"THE ANGLICAN-SCOTTISH CONSTITUTIONAL SETTLEMENT"

An Apology in favor of

CHRISTIANITY

Being a Republication of Natural Law and Natural Religion

And the Foundation of the

DECLARATION OF INDEPENDENCE (1776)

and the

UNITED STATES CONSTITUTION (1787)

Volume Five

of

PURITANISM AND THE PRESBYTERIAN ENLIGHTENMENT:
Or The Religion of Nature as the Foundation of the U. S. Constitution ©

By

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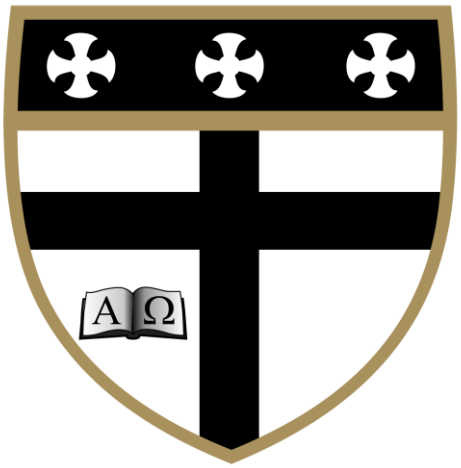

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The Forethought

The American Declaration of Independence (1776) and the United States Constitution (1787) were the culmination of a series of historical, religious, political, and economic events which led to the Act of Union (1707) between the Kingdoms of England (including the Church of England) and the Kingdom of Scotland (including the Presbyterian Church of Scotland). A unified Parliament would continue meet in London at Westminster Palace. Thenceforth, the Parliamentarians would no longer be exclusively Anglicans but, rather, a substantial number of the MPs would also be Presbyterians. The new Kingdom of Great Britain, which was created by this Act of Union 1707, then, was a coalition government primarily between Englishmen (Anglicans) and Scotsmen (Presbyterians). In colonial British North America, these same Anglicans and the Presbyterians comprised the two most predominant religious sects. They were overwhelmingly represented among the lawyers, legislative representatives, and judges in the American colonies. They were the founders of nearly all of the colleges and universities during this period, including Harvard, Yale, Princeton, Columbia, and the College of William and Mary. The graduates of these schools were almost all amongst the leaders of the American patriots. For it was these men who hammered out the theological and political blueprint for the new federal government of the United States of America— a political blueprint that contains all of the genetic markers of Augustine of Hippo's *The City of God* as well as John Calvin's *Institute of the Christian Religion*. Hence, both the Declaration of Independence (1776) and the United States Constitution (1787) are memorials of this Augustinian-Calvinist theological and political blueprint which this postdoctoral study has dubbed the "Anglican-Scottish" constitutional settlement.

Significantly, the "Calvinist" nature of the predominant 18th-century American political theology was not the same "orthodox Calvinism" of Calvin's 16th-century Geneva or 17th-century Puritan New England. The first Pilgrims or Puritans in colonial New England has tried to limit citizenship and political privileges to regenerated "elect" Christians, and within a generation this system began to collapse, and to be replaced by differing versions of Christian theology— including Arminianism, Unitarianism, Deism and competing views from the Baptists, the Quakers, the latitudinarian Anglicans, and other sects. And as the orthodox Calvinism of Puritan colonial New England gave way to "neo-orthodox Calvinism" of the Scottish Presbyterians, the orthodox Calvinism of colonial British North America became much more "Augustinian." Wherefore, the "Christian" nature of the civil polity that became the United States of America is an "Augustinian" form of neo-orthodox Calvinism. The 18th-century New England Congregationalists and the Scottish and Scottish-Irish Presbyterians embraced a form of neo-orthodox Calvinism that was a restatement of Augustine's political philosophy and theology that is in *The City of God*— here, we must read Psalm 19:1-4 and Romans 10: 18 together.

In assigning so much credit to Augustine of Hippo, the reader is hereby directed to Professor Mark Vessey's "Inspired by Augustine and the *Confessions*," which is his epilogue to *Confessions* (New York: Barnes & Nobles Classics, 2007), stating that the Renaissance began, and never ended, the day Petrarch opened and ready a copy of Augustine's *Confessions*. Here, through a complex and collaborative Anglican-Scottish constitutional settlement, which transpired over the course of several decades and culminated in the Act of Union 1707 (Great Britain) and, later, in American Declaration of Independence (1776) and the United States Constitution (1787), neo-orthodox Calvinism, which was inspired by Augustinian theology, political theory, and philosophy, laid the constitutional foundations of the new United States of America.

RODERICK ANDREW LEE FORD

April 24, 2023

Chapter One

"Introduction to the Anglican-Scottish Constitutional Settlement"

The Puritan and Presbyterian Enlightenment, for which this postdoctoral study has been titled, was made manifest in the form of a sort of "Anglican-Scottish Constitutional Settlement,"[1] which, as a historical, theological, and constitutional concept, is the unique extrapolation and nomenclature of the undersigned author. At this point in our analysis, we must understand that, in the shaping of the American Declaration of Independence (1776) and the new United States Constitution (1787), there were several Christian denominational sects— and not just Puritans and Presbyterians who adhered to the Westminster Confession of Faith of 1647— that provided input. (Significantly, during the late 19th- and early 20th centuries, European Jews immigrated to the United States and tacitly reinforced the same convergence of latitudinarian and neo-orthodox Christianity with their reformed Jewish theology to create a general consensus of a Judea-Christian American constitutional heritage).[2] Therefore, Volume five of this postdoctoral study thus looks at several church-and-state theological perspectives of various Protestant sects— the Quakers, the Baptists, the Anglicans, the New England Congregationalists, and the Presbyterians— during the colonial period leading up to the period of the American Revolution. Although the American constitutional system has often been described as "secular,"

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1 The "Anglican-Scottish" Settlement is exemplified by the Church of England's Bishop Joseph Butler's significant influence on the Church of Scotland's Rev. John Witherspoon (Scottish Presbyterian).

For instance, Dr. Witherspoon published the following work, *The Works of Joseph Butler*. See, e.g., https://www.goodreads.com/en/book/show/724374.The_Works_of_Joseph_Butler. See, also, Wolfe, Stephen Michael Wolfe, "John Witherspoon and Reformed Orthodoxy: Reason, Revelation, and the American Founding" (2016). LSU Master's Theses. 1807, https://digitalcommons.lsu.edu/gradschool_theses/1807 ("Jack Scott, "Introduction," in [John Witherspoon's] *Lectures on Moral Philosophy* (Lectures), 27-28. He notes, however, that 'Witherspoon's ethical philosophy owes more to [Joseph] Butler [1692-1752] than to any other thinker,' 37-38.).")

2 Jerold S. Auerbach, *Rabbis and Lawyers: The Journey from Torah to Constitution* (New Orleans, LA: Quid Pro Books, 2010), pp. 55- 102.

Volume five demonstrates that the American Declaration of Independence (1776) and the United States Constitution (1787) never rejected the original British idea that the church and the state are in fact "two sides of the same coin";[3] function together by making the United States government a divine "Church-State";[4] and a type of "catholic" Christianity that is fundamentally "Augustinian" in nature.[5]

While the Protestant Reformers of the 16th- and 17th-centuries, and the American Founding Fathers and the French political philosophers of the 18th century seemingly engaged in new and innovative discourse regarding the Greco-Roman classics, Christian ideals of the Golden Rule, natural law, the supremacy of reason, and the freedom and dignity of mankind, it is clear that Augustine of Hippo (354 - 430 AD) had already painstakingly charted that same course in his magnum opus, *The City of God,* which sets forth all of the political principles, including the divine Providence of God, the laws of Nature, the limited authority of earthly rulers, government by the consent or weal of the people, and the central governmental objective to establish true justice, which became inscribed in the American Declaration of Independence (1776) and the United States Constitution (1787).

Professor Alvarado has described the monumental significance of Augustine of Hippo's *The City of God* as follows:

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3 Jeremy Gregory, Editor, *The Oxford History of Anglicanism: Establishment and Empire, 1662 – 1829*, Vol. II (Oxford, U.K.: Oxford University Press, 2017), p. 69.

4 See, e.g., Algernon Sidney Crapsey, "The American Church-State," *Religion and Politics* (New York, N.Y.: Thomas Whittaker, 1905), pp. 297- 326 ("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 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.... A religion having as its basis the principles of individual liberty and obedience to righteous law is really the religion of the golden rule.") See, also, Ibid., pp. 248-249 ("To speak of the separation of church and state is to speak of the separation of soul and body.... The present separation of the religious from the civil and political life of the nation is cause for grave apprehension for the future of the American people.")

5 See, e.g., **Exhibit G**, President Abraham Lincoln's 1863 Executive Orders, to wit: "Proclamation on National Humiliation, Fasting, and Prayer" (March 30, 1863) and "Thanksgiving Proclamation" (October 3, 1863). These two executive orders clearly and lucidly describes the "General Christian" which is the cornerstone of both the American Declaration of Independence (1776) and the United States Constitution (1787).

> In dating the origins of Western civilization, and consequently of its constitution, the publication of Augustine's De Civitate Dei [*Of the City of God*] serves as well as any for a reference point. This book was perhaps the most important ever written in the West; for a thousand years after its publication it exercised an influence unrivalled by any other, besides the Bible itself. For good reason, one writer calls it 'The Charter of Christendom.'[6]

And, in similar terms, Professor Russell gives the same assessment to *The City of God*, stating:

> *The City of God*, written gradually between 412 and 427, was Saint Augustine's answer.... It was an immensely influential book throughout the Middle Ages, especially in the struggles of the Church with secular princes. Like some other very great books, it composes itself,in the memory of those who have read it, into something better than at first appears on rereading. It contains a great deal that hardly anyone at the present day can accept, and its central thesis is somewhat obscured by excrescences belonging to his age. But the broad conception of a contrast between the City of this world and the City of God has remained an inspiration to many, and even now can be restated in non-theological terms....[7]
>
> Saint Augustine fixed the theology of the Church until the Reformation, and, later, a great part of the doctrines of Luther and Calvin.[8]

As Augustine's catholic theology, which is presented in *The City of God*, was never expressly rejected as heretical by the Calvinists or any of the Protestant Reformers, this postdoctoral study

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6 Ruben Alvarado, *Calvin and the Whigs: A Study in Historical Political Theology* (The Netherlands: Pantocrator Press, 2017), pp. 7-8.

7 Bertrand Russell, *A History of Western Philosophy*, (New York, N.Y.: Touchstone Pub., 1972), p. 355.

8 Ibid., p. 335. See, also, Kenneth Talbot and Gary Crampton, *Calvinism, Hyper-Calvinism, and Arminianism* (Lakeland, FL.: Whitefield Media Publishing, 1990), p. 114 ("Calvinists avow that the chief theologian of the first century church was the apostle Paul. We believe that this book has fully documented the fact that apostolic doctrine was that of Reformed theology. The second and third century church did not produce a systematic theology treatise, per se, but the writings of the Patristic period reveal strong leanings toward Calvinism. The doctrines of these early years were further developed during the time of Saint Augustine (A.D. 354- 430), one of the greatest theological and philosophical minds that God has ever so seen fit to give to His church. Augustine was so strongly Calvinistic, that John Calvin referred to himself as an Augustinian theologian. Augustine's theology was dominant in the church for a millennium.") See, also, "Augustinian Calvinism," Wikipedia Encyclopedia (Online), stating:

> Augustinian Calvinism is a term used to emphasize the origin of John Calvin's theology within Augustine of Hippo's theology over a thousand years earlier. By his own admission, John Calvin's theology was deeply influenced by Augustine of Hippo, the fourth-century church father. Twentieth-century Reformed theologian B. B. Warfield said, "The system of doctrine taught by Calvin is just the Augustinianism common to the whole body of the Reformers." Paul Helm, a well-known Reformed theologian, used the term Augustinian Calvinism for his view in the book "The Augustinian-Calvinist View" in Divine Foreknowledge: Four Views. John Calvin wrote, "Augustine is so wholly within me, that if I wished to write a confession of my faith, I could do so with all fullness and satisfaction to myself out of his writings." "This is why one finds that every four pages written in the Institutes of the Christian Religion John Calvin quoted Augustine. Calvin, for this reason, would deem himself not a Calvinist, but an Augustinian.

