Process of Law”; the “Golden Rule”) is the true Sovereign under the United States Constitution—this is the natural religion promulgated under the American *Declaration of Independence* (1776). This natural religion is also deeply-rooted in the “orthodox” Christian theologies of Martin Luther (1483 – 1546) and John Calvin (1509 – 1564), and of the dissenting English Independents, such as the Puritan-Baptist minister Roger Williams (1603 – 1683). This natural religion reflects the Jewish latitudinarian ideals of religious liberty³³ that were found in Christ’s *Parable of the Good Samaritan*³⁴, *Parable of the Sheep and the Goats*³⁵, and *Parable of the Wheat and the Tares*.³⁶

CONCLUSION

Lord Bolingbroke’s “The Patriot King” was an early 18th-century conceptualization of the British monarchy as a vicegerent of God.³⁷ It had a lasting impression upon America’s founding fathers. Indeed, the manner in which the U.S. Presidents have discharged their constitutional duties under Article II of the United States Constitution suggests that this office is also a vicegerent of God. Both the Patriot King and the American President represent the same constitutional idea of a righteous ruler and of the chief executive as a moral agent. And the same conclusion

³¹ First Amendment, U.S. Constitution.

³² See, e.g., Matthew Tindal, *Christianity as Old as the Creation* (1730); William Warburton, *Alliance of Church and State* (1736); and Joseph Butler, *The Analogy of Religion* (1736).

³³ The very crucifixion of Jesus by the religious bigots of his day was the strongest theological argument of all, within Christendom, in favor of religious liberty.

³⁴ Luke 10: 25-37.

³⁵ Matthew 25: 31-46.

³⁶ Matthew 13: 24-30.

³⁷ Henry St. John (Viscount Bolingbroke), *The Idea of a Patriot King* (New York, N.Y.: The Bobbs-Merrill Company, Inc., 1965).

might be reached where the Oaths of Office contains that phrase “So Help Me God.”³⁸ What this says about the nature of American constitutional law and jurisprudence is that the orthodox Christian faith (e.g., the classical theology of St. Augustine of Hippo; St. Thomas Aquinas’s basic juridical structure—Eternal Law ---→ Divine Law ---→ Natural Law --→ Human Law; and the theologies of Luther and Calvin) is still very much the foundation of American constitutional law and jurisprudence,³⁹ in which the “law of Christ,”⁴⁰ at least politically, if not juristically,⁴¹ reigns supreme.⁴² The latitudinarian Protestant-Anglican approach to 18th-century law and jurisprudence was to translate this “law of Christ”⁴³ into natural religion, which defined the “civil religion”⁴⁴ of the new United States of America.

THE END

³⁸ For instance, The Florida Bar’s “**Oath of Admission to the Florida Bar**,” concludes with the words: "I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay anyone's cause for lucre or malice. **So help me God.**"

³⁹ Throughout the history of English jurisprudence, the Christian faith was made manifest through the canon law of the Church, and had a massive influence upon England’s equity, chancery, and ecclesiastical jurisprudence, as well as provided definition of the meaning of “fundamental law.” See, e.g., Roderick O. Ford, *Jesus Master of Law: A Juridical Science of Christianity and the Law of Equity* (Tampa, FL.: Xlibris, 2015).

⁴⁰ The fundamental “Law of Christ,” to wit, is to “love ye one another” (John 15:12); to do justice and judgment (Genesis 18:18-19; Proverbs 21: 1-3); to judge not according to appearance but to judge righteous judgments (John 7:24); and to do justice, judgment, and equity (Proverbs 1:2-3).

⁴¹ I mean here to say, that the American law of equity and its constitutional ideals of procedural and substantive due process of law represent its “fundamental law,” which Christian ecclesiastics call the “law of Christ.”

⁴² For, as President George Washington himself stated, a sense of religious obligation accompany the oath of office: “*So Help Me God.*”

⁴³ *Ibid.*

⁴⁴ See, e.g., *Holy Trinity v. United States*, 143 U.S. 457 (1892).