concludes that through building upon the foundations of Calvinism, the American Founding Fathers— including the Jeffersonians— were, perhaps unwittingly in some cases, building upon Augustinian principles. For this reason, this postdoctoral study has sought to demonstrate why and how the neo-orthodox Calvinism and the latitudinarian Anglicanism of the 18th century did not result in the weakening of "catholic" orthodoxy but rather they simply replaced one form of "catholic" orthodoxy with another form of "catholic" orthodoxy.[9] Stated differently, the orthodoxy of the old regime (i.e., the Papacy, Medieval feudalism, and the established Church of England) were replaced with a brand of "new" orthodoxy that was set forth in Augustine of Hippo's *The City of God* and other theological writings. Hence, this "new" orthodoxy was not really new, but rather it was actually, as Jefferson and other latitudinarian Anglicans claimed, the "original" orthodoxy— i.e., the "true religion."[10]

The American Declaration of Independence (1776) and the U. S. Constitution (1787) reflect the Augustinian "Greco-Roman" republic that is contained within *The City of God*.[11] These constitutional documents reflect Augustine of Hippo's conception of political justice and of the true republic being established to promote the public good and the weal of the people, as reflected in the following chart:

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[9] "Orthodoxy" pertains to the establishment of churches and state regulation and funding of established churches. "Orthodoxy" is represented in the established churches of Europe, such as the Church of England, and in the established Calvinistic churches in colonial New England, and even in orthodox Judaism. Regarding Judiasm, see, e.g., Jerold S. Aurebach, *Rabbis and Lawyers: From Torah to Constitution*, supra, pp. 79-80 ("At the end of the eighteenth century that definition of Judaism, and the way of life that expressed and reinfoced it, was irreparaby shattered. The Enlightenment, with its sanctification of reason, undermined faith in religious authority. Separating religion from politics, it emphasized liberty, equality, and the rights of free citizens, simultaneously relegating religion to the realm of private conscience. The assertion of state power, and the obligation to obey it, undermined competing claims of religious authority. The benefits of citizenshp demanded identification with the state and loyalty to its institutions. The Enlightenment instigated nothing less than 'a radical rupture not only with traditional habits and beliefs but with the fundamental vision according to which Jews had long understood the world.') "Neo-Orthodoxy" refers to the separation of church functions from the state functions, while acknowledging that both the church and the state remain subordinated to God (i.e., Higher Law, the laws of nature, the laws of reason, general equity, etc.)

[10] See, also, **Appendix D**, "Of Thomas Jefferson and the Jeffersonians."

[11] See, e.g., **Exhibit G**, President Abraham Lincoln's 1863 Executive Orders, to wit: "Proclamation on National Humiliation, Fasting, and Prayer" (March 30, 1863) and "Thanksgiving Proclamation" (October 3, 1863). These two executive orders clearly and lucidly describes the "General Christian" which is the cornerstone of both the American Declaration of Independence (1776) and the United States Constitution (1787).

The Augustinian Nature of American Constitutional Law

St. Augustine's *The City of God* (427 A.D.)	**American Constitutional Law**
Nature[12] God[13] Natural Law (divine Providence)[14]	***Declaration of Independence* (1776)** _____ "The unanimous Declaration of the thirteen united States of America....

[12] St Augustine defines "nature" as "essential." He writes: "Consequently, to that nature which supremely is, and which created all else that exists, no nature is contrary save that which does not exist. For nonentity is the contrary of that which is. And thus there is no being contrary to God, that Supreme Being, and Author of all beings whatsoever.... It is not nature, therefore, but vice, which is contrary to God." *The City of God* (New York, N.Y.: The Modern Library, 1950), p. 382. Similarly, in another section of *The City of God*, St. Augustine describes "God Himself," as "the fountain of all justice." Ibid, p. 27.

[13] St. Augustine defines the idea of the "God of Nature" as follows: "In Scripture they are called God's enemies who oppose His rule, not by nature, but by vice; having no power to hurt Him, but only themselves. For they are His enemies, not through their power to hurt, but by their will to oppose Him. For God is unchangeable, and wholly proof against injury. Therefore the vice which makes those who are called His enemies resist Him, is an evil not to God, but to themselves. And to them it is an evil, solely because it corrupts the good of their nature." *The City of God* (New York, N.Y.: The Modern Library, 1950), p. 382. And, in another section of *The City of God*, St. Augustine writes: "The spirit of life, therefore, which quickens all things, and is the creator of every body, and of every created spirit, is God Himself, the uncreated spirit. In His supreme will resides the power which acts on the wills of all created spirits, helping the good, judging the evil, controlling all, granting power to some, not granting it to others. For, as He is the creator of all natures, so also is He the betower of all powers, not of all wills; for wiecked wills are not from Him, being contrary to nature, which is from Him.... The cause of things, therefore, which makes but is not made, is God; but all other causes both make and are made." *The City of God* (New York, N.Y.: The Modern Library, 1950), p. 155. And, finally, St. Augustine makes no bones about the fact that the "gods" of the pagans are non-existent; that the "God" of the pagans and other non-Christians is none other than the God of Israel. For on this point, St Augustine writes: "Who is this God, or what proof is there that He alone is worthy to receive sacrifice from the Romans? One must be very blind to be still asking who this god is. He is the God whose prophets predicted the things we see accomplished. He is the God from whom Abraham received the assurance, 'In they seed shall all nations of be blessed.' That this was fulfilled in Christ, who, according to the flesh sprang from that seed, is recognized, whether they will or no, even by those who have continued to be the enemies of this name.... He is the God whom Porphyry, the most learned of the philosophers, though the bitterest enemy of the Christians, confesses to be a great God, even according to the oracles of those whom he esteems gods." *The City of God* (New York, N.Y.: The Modern Library, 1950), p. 701.

[14] St. Augustine does not use the words "natural law" but nevertheless defines the substance of natural law as follows: "All natures, then, inasmuch as they are, and have therefore a rank and species of their own, and a kind of internal harmony, are certainly good. And when they are in the places assigned to them by the order of their nature, they preserve such being as they have received. And those things which have not received everlasting being, are altered for better or for worse, ***so as to suit the wants and motions of those things to which the Creator's law has made them subservient***; and thus they tend in the divine providence to that end which is embraced in the general scheme of the government of the universe."*The City of God*(New York, N.Y.: The Modern Library, 1950), p. 384. And, again, in another place, St. Augustine described**"nature"**as **"peace";**and**"natural law"** as the **"law of peace."** According this view, "inequality" is inherent in nature, even though all beings are equal in worth, importance, and dignity. Inequality is necessary to balance out the forces of nature and to establish the peace, tranquility (e.g., health and prosperity), and concord within every aspect of creation, including human political organizations, families, and nations. "The peace of all things is the tranquility of order," wrote St. Augustine in *The City of God*(New York, N.Y.: The Library of America, 1950), pp. 690-693. "**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

Justice taken away… Robbery[15] Liberty (Man's Nature)[16] Happiness[17]	"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

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. He ought to make this endeavor in behalf of his wife, his children, his household, all within his reach, even as he would wish his neighbor to do the same for him if he needed it; and consequently he will be at peace, or in well-ordered concord, with all men, as far as in him lies. And this is the order of this concord that a man, in the first place, injure no one, and, in the second, do good to every one he can reach.** Primarily, therefore, his own household are his care, for **the law of nature** and**of society**gives him readier access to them and greater opportunity of serving them. And hence the apostle says, 'Now, if any provide not for his own, and specially for those of his own house, he hath denied the faith, and is worse than an infidel.' **This is the origin of domestic peace, or the well-ordered concord of those in the family who rule and those who obey. For they who care for the rest rule—husband the wife, the parents the children, the masters the servants; and they who are cared for obey—the women their husbands, the children their parents, the servants their masters. But in the family of the just man who lies by faith and is as yet a pilgrim journeying on to the celestial city, even those who rule serve those whom they seem to command; for they rule not from a love of power, but from a sense of the duty they owe to others—not because they are proud of authority, but because they love mercy."**

15 "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. If, by the admittance of abandoned men, this evil increases to such a degree that it holds places, fixes abodes, takes possession of cities, and subdues peoples, it assumes the more plainly the name of a kingdom, because the reality is now manifestly conferred on it, not by the removal of covetousness, but by the addition of impunity. Indeed, that was an apt and true reply which was given to Alexander the Great by a private who had been seized. For when that king had asked the man what he meant by keeping hostile possession of the sea, he answered with bold pride, 'What thou meanest by seizing the whole earth; but because I do it with a petty ship, I am called a robber, whilst thou who dost it with a great fleet are styled emperor." St. Augustine, *The City of God*(New York, N.Y.: The Library of America, 1950), pp. 112-113.

16 "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.

17 "For to what but to felicity should men consecrate themselves, were felicity a goddess? However, as it is not a goddess, but a gift of God, to what God but the giver of happiness ought we to consecrate ourselves, who piously love eternal life, in which ther is true and full felicity? But I think, from what has been said, no one ought to doubt that none of these gods is the giver of happiness, who are worshipped with such shame, and who, if they are not so worshipped, are more shamefully enraged, and thus confess that they are most foul spiriets. Moreover, how can he give eternal life who cannot give happiness? For we mean by eternal lie that life where there is endless happiness.... So, then, He only who gives true happiness gives eternal life, that is, an endlessly happy life." St. Augustine in *The*

Definition of Republic/ Empire[18] Tranquility; Order[19]	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

City of God(New York, N.Y.: The Library of America, 1950), pp. 693-694. Furthermore, St. Augustine goes so far as to say unequivocably that the worship of any gods, or the pursuit from any other source, other than in the name of Christ, cannot merit true happiness: "And since those gods whom this civil theology worships have been proved to be unable to give this happiness, they ought not to be worshipped on account of those temporal and terrestrial things, as we showed in the give former books…." Ibid., pp. 204-205. Finally, St. Augustine declares that "happiness" as the final, eternal end of all true Christians: "Of the happiness of the eternal peace, which constitutes the end or true perfection of the saints…. And thus we may say of peace, as we have said of eternal life, that it is the end of our good; and the rather because the Psalmist says of the city of God, the subject of this laborious work, 'Praise the Lord, O Jerusalem; praise thy God, O Zion: for He hath strengthened the bars of they gates; He hath blessed thy children within thee; who hath made thy borders peace.' For when the bars of her gates shall be strengethened, none shall go in or come out from her; consequently we ought to understand the peace of her borders as that final peace we are wishing to declare." Ibid., p. 696.

[18] In *The City of God*, p. 706, St. Augustine summarized is whole philosophy of "catholic" political science, as follows: "But if we discard this definition of a people, and, assuming another, say that a people is an assemblage of reasonable beings bound together by a common agreement as to the objects of their love, then, in order to discover the character of any people, we have only to observe what they love…. According to this definition of ours, the Roman people is a people, and its weal is without doubt a commonwealth or republic. But what its tastes were in its early and subsequent days, and how it declined into sanguinary seditions and then to social and civil wars, and so burst asunder or rotted of the bond of concord in which the health of a people consists, history shows, and in the preceding books I have related at large. And yet I would not on this account say either that it was not a people, or that its administration was not a republic, so long as there remains an assemblage of reasonable beings bound together by a common agreement as to the objects of love. But what I say of this people and of this republic I must be understood to think and say of the Athenians or any Greek state, of the Egyptians, of the early Assyrian Babylon, and of every other nation, great or small, which had a public government. For, in general, the city of the ungodly, which did not obey the command of God that it should offer no sacrifice save to Him alone, and which, therefore, could not give the soul its proper command over the body, nor to the reason its just authority over the vices, is void of true justice." And in another part of The City of God, St. Augustine writes:

> "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.

[19] "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. 690-693.

	Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.…" "… the Supreme Governor of the World …." "… divine Providence…."
Justice[20] Tranquility[21] Liberty[22] Common Weal of People/ General Welfare[23]	***U.S. Constitution* (1787)** _ ***Preamble to the U.S. Constitution:*** "WE THE PEOPLE of the United States, in order to form a more perfect union, establish justice, insure

[20] "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.

[21] "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. 690-693.

[22] "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.

[23] "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

Common Defense ("Just War")[24]	domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America." • A More Perfect Union • Establish justice • Domestic tranquility • General Welfare • Blessing of Liberty • Common Defense

Thus, volume five is largely the story of how Anglicans and the Scottish Presbyterians, but with significant contributions from the Congregationalists, the Quakers, and the Baptists, created the Augustinian constitutional documents which we today know as the Declaration of Independence (1776) and the United States Constitution (1787). As previously mentioned, the United States Constitution traces its roots to the merger of the Kingdom of England (Church of England [Anglican]) with the Kingdom of Scotland (Church of Scotland [Presbyterian]) in the year 1707,[25] when the new Kingdom of Great Britain was formed.[26] But this 1707 merger, as it

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.

[24] 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.'" Ibid, p. 27.

[25] See, also, the "Protestant Religion and Presbyterian Act of 1707," *Wikipedia* (online encyclopedia)("The Protestant Religion and Presbyterian Church Act 1707 (c 6) is an Act of the pre-Union Parliament of Scotland which was passed to ensure that the status of the Church of Scotland would not be affected by the Union with England. Its long title is 'An Act for Securing the Protestant Religion and Presbyterian Church Government.'")

[26] This merger between England and Scotland was orchestrated largely by English and Scottish political and ecclesiastical elites. This merger was not popular amongst the commoners of either England or Scotland. This suggests that powerful economic interests were the real forces behind the merger between Scotland and England and the passage of the Act of Union of 1707 which created Great Britain. See, e.g., "Act of Union 1707," *Wikipedia* (online encyclopedia). See Volume Six, "Capitalism and the Collapse of Orthodoxy" in this postdoctoral study.

were, was itself deeply-rooted in English religious history and to the Act of Supremacy of 1558[27] and the Elizabethan Religious Settlement (1559 -1563).[28] This "Elizabethan Religious Settlement" laid the foundations of the new Protestant Church of England and it endeavored to provide a broad base of widespread support between competing Catholic and Puritan interests.[29] Later, during the 18th century, this broad-based religious structure of the Elizabethan Church of England exemplified the informal general consensus between the English (Anglicans), the Scottish (Presbyterians), and the various other Protestant sects in colonial British North America. The need for this general consensus among the British was perhaps motivated by the need for national unity, commercial expansion, and international trade wars with France, Spain, and the Netherlands.

During the 16th- and 17th-centuries, the Protestant Reformation and religious war between the Catholics and Protestants had reached Scotland, where a group of burgeoning

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[27] The Act of Supremacy of 1534 acknowledged King Henry VIII as the "supreme head" of the Church of England thereby severing ties with Rome. The Act of Supremacy of 1558 acknowledged Queen Elizabeth I as the "supreme governor" of the Church of England and required all persons who held office as a government official or clergy to take an Oath of Allegiance.

[28] See, e.g., "Elizabethan Religious Settlement," *Wikipedia* (online encyclopedia)("The settlement, implemented from 1559 to 1563, marked the end of the English Reformation. It permanently shaped the Church of England's doctrine and liturgy, laying the foundation for the unique identity of Anglicanism.... The Act of Supremacy of 1558 re-established the Church of England's independence from Rome. 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 in the 1559 prayer book 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 Convocations of Canterbury and York adopted the Thirty-Nine Articles as a confessional statement for the church, and a *Book of Homilies* was issued outlining the church's reformed theology in greater detail. The settlement failed to end religious disputes. While most people conformed, a minority of recusants remained loyal Catholics. Within the Church of England, a Calvinist consensus developed among leading churchmen. Calvinists split between conformists and Puritans, who wanted to abolish what they considered papist abuses and replace episcopacy with a presbyterian church government. After Elizabeth's death, a high church, Arminian party gained power in the reign of Charles I and challenged the Puritans. The English Civil War and the overthrow of the monarchy allowed the Puritans to pursue their reform agenda and the dismantling of the Elizabethan Settlement for a period. The Restoration in 1660 reestablished the settlement, and the Puritans were forced out of the Church of England. Anglicans started to define their Church as a *via media* or middle way between the religious extremes of Catholicism and Protestantism; Arminianism and Calvinism; and high church and low church.")

[29] Ibid.

Presbyterians were led by John Knox (c.1505 – 1572), who founded the Presbyterian Church of Scotland. Knox had once sought refuge from persecution in England, where he became an Anglican priest and a chaplain to King Edward VI. Thus, from the early days of the Protestant Reformation, Queen Elizabeth I's Church of England and John Knox of Scotland joined together to defeat the French and their Catholic enemies in both England and Scotland. This cooperation between Anglican and Presbyterian Protestants continued throughout the decades of the 1600s and early 1700s, and in colonial British North America, it reached its peak when the Scottish-Presbyterian theologian John Witherspoon became president of the College of New Jersey (now called Princeton University) in 1768. The influence of Dr. Witherspoon was monumental. "Scotsman and signer of the Declaration of Independence, John Witherspoon presided over Princeton University; students under his tutelage included 12 state governors, 55 delegates to the Constitutional Convention and future president James Madison."[30]

At Princeton, colonial American constitutional law and political theory were more clearly set forth and defined, and new intellectual American movement— a form of latitudinarianism amongst Anglicans and a form of neo-orthodoxy among the Calvinists—was born.[31] It borrowed heavily from the rich tradition of the Church of England, the Puritans of colonial New England, the Puritan-Baptists of Rhodes Island, the Puritan-Quakers of Pennsylvania and New Jersey, the latitudinarian Anglicans of Great Britain, and the Scottish Presbyterians of Scotland. At Princeton, the Rev. Dr. John Witherspoon (1723 - 1794)[32] wielded great and significant

30 "Scottish Commonsense Realism," Wikipedia (online encyclopedia): https://en.wikipedia.org/wiki/Scottish_common_sense_realism

31 See, e.g., Reinhold Niebuhr, "Theology and Political Thought in the Western World," *Major Works on Religion and Politics* (New York, N.Y.: The Library of America, 2015)., pp. 498-499. ("Despite the differences between the Calvinist and the Jeffersonian versions of the Christian faith, they arrived at remarkably similar conclusions, upon this as upon other issues of life. For Jefferson the favorable economic circumstances of the New Continent were the explicit purpose of the providential decree. It was from those circumstances that the virtues of the new community were to be derived. For the early Puritans the physical circumstances of life were not of basic importance. Prosperity was not, according to the Puritan creed, a primary proof or fruit of virtue.... But three elements in the situation of which two were derived from the creed and the third from the environment gradually changed the Puritan attitude toward expanding opportunities of American life.") See, also, **Appendix D**, "Of Thomas Jefferson and the Jeffersonians."

32 A brief summary of the biography of John Witherspoon is located "John Witherspoon," *Wikipedia* (online encyclopedia) https://en.wikipedia.org/wiki/John_Witherspoon ("John Witherspoon (February 5, 1723 –

influence upon the political philosophy that was adopted by both American Anglicans and the American Presbyterians and translated into America's founding constitutional principles. Wherefore, this postdoctoral study shall highlight the general political and theological doctrines of the following influential churchmen:

The Anglican-Scottish Constitutional Settlement	
Dr. Matthew Tindal (1657- 1733)(Anglican, Church of England)	*Christianity as Old as the Creation; or, the Gospel a Republication of the Religion of Nature* (1730)
Bishop Matthew Warburton (1698 - 1779) (Anglican, Church of England)	*The Alliance between Church and State, or the Necessity of an Established Religion, and a Test Law demonstrated (*1736)
Bishop Joseph Butler (1692 - 1752) (Anglican, Church of England)	*The Analogy of Religion* (1736)
Rev. Dr. John Witherspoon (1723-1794)(Presbyterian, Church of Scotland)	*Lectures on Moral Philosophy; The Works of John Witherspoon, D.D.* (circa, 1768 – 1790)
Rev. Dr. Adam Smith (1723-1790)(Presbyterian, Church of Scotland)	*The Theory of Moral Sentiments (1765);* *An Inquiry into the Nature and Causes of the Wealth of Nations* (1776)

The principles and doctrines of Dr. Tindal, Bishop Warburton, Bishop Butler, and Rev. Dr. Witherspoon are addressed in this book, volume five. The principles set forth by Rev. Dr. Adam Smith are addressed in the next book, volume six. In volume five, we shall build upon the previous volumes in an effort to demonstrate why the American Declaration of Independence (1776) and the United States Constitutions (1787) were extrapolated from their Jewish, Greek, Roman, and Roman Catholic or Augustinian foundations.

November 15, 1794) was a Scottish American Presbyterian minister, educator, farmer, slaveholder, and a Founding Father of the United States. Witherspoon embraced the concepts of Scottish common sense realism, and while president of the College of New Jersey (1768–1794; now Princeton University) became an influential figure in the development of the United States' national character. Politically active, Witherspoon was a delegate from New Jersey to the Second Continental Congress and a signatory to the July 4, 1776, Declaration of Independence. He was the only active clergyman and the only college president to sign the Declaration. Later, he signed the Articles of Confederation and supported ratification of the Constitution. In 1789 he was convening moderator of the First General Assembly of the Presbyterian Church in the United States of America.")

Volume 5 **"THE ANGLICAN-SCOTTISH CONSTITUTIONAL SETTLEMENT** **Or the Creation of an Augustinian Constitution"**		
Volume 1	"Covenant of Nature"[33]	* Latitudinarian Anglicanism * Neo-Orthodox Calvinism * Quakerism; Constitutions of Pennsylvania and New Jersey * The Rhode Island Experiment * U. S. Declaration of Independence * U. S. Constitution
Volume 2	"General Equity"	* Latitudinarian Anglicanism * Neo-Orthodox Calvinism * Quakerism; Constitutions of Pennsylvania and New Jersey * The Rhode Island Experiment * U. S. Declaration of Independence * U. S. Constitution
Volume 3	"General Christianity"	* Matthew Tindal (Anglican) * Joseph Butler (Anglican)

[33] This "Covenant of Nature" is a Puritan theological and constitutional ideal that was extracted from the Sacred Scriptures. Here, we must read Psalm 19:1-4 and Romans 10: 18 together. Psalm 19: 1-4 states: "The heavens declare the glory of God; and the firmament sheweth his handywork. Day unto day uttereth speech, and night unto night sheweth knowledge. There is no speech nor language, where their voice is not heard. Their line is gone out through all the earth, and their words to the end of the world"; and Romans 10: 18 states, "But I say, Have they not heard? Yes verily, their sound went into all the earth, and their words unto the ends of the world.")

		* William Warburton (Anglican) * Thomas Jefferson (Anglican) * John Witherspoon (Presbyterian) * William Penn (Quaker) * Roger Williams (Reformed Baptist) * U. S. Declaration of Independence * U. S. Constitution
Volume 4	"A Chosen People"	Augustine, *The City of God* — "divine Providence" U. S. Supreme Court Holdings: -- "A Christian People" -- "A Christian Nation"

If the United States is a Christian nation, as its Supreme Court has repeatedly stated, then it is appropriate to ask, *What type of Christianity undergirds its constitutional structure*? Volume five answers that question by point the reader to the political theology of a Catholic bishop from an obscure town in northern Africa called Hippo. His theological perspectives of civil polity, natural law, and divine Providence influenced two the greatest of Protestant Reformers, Martin Luther (1483 -1546) and John Calvin (1509 - 1564), and, through the Protestant Reformation, influenced the Puritans of colonial New England and the Presbyterian reformers of Scotland. In assigning so much credit to Augustine of Hippo, the reader is hereby directed to Professor Mark Vessey's "Inspired by Augustine and the *Confessions*," which is his epilogue to *Confessions*, stating:

> Augustine was renowned in the Latin-speaking world as a founding father of Christian theology, but his influence proceeds far beyond that.... Equally important, Augustine found room in the young Christian religion for the highly evolved thought of the so-called pagan philosophers, particularly Plato. This may seem simple enough on its face, but, without exaggeration, Augustine was centuries ahead of his time....

> Weaving together introspection, classical learning, and faith, Augustine outlined the underpinnings of the Renaissance in Europe, two centuries that followed the Middle Ages and were marked by a 'rebirth' of classical values and humanism, the belief in the dignity of each member of the human race. The Renaissance, according to many scholars, began on the spring day in 1336 when a young poet named Petrarch opened a copy of the Confessions.... In some ways the Renaissance never ended, as the innovations made during that period in art, science, commerce, and politics laid the basis for the world we recognize today....
>
> Even after the Renaissance, however, those who have thought deeply about the human condition have never been content to let Augustine lie dormant. In the sixteenth century, his emphasis on subjectivity and one's personal relationship with God inspired Martin Luther and John Calvin to hold strong to their view that the Roman Catholic Church had become institutionally corrupt.... At a time when the growing university system and the advent of the printing press are dramatically improving the circulation of information, the works of Augustine catalyzed another religious upheaval: the Protestant Reformation. Secular philosophers equally found relevance in Augustine, particularly at the dawn of the seventeenth century and the next major period in European history: the Enlightenment.[34]

To that end, this postdoctoral study has coined the phrase "Anglican-Scottish Constitutional Settlement" in order to succinctly describe that Augustinian influence upon the British peoples who carried the ideals of the Protestant Reformation into the era of the Enlightenment and who reformulated Augustinian theology and political theory and translated them into the language of the American Revolution and incorporated them into founding constitutional documents of the new United States of America.

[34] St. Augustine, *Confessions* (New York, N.Y.: Barnes & Nobles Classics, 2007), pp. 293- 296.

Chapter Two

"Latitudinarian Anglican Theology and the United States Constitution"

American Anglicans such as George Washington, James Madison, and Thomas Jefferson were ethnically, culturally, constitutionally, and legally bound to the mother church, the Church of England, and to its orthodox teachings, and to King George III of England. But at some point during their natural lifetimes, they became convinced that a different reading of their sacred duties and obligations was more worthy of their allegiance; and seemingly the Puritans of colonial New England and the Presbyterians of colonial British North America offered them a Calvinistic and an Augustinian alternative which they readily embraced. Thus, by joining with their Puritan and Presbyterian brethren, these American Anglicans became "latitudinarian" in their Anglican perspective; they rejected the old regime of "orthodox" Anglicanism which the Church of England and Dr. Hooker's landmark *Laws of Ecclesiastical Polity* represented. Instead, the American latitudinarian Anglicans embraced an Augustinian or a neo-orthodox Calvinistic conception of the Christian faith and civil polity.

18th- century Orthodox Anglicans	**18th -century Latitudinarian Anglicans**
Dr. Richard Hooker's *Of the Laws of Ecclesiastical Polity* (1594)	Dr. Matthew Tindal's *Christianity as Old as Religion* (1730); Bishop Joseph Butler's *The Analogy of Religion* (1736)
Eternal Law	Eternal Law
Divine Law[35]	**Natural Law**
Natural Law	Divine Law[36]
Human Law	Human Law

35 Under the new regimes of the Enlightenment, "divine law," or the primary authority of the Holy Bible, was reduced in stature and subordinated to the "law of reason" and the "law of nature." See, e.g., Max Weber, *The Protestant Work Ethic and the Spirit of Capitalism*, supra, pp. 102- 103 ("[f]rom this idea of the continuance of revelation developed the well-known doctrine, later consistently worked out by the Quakers, of the (in the last analysis decisive) significance of the inner testimony of the Spirit in reason and conscience. **This did away, not with the authority, but with the sole authority, of the Bible....**")

36 Ibid.

But why were the Anglicans in colonial British North America willing to fight against their fellow Anglicans from Great Britain during the American Revolutionary War (1775 -1783)? The answer to this question lies in the ongoing political struggle between British Tories (orthodox Anglicans) and the British Whigs (latitudinarian Anglicans) in England. The Tories favored a strong monarchy, "divine right of the king" philosophy, nobility, tradition, and "Anglican" exclusivity; the Whigs favored Parliamentary supremacy, the rule of English common law, "consent of the governed" philosophy, nobility, tradition, but also *religious tolerance*. Naturally the Puritans and the Presbyterians in England and Scotland favored the Whig party because of its position on religious tolerance. And in colonial British North America, most of the leading politicians became American Whigs.

Hence, twenty-eight of the fifty-six signers of the American Declaration of Independence (1776)-- more than one half of the delegates-- were members of the Church of England (i.e., the Anglican Church in colonial British North America). Twenty-five of the remaining delegates were from the Reformed denominational sects (i.e., the Puritan Congregationalists or Presbyterians). The sort of Anglicans who tended to merge politically with the radical Puritans

were "latitudinarian" Anglicans[37] and members of the American or British Whig party.[38] The latitudinarian Anglicans were also pro-business, pro-trade, pro-religious liberty, anti-Tory, and orthodox in their Christian beliefs. And because the latitudinarian Anglicans sought to decriminalize religious dissent in England, they were popular among, and highly esteemed by, the Presbyterians, the Baptists, the Quakers, and other dissenting groups. In colonial British North America, most members of the Church of England were "latitudinarian" Anglicans and Whigs, and it was largely such men who became American patriots and revolutionaries during the American War for Independence in 1775.[39]

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37 "Latitudinarian Anglicanism." In this post-doctoral study, Anglicans such as George Washington, Thomas Jefferson, James Madison, and scores of others who were willing to overthrow King George III and the Church of England, and to establish a system of government on the basis of the principles set forth in the American Declaration of Independence are referenced as "latitudinarian Anglicans" or as Jeffersonians. In both England, the latitudinarian Anglicans tended to be Whigs and High-Church Anglican bishops. In colonial British North America, the latitudinarian Anglicans tended to be both Whigs and American patriots who opted for the separation of church and state and religious pluralism. In order to get at religious diversity, natural law and natural religion was relied upon and incorporated into the American Declaration of Independence. The basic ideology within latitudinarian Anglicanism is that "Christianity is a republication of natural religion." See, also , the writings of the Latitudinarian Anglican and Bishop Joseph Butler (1692 -1752). See, e.g., Joseph Butler, *The Analogy of Religion, Natural and Revealed to the Constitution and Course of Nature*, supra, pp. 152, 155, 158 ("the Author of Nature"); p. 159 ("…the Author of Nature, which is the foundation of Religion"); p. 162 ("… there is one God, the Creator and moral Governor of the world"); p. 187 ("Christianity is a republication of natural Religion"); p. 188 ("The Law of Moses then, and the Gospel of Christ, are authoritative publications of the religion of nature…."); p. 192 ("Christianity being a promulgation of the law of nature…."); p. 243 ("These passages of Scriptures … comprehend and express the chief parts of Christ's office, as Mediator between God and men…. First, He was, by way of eminence, the Prophet: that Prophet that should come into the world, to declare the divine will. He published anew the law of nature…. He confirmed the truth of this moral system of nature…."). See generally the writings of the Latitudinarian Anglican and Chancery Lawyer Matthew Tindal (1657 - 1733), See, e.g., Matthew Tindal, *Christianity as Old as the Creation, or the Gospel a Republication of the Religion of Nature* (Newburgh, England: David Deniston Pub., 1730) [Republished by Forgotten Books in 2012], pp. 52, 56, 61, 64, 72-74 (stating that Christianity is a republication of natural religion). See, also, **Appendix D**, "Of Thomas Jefferson and the Jeffersonians."

38 Richard Niebuhr, "Theology and Political Thought in the Western World," *Major Works on Religion and Politics* (New York, N.Y.: The Library of America, 2015)., pp. 498-499. ("Despite the differences between the Calvinist and the Jeffersonian versions of the Christian faith, they arrived at remarkably similar conclusions, upon this as upon other issues of life. For Jefferson the favorable economic circumstances of the New Continent were the explicit purpose of the providential decree. It was from those circumstances that the virtues of the new community were to be derived. For the early Puritans the physical circumstances of life were not of basic importance. Prosperity was not, according to the Puritan creed, a primary proof or fruit of virtue…. But three elements in the situation of which two were derived from the creed and the third from the environment gradually changed the Puritan attitude toward expanding opportunities of American life.")

39 See, e.g., "Loyalists and Patriots," Smithsonian American Art Museum (online), stating "Patriots, also known as Whigs, were the colonists who rebelled against British monarchical control. Their rebellion was based on the social and political philosophy of republicanism, which rejected the ideas of a monarchy and aristocracy—essentially, inherited power. Instead, the philosophy favored liberty and unalienable individual rights as its core values. Republicanism would form the intellectual basis of such core American documents as the Declaration of Independence, the U. S. Constitution, and the Bill of Rights."

Now to best understand the *religious origin* of the conflict that led to the ratification of the American Declaration of Independence (1776), one *may* analyze the history of the Elizabethan Religious Settlement of 1559 - 1563. This Settlement was the foundation of the religious and political turmoil which defined the history of England and Great Britain during the period 1603 through 1790. The Act of Supremacy of 1558 and the Elizabethan Religious Settlement of 1559 to 1563 established the independent identity, theology, and liturgy for the Church of England, and it alleviated the burgeoning conflict between the Catholics and the Puritans who were asked to compromise with each other and to coexist within the same national church. In many ways, in colonial British North America, the American Founding Fathers carried out this same Elizabethan program by asking their fellow Americans from various denominational and religious sects to compromise with each other and to coexist within the same national government.

The monumental publication which served as the consummate authority on the broad-based religious and political structure of the Church of England was Dr. Richard Hooker's *Of the Laws of Ecclesiastical Polity* (1594). This work defined the meaning and relationships of church and the civil polity, almost making no difference between these two institutions, and thus held that "church" and "state" were two sides of the same coin. Therefore, a *subject* of the Kingdom of England was also a *member* of the ecclesiastical body known as the Church of England. And it was inconceivable to Dr. Hooker that a *subject* of England could be a member of any other church except the Church of England. Dr. Hooker addressed many of the objections and concerns of dissenting groups, such as the Presbyterians, Independents, Separatists, and Baptists, and he concluded that the Church of England's canon laws and liturgical practices were flexible enough to accommodate the needs of each of these dissenting groups.

Indeed, Elizabeth I encouraged tolerance. She was unconcerned about petty bickering over minor ecclesiastical differences or theological questions which did not go to the heart of fundamental Christian doctrine. She refused to succumb to the desires of political factions within the Church of England, and she promoted compromise and co-existence, and hence, the genius of Tudor balance, order, and harmony.[40] The thinking amongst most High-Church Anglicans was that theological differences could peacefully co-exist within the Church of England through a policy of broad-based tolerance. For so long as Elizabeth I lived, this policy was pragmatic and possible. However, after Elizabeth I died in 1603, the House of Stuart—which leaned towards Roman Catholicism—created a great constitutional disturbance and an imbalance. Beginning with James I in 1603, and continuing with Charles I in 1625, the Stuart Monarchy adopted a governance policy known as the "Divine Right of Kings," which greatly strained the Tudor constitutional balance and tended to impose a form of monarchical absolutism together with orthodox, High-Church Anglicanism. The Stuart monarchy appeared to many contemporaries as a form of Roman Catholicism in disguise. Hence, under the Stuart monarchs, the genius of Tudor constitutional balance, order, and harmony was systematically dismantled, and it never returned during the entire reign of the House of Stuart, which lasted from 1603 to 1714. When the House of Hanover and King George I were coronated and consecrated in 1714, the 18th-century witness a new struggle for a permanent identity for the new monarchy— whether it would be limited and constitutional or unlimited and absolutist.

Rather than implementing the latitudinarian program of Elizabeth I and Hooker's *Of the Laws of Ecclesiastical Polity* (1594), both the House of Stuart (1603 - 1714) and the British House of Hanover (1714 – 1837) fomented partisan bickering within the Church of England. Charles I's archbishop of Canterbury was a man named William Laud, who implemented a program of vicious suppression of all dissenters within the Church of England. And this catapulted England into a series of crises, civil wars, political intrigues, abdications, glorious

[40] See, e.g., Goldwin Smith, *A History of England*, supra, p. 261 ("The Tudor ideals of order and harmony, the links of a great chain of being....")

revolutions, and colonial revolts that defined the history of both England and colonial British North America during the period 1640 to 1790. This struggle was both religious and constitutional; it pitted the conservative Anglican-Catholics, who tended to be Tories, against the liberal latitudinarian Anglicans, who tended to be Whigs and supporters of religious tolerance. Elizabeth I's example of "broad-based" Christianity later set the stage for the policy of latitudinarianism within the Church of England and the rise of the Whig party during the 17th- and 18th centuries.[41] In colonial British North America, the Whigs' primary supporters tended to be the American patriots.[42] Hence, the American Declaration of Independence (1776), the United States Constitution (1787), and the American Bill of Rights (1789) were the products of this "Whig" and latitudinarian Anglican history.[43]

The British Latitudinarian Anglicans

Joseph Butler (1692 – 1752) was an influential and learned bishop in the Church of England and a great champion of latitudinarian Anglicanism.[44] As such, he advanced Whig political ideology and supported religious liberty for England's religious dissenters. Bishop Butler's monumental work *The Analogy of Religion, Natural and Revealed to the Constitution and Course of Nature* (1736)[45] was written in response to Dr. Matthew Tindal's *Christianity as*

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41 See, e.g., "Loyalists and Patriots," Smithsonian American Art Museum (online), stating "Patriots, also known as Whigs, were the colonists who rebelled against British monarchical control. Their rebellion was based on the social and political philosophy of republicanism, which rejected the ideas of a monarchy and aristocracy—essentially, inherited power. Instead, the philosophy favored liberty and unalienable individual rights as its core values. Republicanism would form the intellectual basis of such core American documents as the Declaration of Independence, the U. S. Constitution, and the Bill of Rights."

42 Ibid.

43 Ibid.

44 "Joseph Butler," Wikipedia (online encyclopedia): https://en.wikipedia.org/wiki/Joseph_Butler , stating:

> He is known for his critique of Deism, Thomas Hobbes's egoism, and John Locke's theory of personal identity. The many philosophers and religious thinkers Butler influenced included David Hume, Thomas Reid, Adam Smith, Henry Sidgwick, John Henry Newman, and C. D. Broad, and is widely seen as "one of the pre-eminent English moralists." He played an important, if underestimated role in developing 18th-century economic discourse, greatly influencing the Dean of Gloucester and political economist Josiah Tucker.

45 Joseph Butler, *Analogy of Religion, Natural and Revealed, to the Constitution and Course of Nature* (1736) [citation omitted; published work is available in the public domain].

Old as the Creation: or the Gospel a Republication of the Religion of Nature (1730).[46] Significantly, both of these works held that "Christianity is a republication of natural religion."

Bishop Butler's *The Analogy of Religion* (1736) was written purportedly in response to Matthew Tindal's *Christianity as Old as the Creation: Or the Gospel a Republication of the Religion of Nature* (1730). Butler's response to Tindal's masterpiece should be described not as a rebuttal but rather as an endorsement of Tindal's fundamental conclusions. Indeed, Tindal had concluded that Christianity is "a republication, or restoration of that [natural] religion, which is founded on the eternal reason of things."[47] Similarly, Bishop Butler's *The Analogy of Religion* held that: "Christianity [is] a promulgation of the law of nature"[48] and that "[t]he Law of Moses then, and the Gospel of Christ, are authoritative publications of the religion of nature; they afford a proof of God's general providence, as moral Governor of the world, as well as of his particular dispensations of providence towards sinful creatures, revealed in the Law and the Gospel. As they are the only evidence of the latter, so they are an additional evidence of the former."[49] This was the viewpoint of the latitudinarian High-Church Anglicans during the 18th Century, and it had a profound impact upon the British Empire. For one thing, through a philosophy of "natural religion" and "natural law," it brought all of humanity underneath the governance of the God of Abraham, Isaac, Ishmael, Jacob, and Jesus of Nazareth—regardless of whether or not a person was a formal Christian or a member of an orthodox religious faith.

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46 Matthew Tindal, *Christianity as Old as the Creation: or the Gospel a Republication of the Religion of Nature* (1730) [citation omitted; published work is available in the public domain].

47 Matthew Tindal, *Christianity as Old as the Creation* (1730), supra, pp. 303 - 304.

48 Joseph Butler, *The Analogy of Religion*, supra, p. 192.

49 Ibid., p. 188.

Bishop Butler argued in *The Analogy of Religion* that God's moral government is manifest by the "laws of Nature"[50] established by the "Author of nature."[51] "For the whole course of nature is a present instance of his exercising that government over us," Bishop Butler wrote, "which implies in it rewarding and punishing."[52] Now the "law of Nature," which may be understood through reason and experience, teaches us that we have the "capacity of happiness and misery" or of "pleasure and pain."[53] This system is carried in the natural world in which we now live, but will in all probability be continued on throughout eternity—as the present world is merely a training ground and test for a future world to come. "A moral scheme of government," writes Bishop Butler "then is visibly established, and, in some degree, carried into execution: and this, together with the essential tendencies of virtue an vice duly considered, naturally raise in us an apprehension, that it will be carried on further towards perfection in a future state, and that everyone shall there receive according to his deserts."[54] "[E]very man, in every thing he does, naturally acts upon the forethought and apprehension of avoiding evil or obtaining good," wrote Bishop Butler.[55] This "state of religion" is further manifest, Bishop Butler argues, because both "reason" and "experience" are necessary to avoid evil and obtain good: "[a]s God governs the world and instructs his creatures, according to certain laws or rules, in the known course of nature; known by reason together with experience: so the Scripture informs us of a scheme of divine Providence, additional to this."[56]

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50 Ibid., p. 211.

51 Ibid., p. 88.

52 Ibid., p. 190.

53 Ibid., p. 85.

54 Ibid., p. 182.

55 Ibid., p. 88.

56 Ibid., p. 211.

Natural law (and natural religion) which was God's law of creation, was deemed to be thoroughly sufficient to teach all of humanity about the fundamental difference between good and evil, and the fundamental difference between right and wrong. The latitudinarian Anglicans held that this view of natural law had been the viewpoint long held by the Christian Church since the days of St. Paul,[57] St. Augustine of Hippo,[58] and Richard Hooker. These latitudinarian Anglicans relied upon this conceptualization of natural religion and natural law to press for more civil liberties for England's religious dissenters such as the Calvinists, the Presbyterians, the Baptists, Quakers, and other non-conformists—as well as for commercial and imperial expansion unimpeded by ecclesiastical canon laws regulating commercial usury, fraud, and equity.

At the same time, the latitudinarian High-Church Anglicans, such Bishop Joseph Butler, argued that the orthodox Church of England should be strengthened, but strengthened not to enforce a Tory-style religious orthodoxy, but rather strengthen to assist the government with carrying out a Whig-style imperial government while implementing religious freedom and global commercial expansion. The 18th - century Church of England would become a commercialized and an imperial church under the leadership of the House of Hanover and the Whigs. Even thus, the latitudinarian Anglicans and the Whigs did not wish to change the fundamental Christian structure of English law. Indeed, under the English legal tradition, the church and state had always been interwoven together as two sides of the same coin. Natural law and natural religion, then, were the foundation of the unwritten British constitution and the very basis for its common law.

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57 Romans 1: 17-20; 2: 13-16.

58 St. Augustine of Hippo, *The City of God* (New York, N.Y.: The Modern Library, 1950), pp. 254-256.

The Anglican-Scottish Constitutional Settlement[59]	
Dr. Matthew Tindal (1657- 1733)(Anglican, Church of England)	*Christianity as Old as the Creation; or, the Gospel a Republication of the Religion of Nature* (1730)
Bishop Matthew Warburton (1698 - 1779) (Anglican, Church of England)	*The Alliance between Church and State, or the Necessity of an Established Religion, and a Test Law demonstrated (*1736)
Bishop Joseph Butler (1692 - 1752) (Anglican, Church of England)	*The Analogy of Religion* (1736)
Rev. Dr. John Witherspoon (1723-1794)(Presbyterian, Church of Scotland)	*Lectures on Moral Philosophy; The Works of John Witherspoon, D.D.* (circa, 1768 – 1790)
Rev. Dr. Adam Smith (1723-1790)(Presbyterian, Church of Scotland)	*The Theory of Moral Sentiments (1765); An Inquiry into the Nature and Causes of the Wealth of Nations* (1776)

Similarly, the Church of England's Bishop William Warburton (1698 - 1779),[60] who was himself a Whig and a latitudinarian Anglican, promoted a conception of civil polity that allowed

59 The "Anglican-Scottish" Settlement is exemplified by the Church of England's Bishop Joseph Butler's significant influence on Rev. John Witherspoon (Scottish Presbyterian).

For instance, Dr. Witherspoon published the following work, *The Works of Joseph Butler*. See, e.g., https://www.goodreads.com/en/book/show/724374.The_Works_of_Joseph_Butler.

See, also, Wolfe, Stephen Michael Wolfe, "John Witherspoon and Reformed Orthodoxy: Reason, Revelation, and the American Founding" (2016). LSU Master's Theses. 1807, https://digitalcommons.lsu.edu/gradschool_theses/1807 ("Jack Scott, "Introduction," in [John Witherspoon's] *Lectures on Moral Philosophy* (Lectures), 27-28. He notes, however, that 'Witherspoon's ethical philosophy owes more to [Joseph] Butler [1692-1752] than to any other thinker,' 37-38.).")

60 Bishop William Warburton (1698 – 1779), who was himself a lawyer-turned-theologian, represented the quintessential Anglican clergyman of the eighteenth century, supporting a strong union between Church and State. But Warburton's union was a "political compromise," because theoretically and constitutionally the Church was considered "superior" to the State; and, under Magna Carta (1215), the Church was to be free and independent. However, when King George I prorogued the Church's convocation in 1718, and after Parliament itself, under Whig leadership, moved in the direction of global commercial expansion, the Church of England had no other option save to compromise and to plea for its survival. Bishop Warburton's *The Alliance Between Church and State* is representative of the route which the Church of England took in order to remain relevant. Instead of acting separately and independently, as a "Third Estate," the Bishops within the Church of England were moved to the House of Lords where they would sit as "barons" and "Lords Spiritual," looking after the administrative needs of the Church of England, as well as the spiritual needs of the entire British commonwealth. This was the new scheme that was devised during the 18th Century—the Church of England, as an established church, was essentially the vassal of a Whig-led Parliament, which was itself dominated by global commercial interests. Finally, Bishop Warburton was one of the few Anglican bishops who were staunchly opposed to African slavery and the transatlantic slave trade as being violations of the Gospel of Jesus Christ. The Rev. John Wesley, for example, quoted Bishop Warburton's famous anti-slavery sermon given before the Society for the Propagation the Gospel in Foreign Parts, in Rev. Wesley's tract *Thoughts Upon Slavery* (1774). This further supports the proposition advanced throughout this series that under conventional Anglican law (i.e., English common law) the institution of slavery was expressly prohibited.

for a wide range of Christian viewpoints, so long as only the essential elements of natural religion (i.e. the "Three Articles of Natural Religion") were acknowledged by the individual subject and administered by the civil magistrate, as follows:

1. First, the civil government must acknowledge the being of God;
2. Second, the civil government must acknowledge the Providence of God over human affairs; and,
3. Third, the civil government must acknowledge the "natural essential difference between moral good and evil."[61]

Bishop Warburton referred to these three Articles of Natural Religion as the civil religion or as the "Natural Religion."[62]

Clearly both Bishop Warburton's and Bishop Butler's theories of natural religion demonstrate how certain words used in the American Declaration of Independence (1776)— e.g., "the Laws of Nature and of Nature's God," "Life, Liberty and the pursuit of Happiness," "appealing to the Supreme Judge of the world," and "with a firm reliance on the protection of divine Providence"— exemplify that same "religion of nature." Hence, we may safely deduce from Butler's *The Analogy of Religion* and Warburton's *The Alliance of Church and State* that

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During the first half of the 18th-century, from 1700 to about 1750, the Church of England adjusted to the new reality of Whig dominance of British governance and empire. This was an uneasy adjustment of alliance between Church and Capitalism, as well as between Church and State. With respect to the relationship between Church and Capitalism, the primary area of conflict during this period was "African slavery" and the "transatlantic slave trade." How did the Church of England, in general, approach this issue, and how did it apply the "law of Christ?"13 The life and legacy of Bishop Warburton exemplifies both the adjustment which the Church of England made to revolutionary ideas of the Whig government as well as the conflict that ensued between these two institutions. For one thing, the mercantilist Whig party tolerated slavery, avarice, and profits, but Bishop Warburton and many Anglicans—both the bishops as well as the clergy forewarned them against such policies. Indeed, the primarily role of the Church of England would be to retain its privileged position within the English estate and constitution, and to forewarn the other branches of the English government to not violate the moral laws of God. This was what Bishop Warburton had outlined in his classic work, *The Alliance between Church and State* (1736) and what he had preached in his 1766 sermon to the Society for the Propagation of the Gospel in Foreign Parts.

61 William Warburton, *An Alliance of Church and State* (1736) [citation omitted; published work is available in the public domain].

62 Ibid., p. 36.

during the early part of the 18th century, prior to the period of the American Revolutionary War, influential clergymen within the Church of England were deconstructing the fundamental elements of the Christian religion and recasting those elements in the language of natural science, natural theology, and Greco-Roman philosophy.[63] Similarly, a very strong argument may be made that both Butler's and Warburton's latitudinarian conceptions of civil government were adopted verbatim in the American Declaration of Independence (1776), which incorporates or exemplifies Butler's "state of natural religion" as well as all three elements of Warburton's "Three Articles of Religion."

Perhaps the best example of latitudinarian British-Anglican theology can be found in the thoughts and writings of neo-orthodox Anglican lawyer Dr. Matthew Tindal (1657 – 1733). Tindal's monumental work *Christianity as Old as the Creation: or the Gospel a Republication of the Religion of Nature* (1730) clearly demonstrates, for example, how certain words that were used in the Declaration of Independence (1776)— e.g., "the Laws of Nature and of Nature's God," "Life, Liberty and the pursuit of Happiness," "appealing to the Supreme Judge of the world," and " with a firm reliance on the protection of divine Providence"—exemplify the "religion of nature" that was prevalent in eighteenth century Anglo-American juridical, theological, and political thought. And Dr. Tindal's influential book *Christianity as Old as the Creation* also demonstrates how the religion of nature became the "civil religion" of the United States.

According to Dr. Tindal, "reason," or the law of nature, is the foundation of natural religion; and Christianity is simply the republication of that natural religion.[64] In *Christianity as*

63 "For Christians, the Messiah was the historical Jesus, who was also identified with the Logos of Greek philosophy…." Bertrand Russell, *A History of Western Philosophy* (New York, NY: Touchstone, 2007), p. 309; "It was this intellectual element in Plato's religion that led Christians—notably the author of Saint John's Gospel—to identify Christ with the Logos. Logos should be translated 'reason' in this connection." Russell, supra, p. 289.

64 But is it not unfair to omit the fact the Dr. Tindal was, above all else, a devout Christian and an apologist for what he called the true Christian faith—to honor God and to love thy neighbor as thyself? In my estimation, the answer to that question is a resounding "yes," because Dr. Tindal was, after all, trying to disenthrall humanity from the shackles of false religion and to present the true Christian faith through the prism of reason, natural law, and natural religion.

Old as the Creation: Or the Gospel a Republication of the Religion of Nature (1730), Dr. Tindal attempts to filter out all the unnecessary, redundant, and irrelevant components of the Christian religion. Indeed, Dr. Tindal's efforts are not distinguishable from those of Luther and Calvin who both sought the achieve the same objectives. Here, Dr. Tindal argues that the irrelevant components of Christianity not only have no nexus to Christ's twofold instructions to honor God and love neighbor, but also that these irrelevant components have been invented by priests in order to enslave mankind. Again, Dr. Tindal here sounds very much like Luther, Calvin and many other Protestant reformers.

The true religion, argued Dr. Tindal, existed since the beginning of time and was revealed to all human beings through their consciences. The very best Christian theologians throughout all the history of the church, argues Dr. Tindal, affirm this position. Hence, true religion is really "natural religion," promulgated by God through his creation and revealed to human beings through their consciences. Natural law is the law of Christ, writes Dr. Tindal. And the Christian religion is simply the republication of natural law or natural religion. Both the Christian faith and natural law tend toward the same end, which is the happiness and the good of humanity.

In *Christianity as Old as Creation* (1730), Dr. Tindal purports that true religion has always existed among human beings; and he asks:

> Can it be supposed, an infinitely good and gracious being, who gives men notice, by their senses, what does good or hurt to their bodies; has had less regard for their immortal parts, and has not given them, at all times, by the light of their understanding, sufficient means to discover what makes for the good of their souls; but has necessitated them, or any of them, to continue from age to age, in destructive ignorance and error? To press this matter further, let me ask you, whether there is not a clear and distinct light, that enlightens all men; and which, the moment they attend to it, makes them perceive those eternal truths, which are the foundation of all our knowledge?[65]

65 Matthew Tindal, *Christianity as Old as Creation* (1730)(reprinted: London, England: Forgotten Books, 2012), p. 17.

Moreover, God, who "is absolutely perfect, eternal, and unchangeable,"[66] has devised laws which are "absolutely perfect,"[67] writes Dr. Tindal. Moreover, God's means of communicating his laws to human beings have always been sufficient. A loving and just God would never leave man without "sufficient means of knowing" his laws, concluded Dr. Tindal.[68] "Shall we say," writes Dr. Tindal, "that God, who had the forming of human understanding, as well as his own laws, did not know how to adjust the one to the other?"[69] Even though all men do not have the same level of intelligence, education, or cultural development, Dr. Tindal opines that God has made certain "that all should have what is sufficient or the circumstances they are in."[70]

What is that "sufficient means" whereby God teaches human beings to know what God requires of them? "[H]uman reason," answered Dr. Tindal, "must then be that means; for as God has made us rational creatures, and reason tells us, that it is his will that we act up to the dignity of our natures, so reason must tell us when we do so."[71] "[T]here is a law of nature, or reason; which is so called, as being a law which is common, or natural, to all rational creatures; and that this law, like its author, is absolutely perfect, eternal, and unchangeable," writes Dr. Tindal. In other words, in keeping with English legal tradition, Dr. Tindal states that human reason is the "law of reason," which is the "law of nature."[72] God, the supreme governor, has given mankind a "universal law,"[73] which all human beings may know through "the use of their

66 Ibid., p. 15.

67 Ibid.

68 Ibid., pp. 11-13.

69 Ibid.

70 Ibid., p. 12.

71 Ibid.

72 Ibid., p. 15.

73 Ibid., p. 16.

reason."[74] In other words, God has given human beings "standing rules to distinguish truth from falsehood, especially in matters of the highest consequence to their eternal as well as temporal happiness?"[75]

Finally, Dr. Tindal makes other very radical and controversial points. First, he claims that all other religions that were developed by human beings are merely derivative of universal "natural religion."[76] These numerous religions have succeeded one another, says Dr. Tindal, and many of them have changed doctrine or gone out of existence, but the "natural religion," which is simple and easy to understand, has remained steadfast and is universal. The second radical and controversial point, says Dr. Tindal, is that the Christian religion did not add anything new to this "natural religion," but instead Christianity was designed merely to "free men from the load of superstition which had been mixed with it."[77]

At this point, Dr. Tindal next proceeds to discuss Christianity in light of "natural religion," and suggests that Christianity in its purest form is not the organized religion that has been described as the organized Christian churches (many of which promotes superstition) but rather true Christianity is the pure and simple "natural religion" that existed since the beginning of time. Setting aside the plain text of The Holy Bible, Dr. Tindal suggests that it is possible to go to God directly, and to ascertain all the moral precepts contained in The Holy Bible, through the use of reason, or the law of reason, which involves observations of the natural relations of plants, animals, and physical laws that are within God's creations. Moreover, Dr. Tindal held that these observations of the natural relations within God's creations (i.e., the laws of nature) yield the same information to every human being, regardless of race, culture, language, etc.[78]

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74 Ibid.

75 Ibid., p. 18.

76 Ibid.

77 Ibid., p. 15.

78 Ibid. See, also, Romans 1:19-20 ("that which may be known of God is manifest in them…the invisible things of him from the creation of the world are clearly seen, being understood by the things that are made, even his

That same information, which is found in nature and contained within the natural law, fully explains mankind's relationship to God, and his relationship to his fellow human beings. There are certain preconditions in nature which also yield accurate theological conclusions about God and human nature. First off, our human reason is sufficient enough for us to acknowledge that we have a duty to "honor God" and to abide by his commandments, or else we shall suffer and die. Secondly, human nature desires its own good, and human experience demonstrates that the good of human nature is preserved in mutual aid, cooperation, and interdependence. This human interdependence is obviously natural and necessary; human society is thus the natural result. Perhaps the first "human society"—where interdependence is necessary—is the family: husband, wife, and children. Within this "society" are natural laws, which place mankind into a "state of religion" where happiness and the Good are perpetually sought, and where misery and Evil are perpetually avoided. This "state of religion" teaches human beings about God and his laws—it teaches them "natural religion" through "reason" and (or) "reason and experience."

Anglicanism	Scripture * Tradition * **Reason**
Methodism/ Wesleyan Quadrilateral	Scripture * Tradition * **Reason** * **Experience**

The latitudinarian Anglicans, especially the Anglican lawyers such as Thomas Jefferson and Dr. Matthew Tindal, were willing to relax the interposition of "Scripture" and "Tradition" in favor of a wider latitude of thinking and beliefs that comported with "Reason" and "Experience." Dr. Tindal thus explains how from the conditions mankind's natural religious progression in history that our religious duties are formulated through human reason:

> As to what God expects from man with relation to each other; every one must know his duty, who considers that the common parent of mankind has the whole species alike under his protection, and will equally punish him for injuring others as he would others for injuring him; and consequently that it is duty to deal with

eternal power and Godhead…."); Romans 2:11-16 ("when the Gentiles… do by nature the things contained in the law… shew the work of the law written in their hearts"); Romans 10:8 ("The word is nigh thee, even in thy mouth, and in thy heart"); Romans 10:18 ("But I say, Have they not heard? Yes verily, their sound went into all the earth, and their words unto the ends of the world."); and Deuteronomy 30:14 ("the word is nigh thee, even in thy mouth, and in thy heart").

> them as he expects they should deal with him in the like circumstances. How much this is his duty, every one must perceive, who considers himself as a weak creature, not able to subsist without the assistance of others, who have it in their power to retaliate the usage he gives them: and that he may expect, if he breaks those rules which are necessary for mens [sic] mutual happiness, to be treated like a common enemy, not only by the persons injured, but by all others; who, by the common ties of nature, are obliged to defend and assist each other. And not only a man's own particular interest, but that of his children, his family, and all that is dear to him, obliges him to promote the common happiness, and to endeavor to convey the same to posterity.[79]

Now what is obvious, particularly to any lawyer or judge, is that this "natural theology" is also of the same fundamental substance of the secular legal system and is the foundation of both civil and criminal justice, such as the law of torts, property, contracts, criminal law, and commercial relations—thus covering every aspect of human society. Perhaps it is for this reason, that in England, both the natural law and the revealed religion of Christianity, together with the unwritten English constitution, were woven together into one system of law.

The latitudinarian Anglicans, as expressed in the writings of Dr. Tindal, never disassociated "reason" with the person of Christ as the "logos," and in fact they insisted that "reason" was the very essence of the Holy Ghost—the spirit of truth. Dr. Tindal not only argued against superstition within the Church of England, but he held that "reason" was the only true guide to interpreting the Sacred Scriptures. Dr. Tindal wrote:

> In a word, to suppose any thing in revelation inconsistent with reason, and, at the same time, pretend it to be the will of God, is not only to destroy that proof, on which we conclude it to be the will of God, but even the proof of the being of a God....
>
> And to suppose any thing can be true by revelation, which is false by reason, is not to support that thing, but to undermine revelation; because nothing unreasonable, nay, what is not highly reasonable, can come from a God of unlimited, universal, and eternal reason.[80]

79 Ibid., p. 22.

80 Matthew Tindall, *Christianity as Old as the Creation*, supra, p. 155.

According to Dr. Tindal, the atheists and the skeptics misunderstand the nature of the Christian faith when they suppose "reason" to be opposed to faith and revelation. Likewise, he concluded that the superstitious, zealous, and orthodox Christians misunderstood the nature of the Christian faith, when they interpret the Sacred Scriptures in a manner that is inconsistent with, or opposed to, a clear explanation from "reason." He cited the great Christian theologian Tertullian who said "[w]e ought to interpret Scripture, not by the sound of words, but *by the nature of things*?"[81] Here, the words "nature of things," concluded Dr. Tindal, certainly mean "reason," to wit:[82]

> But if reason must tell us what those qualifications are, and whether they are to be found in Scripture; and if one of those qualifications is, that the Scripture must be agreeable to the nature of things; does not that suppose the nature of things to be the standing rule, by which we must judge of the truth of all those doctrines contained in the Scriptures? So that the Scripture can only be a secondary rule, as far as it is found agreeable to the nature of things; or to those self-evident notions, which are the foundation of all knowledge and certainty.[83]

This is precisely why "reason" (i.e., the "light of nature") is the very essence of natural religion, natural philosophy, natural law, as well as the Christian faith. It is not simply an intellectual activity, but rather it is also a love for wisdom and truth—the Spirit of Truth. For this reason, the latitudinarian Anglicans elevated "natural law" above the Sacred Scriptures, thus overturning that medieval catholic structure posed by Thomas Aquinas.

18th- century Orthodox Anglicans	**18th -century Latitudinarian Anglicans**
Dr. Richard Hooker's *Of the Laws of Ecclesiastical Polity* (1594)	Dr. Matthew Tindal's *Christianity as Old as Religion* (1730); Bishop Joseph Butler's *The Analogy of Religion* (1736)
Eternal Law	Eternal Law
Divine Law[84]	**Natural Law**

81 Ibid., p. 161.

82 Ibid., p. 164.

83 Ibid.

84 Under the new regimes of the Enlightenment, "divine law," or the primary authority of the Holy Bible, was reduced in stature and subordinated to the "law of reason" and the "law of nature." See, e.g., Max Weber, *The Protestant Work Ethic and the Spirit of Capitalism*, supra, pp. 102- 103 ("[f]rom this idea of the continuance of revelation developed the well-known doctrine, later consistently worked out by the Quakers, of the (in the last

Natural Law	Divine Law[85]
Human Law	Human Law

In fact, Dr. Tindal went so far as to purport that biblical hermeneutics cannot be correctly performed without the light of nature known as "reason." In fact, the latitudinarian Anglicans and Dr. Tindal insisted that "reason" must be utilized to root out "religious superstition," as well as an incorrect understanding of the Sacred Scriptures.[86]

According to Dr. Tindal, "the [Church] fathers sufficiently acknowledged the sovereignty of reason, in allegorizing away matters of fact, that were in truth, uncapable of being allegorized…."[87] This was the position of Augustine of Hippo, whom Dr. Tindal calls "a man of the greatest authority of all the fathers,"[88] as well as St. Ambrose.[89] From the example of Tertullian's, Dr. Tindal goes on to assert that "reason" is the most authoritative tool for interpreting the Sacred Scriptures:

> All divines, I think, now agree in owning, that there is a law of reason, antecedent to any external revelation, that God cannot dispense, either with his creatures or himself, for not observing; and that no external revelation can be true, that in the least circumstance, or mintest point, is inconsistent with it. If so, how can we affirm any one thing in revelation to true, until we perceive, by that understanding, which God hath us to discern the truth of things; whether it agrees with this immutable law, or not?[90]

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analysis decisive) significance of the inner testimony of the Spirit in reason and conscience. **This did away, not with the authority, but with the sole authority, of the Bible….**")

85 Ibid.

86 Ibid., p. 164.

87 Ibid., p. 194.

88 Ibid., p. 195.

89 Ibid., p. 196.

90 Ibid., p. 163.

Furthermore, Dr. Tindal points out that without "reason," the Apostle Paul could have never explained the validity of the Gospels to his Jewish and Gentile audiences, pointing out where the Apostle Paul "reasoned in the synagogue every Sabbath."[91] He points that the prophet Isaiah wrote, "come now, and let us reason together."[92] And he points out where Job said, "I desire to reason with God."[93]

Significantly, Dr. Tindal also points out that, fundamentally, this doctrine on "reason" was implicit within the Protestant Reformers who insisted that the "scriptures manifest evidences of God's speaking in them."[94] This is why the Protestant Reformers supported "private judgment" of Sacred Scriptures, meaning that each man or woman should exercise their God-given right to read and judge the scriptures for themselves. These Protestant Reformers were "chiefly concerned for the authority of the Scripture… 'that the Scriptures themselves, from their innate evidence, and by the illumination of the same holy Spirit which inspired them, sufficiently shewed themselves to be the will of God.'"[95]

Dr. Tindal cited the Dutch Confession of 1560, as stating: "these we receive as the only sacred and canonical books; not because the church receives them as such; but because the holy spirit witness to our consciences, that they proceed from God; and themselves testify their authority."[96] He cites the Westminster Confession of 1647, as stating: "our full persuasion and assurance of the infallible truth thereof (the Scriptures) is from the inward work of the holy spirit, bearing witness by, and with the words in our hearts.'"[97] Dr. Tindal also quotes John

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91 Ibid., p. 168 (referencing Acts 18:4).

92 Ibid. (reference to Isaiah 1: 16-18).

93 Ibid. (reference to Job 13:3).

94 Ibid., p. 261.

95 Ibid.

96 Ibid.

97 Ibid., pp. 261-262.

Calvin, where he writes: "'all must allow, that there are in the Scriptures manifest evidences of God's speaking in them—the majesty of God in them will presently appear to every impartial examiner, which will extort our assent: … -- The word will never meet with credit in men's minds, till it be sealed by the internal testimony of the spirit who wrote it.'"

Dr. Tindal quotes another Anglican divine, who wrote: "'The sum, says he, of our opinion is, that the Scriptures have all their authority and credit from themselves; that they are to be acknowledged and received not because the church has appointed or commanded so, but because they came from God; but that they came from God, cannot be certainly known by the church, *but from the Holy Ghost*?'"[98] That phrase, "but from the Holy Ghost" can be rightfully interpreted to mean "reason." Dr. Tindal quotes the Quaker R. Barclay, who said "'how necessary it is to seek the certainty of the Scripture *from the spirit*, the infinite janglings, and the endless contests of those who seek their authority elsewhere, do witness to the truth thereof.'"[99] Again, that phrase, "from the spirit" can rightfully be interpreted to mean "reason." Finally, Dr. Tindal quotes an English Dissenter, Dr. Owen, who wrote: "'the Scriptures of the old and new testament do abundantly, and uncontrollably manifest themselves to be the word of the living God; so that merely *on the account of their own proposal to us*, in the name and majesty of God as such, without the contribution of help, or assistance from tradition, church, or anything else without themselves, we are obliged upon the penalty of eternal damnation, to receive them with that subjection of soul, which is due to the word of God. The authority of God shining in them, they afford unto us all the divine evidence of themselves, which God is willing to grant us, or are any way needful for us.'"[100] And, again, that phrase "on the account of their own proposal to us" can rightfully be interpreted to mean reason. Thus, the Protestant Reformation uniformly taught that the Sacred Scriptures were self-authenticated by the Holy

98 Ibid., p. 262.

99 Ibid., pp. 262-263.

100 Ibid.

Spirit working internally inside of the hearts and minds of the anyone consulting them—through reason. This is to say, that the "inspiration of the holy spirit" is the same as the "use of reason" in the interpretation of the Scriptures. Dr. Tindal states, "[o]ur divines, it seems, at last found out, that **the reformers**, and their successors, had **embraced Christianity on such grounds**, as they believed would equally serve any other religion, where there was **a strong persuasion**...."[101]

But Dr. Tindal was concerned about those Protestant Reformers and orthodox Anglican theologians who insisted that the Sacred Scriptures (i.e., revealed religion) were superior to the natural religion.[102] These theologians generally acknowledged that the "light of nature" was insufficient to lead some men to salvation, because the "defects in the light of nature" were so overbearing within the minds of most common persons, (especially the laity), that the "revealed religion" was absolutely indispensable for the salvation of most, because the "revealed religion" was a more clearer and concise representation of God's will. This was certainly the position of the Roman Catholic Church, and perhaps many Calvinists and other conservative or orthodox Protestants, who elevated the very text of the Sacred Scriptures far above human reason. According to orthodox Protestants, the Sacred Scriptures clearly held that it was necessary that a man be "born again," in order to achieve justification; and they insisted that being "born again" could not be achieved *without* the explicit law of Christ and the revealed religion of Christianity.

But Dr. Tindal and other latitudinarian Anglicans felt that this restrictive viewpoint not only contradicted St. Paul's position in Romans 1:17-20 and Romans 2:13-16, but also that this restrictive view had been promoted by corrupt priests and bishops who simply wished to promote and protect their own self-serving, pecuniary and political interests.[103] Dr. Tindal therefore disagreed with those Reformed theologians who, like St. Thomas Aquinas and the

101 Ibid., p. 263.

102 Ibid., pp. 328-330.

103 Ibid., pp. 328-372.

Roman Catholics, elevated the text of the Sacred Scriptures above natural religion (i.e., general equity) or the law of reason. The neo-orthodox Calvinists, together with the Jeffersonian latitudinarian Anglicans, who most influenced the American Declaration of Independence and the United States Constitution, clearly adopted Dr. Tindal's and Locke's viewpoints which held generally that the "law of reason" (i.e., nature) was superior to the all "interpretations" of the Sacred Scriptures which contradicted the "law of reason." Notably, the Sacred Scriptures and the law of reason could not be opposed to one another, since the former was merely a republication of the later.

Finally, in Chapter IX of *Christianity as Old as the Creation*, Dr. Tindal discusses the origins of constitutional law in this manner:

> The Jews, taking the story to be literally true, being upon their coming out of Egypt a free people, had a right by the law of nature to choose what government and governor they pleased; and God would not act so inconsistent a part, as to deprive them of any of these rights he had given them by the **law of nature**; and therefore did not take upon him the civil administration of their affairs, till he had obtained their express consent....[104]

This statement of natural religion was embraced by the American Founding Fathers who incorporate it into the very text of the American *Declaration of Independence* (1776):

> 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...
>
> 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.

104 Ibid., p. 100.

Moreover, Dr. Tindal's statement, as well as the Declaration of Independence, also reflect the Noahic "Covenant of Nature," discussed in volume one of this postdoctoral study, which God made with all nations of the earth. Dr. Tindal's statement reflects the "law for the Gentiles," which the Early Church at Jerusalem prescribed especially for non-Jews.[105] His statement also reflects the Apostle Paul's exegesis on "nature" and on the role of the civil magistrate as "a minister of God."[106] Pursuant to the Noahic "Covenant of Nature," as the Old Testament clearly demonstrates, the civil government, and the constitutions thereof, need *not* prescribe or impose rules for religious worship, but rather it must mete out true and substantive justice. And since God is "the fountain of all justice,"[107] the administration of civil justice is deemed likewise considered to be of divine service.

Dr. Tindal's latitudinarian Anglicanism laid the foundation for our modern-day conceptin of "General Christianity" which the Puritan-Quakers had already adopted in the Charter for the colony of Pennsylvania and which the latitudinarian Anglicans and Presbyterians embraced as the "civil religion" of the new United States. That "General Christianity" or natural religion was expressly adopted in the text of the Declaration of Independence;[108] and, notwithstanding the First Amendment to the United States Constitution, that "civil religion" has never been abrogated by any act of Congress.[109]

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105 Acts 15:1-29.

106 Romans 1:19-20; 2:13-16; and 13:4.

107 St. Augustine, *The City of God*, supra, p. 27.

108 See, e.g., Reinhold Niebuhr, *Major Works on Religion and Politics* (New York, N.Y.: The Library of America, 2015), pp. 498-499. ("Despite the differences between the Calvinist and the Jeffersonian versions of the Christian faith, they arrived at remarkably similar conclusions, upon this as upon other issues of life. For Jefferson the favorable economic circumstances of the New Continent were the explicit purpose of the providential decree. It was from those circumstances that the virtues of the new community were to be derived. For the early Puritans the physical circumstances of life were not of basic importance. Prosperity was not, according to the Puritan creed, a primary proof or fruit of virtue.... But three elements in the situation of which two were derived from the creed and the third from the environment gradually changed the Puritan attitude toward expanding opportunities of American life.")

109 **U.S. Presidents**: See, generally, Frank Ravitch and Larry Backer, *Law and Religion: Cases and Materials* (St. Paul, MN: American Casebook Series, 2021); Leslie C. Green, *Law and Religion: Cases and Materials* (New York, N.Y.: Foundation Press, 2007). The "civil religion" of the United States is frequently utilized by the Presidents of the United States in their various public speeches. President George Washington, *Farewell*

The American Latitudinarian Anglicans

In colonial British North America, the American Whigs carried the mantle of latitudinarian Anglicanism which the Whig Party in Parliament, which was led by Prime Minister Robert Walpole and others, and the High-Church Anglicans in the Church of England, endorsed.[110] In colonial British North America, the Anglicans were led by Bishop Samuel Seabury (1729- 1796) during the period of the American Revolution (1775 – 1783). At that time, there were only about 53,000 Anglicans in colonial British North American in 1776. The first ordained Anglican bishop in North America, and the second presiding bishop of the new Protestant Episcopal Church, Bishop Seabury, like many Anglican priests in North America, was a Loyalist during the war. As such, the Anglican Church in North America suffered tremendous persecution (including executions) during the war. As a consequence, many Anglican priests left the colonies and return to England or moved to Canada or the British West Indies during the war. Hence, the future of the American Anglicans rested with the leadership of Bishop William White of Philadelphia (1748 - 1836). Through Bishop White, the new Protestant Episcopal

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Address (1796)("Can it be, that Providence has not connected the permanent felicity of a nation with its virtue?"); President Thomas Jefferson, *Second Inaugural Address* (March 4, 1804)("Let us, then, with courage and confidence pursue our own Federal and Republican principles… 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…."); President Abraham Lincoln, *Second Inaugural Address* (March 4, 1864)("The Almighty has His own purposes…. If we shall suppose that American slavery is one of those offenses which, in the providence of God, must needs come… 'the judgments of the Lord are true and righteous altogether.'"); and President John F. Kennedy, *Inaugural Address* (January 20, 1961)("For I have sworn before you and Almighty God the same solemn oath our forebears prescribed nearly a century and three quarters ago.")

U.S. Supreme Court: See, e.g., *Calder v. Ball*, 3 Dall 386 (1798); *Flether v. Peck*, 6 Cranch 87, 10 U.S. 87 (1810); *Terrett v. Taylor*, 13 U.S. 43 (1815) ; *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); *United States v. Macintosh*, 283 U.S. 605 (1931); *Zorach v. Clauson*, 343 U.S. 306 (1952)).

[110] See, e.g., "Loyalists and Patriots," Smithsonian American Art Museum (online), stating "Patriots, also known as Whigs, were the colonists who rebelled against British monarchical control. Their rebellion was based on the social and political philosophy of republicanism, which rejected the ideas of a monarchy and aristocracy— essentially, inherited power. Instead, the philosophy favored liberty and unalienable individual rights as its core values. Republicanism would form the intellectual basis of such core American documents as the Declaration of Independence, the U. S. Constitution, and the Bill of Rights."

Church (which replaced the established Church of England in 1787) adopted and exemplified the American "spirit of liberty" that was espoused by the Puritan-Quaker founders of Pennsylvania and the city of Philadelphia.

In 1776, when the American colonies ratified the Declaration of Independence, the members of the American Church of England (i.e., the Anglican Church in the American colonies) were fiercely divided in their loyalties. "Declaration of Independence by American colonies. Two-thirds of the signers are nominal members of the Church of England, but they do not want the colonies to be governed by bishops. Many Anglicans flee to Canada or remain as Tories."[111] Of the 56 signers of the Declaration of Independence, twenty-eight of them were members of the Church of England (i.e., the Anglican church in North America.

Declaration of Independence (1776)

Religious Affiliation of the Signers

28 Anglicans
14 Congregational
11 Presbyterian
1 Roman Catholic
2 Unknown

56 Total

* Only 13 of these signers did not own slaves.[112]

Bishop William White's leadership in the city of Philadelphia was Providential. In 1782, "William White, rector of Christ Church, Philadelphia, writes 'The Case of the Episcopal Churches in the United States Considered,' suggesting clergy and laity elect some bishops and not bother about apostolic succession yet."[113] Bishop White further recommended modifications

111 "Anglican Timeline: 1776-1789: Origin of the Protestant Episcopal Church in the United States of America" http://justus.anglican.org/resources/timeline/11ecusa.html

112 Forty-three slaver owners signed the Declaration of Independence. The thirteen signers of the Declaration who did not own slaves include: John Adams, Samuel Adams, George Clymer, William Ellery, Elbridge Gerry, Samuel Huntington, Thomas McKean, Robert Treat Paine, Roger Sherman, Charles Thomson, George Walton, William Williams and James Wilson.

113 "Anglican Timeline: 1776-1789: Origin of the Protestant Episcopal Church in the United States of America"

to church structure that reflected republican values of the new United States, and it was through Bishop White's leadership that the new Protestant Episcopal Church of the United States became a truly "Americanized" church. Since White's leadership was so pivotal in the life of American Anglicanism, it is fully appropriate to demonstrate here the nature and extent of his leadership:

> Rector of St. Peter's and of Christ Church for 57 years, White also served as Chaplain of the Continental Congress from 1777 to 1789, and subsequently as Chaplain of the Senate.
>
> Though an Anglican (Episcopalian) cleric who was sworn to the king in his ordination ceremony, White, like all but one of his fellow Anglican clerics in Philadelphia, sided with the American revolutionary cause.
>
> After the war, White wrote *The Case of The Episcopal Churches in the United States Considered*, a pamphlet that laid out the foundational thinking for the emerging Episcopal Church. Among the innovations he proposed (and which were eventually adopted) was including lay people in the church's decision making bodies. Thus, at the founding General Convention of the Episcopal Church in 1785, the House of Deputies was composed of both lay and clergy members.
>
> After his consecration in England, White helped create an American episcopate, participating in the consecration of Thomas John Clagett as Bishop of Maryland at the General Convention in 1792, as well as serving as the Episcopal Church's first and fourth Presiding Bishop (the latter time as the most senior of bishops, as became the custom for the next century). White participated in the consecration of most American Episcopal bishops during the country's first two decades. He also ordained two African-Americans as deacons and then priests, Absalom Jones of Philadelphia (in 1795 and 1804, respectively), and William Levington of New York (who became missionary to free and enslaved African Americans in the South and established St. James Episcopal Church in Baltimore circa 1824).
>
> Although White did not travel extensively through his diocese, he did support missionary priests, including: Simon Wilmer, who traveled through Pennsylvania and New Jersey and ultimately settled down in what became the Maryland suburbs of Washington D.C.); William Meade, who traveled extensively throughout Virginia and ultimately became its bishop, White participating in his consecration; and Jackson Kemper, first in Philadelphia for 2 decades, founded the Society for the Advancement of Christianity and became the Episcopal Church's first missionary bishop. The elderly White made only one trip to the western parts of his diocese. In 1825 he traveled with Kemper to western Pennsylvania confirming 212 and consecrating three buildings. On that trip, with permission of Richard Channing Moore, Bishop of Virginia, he also visited Wheeling, West Virginia in what much later became West Virginia to confirm parishioners and consecrate St. Matthew's Church. White also took an active role in creating several charitable and educational institutions, usually by organizing

http://justus.anglican.org/resources/timeline/11ecusa.html

> Presbyterians, Methodists and other Protestants in those philanthropic enterprises.
>
> In 1785, White founded the Episcopal Academy, to educate the sons of Philadelphia's Episcopalians and others. In 1795, White raised funds to create a school (built on Race Street between 4th and 5th) for black and Native American children. He also helped to create a Magdalen Society in Philadelphia in 1800 for 'unhappy females who have been seduced from the paths of virtue and are desirous of returning to a life of rectitude.' This was the first institution of this kind in the United States.
>
> In 1820, White joined prominent Philadelphia philanthropists who, in 1820, convinced the Pennsylvania legislature to fund the Pennsylvania Institution for the Deaf and Dumb, founded by rabbi David G. Seixas, now known as the Pennsylvania School for the Deaf. White served as the school's president for the next 16 years.
>
> He also ministered to Philadelphia's prisoners, becoming the first president of the Philadelphia Society for the Alleviation of Miseries of Public Prisons, which attracted the participation of numerous Quakers. Not known for his oratory (but for quiet sardonic wit), White earned Philadelphians' esteem for his erudition and ongoing charitable works, especially during the multiple outbreaks of yellow fever in that city throughout the 1790s. White and his friend and neighbor Benjamin Rush were among the few prominent citizens who remained to tend the ill when many other wealthy inhabitants fled to the countryside….
>
> White was a member of the American Philosophical Society, along with many other prominent Philadelphians, including Benjamin Franklin, as well as a trustee of the University of Pennsylvania from 1774 until his death. During his tenure as trustee, he also served as Treasurer (1775–1778) and President (1790–1791) of the board of trustees.[114]

Hence, through Bishop White's leadership, the institutional American Anglican Church fully aligned itself with the Puritan-Quaker, Puritan-Baptist, Scottish-Presbyterian, and latitudinarian Anglican ideals that were enunciated in the Declaration of Independence. In fact, it is safe to conclude that the twenty-eight Anglicans who signed the Declaration were "Jeffersonians,"[115] or American Whigs and latitudinarian Anglicans. The "Jeffersonians"

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114 "William White," Wikipedia (Online encyclopedia): https://en.wikipedia.org/wiki/William_White_(bishop_of_Pennsylvania)

115 Richard Niebuhr, "Theology and Political Thought in the Western World," *Major Works on Religion and Politics* (New York, N.Y.: The Library of America, 2015)., pp. 498-499. ("Despite the differences between the Calvinist and the Jeffersonian versions of the Christian faith, they arrived at remarkably similar conclusions, upon this as upon other issues of life. For Jefferson the favorable economic circumstances of the New Continent were the explicit purpose of the providential decree. It was from those circumstances that the virtues of the new community were to be derived. For the early Puritans the physical circumstances of life were not of basic importance. Prosperity was not, according to the Puritan creed, a primary proof or fruit of virtue.... But three elements in the

expressly adopted the neo-orthodoxy of the Latitudinarian Anglicanism as the new "civil religion" for the new United States. In general, the latitudinarian Anglicans proclaimed that the God of Nature was the same God of the Holy Bible, and that Christianity was simply a republication of natural religion.[116] The "civil religion" of the American Declaration of Independence was plainly and simply the republication of the "primitive" or the general principles of the Christian religion.

Of course, this new "civil religion," or natural religion, was neo-orthodox Christianity, but the latitudinarian Anglicans believed that they were no less orthodox than the "traditional" Puritans or the "traditional" Anglicans who continued to believe that there could be no separation of church and state. The latitudinarians also argued from the Sacred Scriptures, and they defended their position from the biblical foundations set forth in the plain text of the Scriptures. In truth, the latitudinarians also believed that they were fulfilling the original goals of Luther, Calvin, and the Protestant Reformation by establishing—as Thomas Jefferson (1743 - 1826) himself frequently proclaimed—"true religion," which they claimed was exemplified in the natural religion that had existed in the world since the dawn of creation. Jefferson, who was a founding father of the United States and the author of the American Declaration of Independence (1776), expressly rejected conventional, orthodox Calvinism, but he expressly accepted a form of latitudinarian Anglicanism that reflected Thomas Aquinas' conception of Aristotelian inductive reasoning and free inquiry, stating: "[s]ome early Christians indeed have believed in the coeternal pre-existance of both the Creator and the world, without changing their

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situation of which two were derived from the creed and the third from the environment gradually changed the Puritan attitude toward expanding opportunities of American life.")

116 See, e.g., Joseph Butler, *The Analogy of Religion, Natural and Revealed to the Constitution and Course of Nature*, supra, pp. 152, 155, 158 ("the Author of Nature"); p. 159 ("...the Author of Nature, which is the foundation of Religion"); p. 162 ("... there is one God, the Creator and moral Governor of the world"); p. 187 ("Christianity is a republication of natural Religion"); p. 188 ("The Law of Moses then, and the Gospel of Christ, are authoritative publications of the religion of nature...."); p. 192 ("Christianity being a promulgation of the law of nature...."); p. 243 ("These passages of Scriptures ... comprehend and express the chief parts of Christ's office, as Mediator between God and men.... First, He was, by way of eminence, the Prophet: that Prophet that should come into the world, to declare the divine will. He published anew the law of nature.... He confirmed the truth of this moral system of nature....").

relation of cause and effect. That this was the opinion of St. Thomas, we are informed by Cardinal Toleto, in these words...."[117] Wherefore, at least from the viewpoint of some latitudinarian Anglicans of the Revolutionary period who were also Whigs and Jeffersonians, the influence of Thomas Aquinas— a major component of Hooker's monumental *Laws of Ecclesiastical Polity* (1594)— was perhaps as influential as Calvin's *Institutes of the Christian Religion* (1536 - 1560).

Thus, in colonial British North America, the latitudinarians overthrew orthodox Anglicanism; and the neo-orthodox Calvinists overthrew orthodox Calvinism. At the same time, the latitude men replaced orthodoxy with neo-orthodox and latitudinarian doctrines which upheld *natural religion* and "General Christianity." They proclaimed in general that "Christianity is a republication of natural religion." And the American Declaration of Independence (1776) expressly adopted this neo-orthodoxy as the "civil religion" for the new United States.

In some respects, the natural offspring of latitudinarian Anglicanism was the new Methodist Episcopal Church that was founded after the Revolutionary War.[118] Francis Asbury and the Methodist Episcopal Church denomination, which was formally created in 1784 in the city of Baltimore, joined forces with the predominant American Protestant spirit[119] that had been established by the Puritan-Quakers in Philadelphia and New Jersey, by the Presbyterian

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117 Thomas Jefferson, *Writings* (New York, N.Y.: The Library of America, 1984), p. 1467.

118 Heitzenrater, *Wesley and the People Called Methodists*, supra, pp. 317 -334 ("The actions of the Christmas Conference established a new and separate denomination, the Methodist Episcopal Church. But although it had all the prerequisites of a church, it looked like a church, and acted like a church, its soul was still Wesleyan in that it still thought of itself as a society. It relied heavily upon the precedents of the British Wesleyans and acknowledged a polite respect for Wesley. Nevertheless, **American Methodism already bore the indelible marks of American liberty on its foundation**, some of which Wesley could never understand.").

119 Ibid., p. 295 ("Wesley's explicit anti-American stance added more strain to the tenuous political position of his Methodist followers in America. Many of them were consequently suspected, by association, of having Loyalist sympathies. All of the Methodist preachers who had been appointed to the American colonies by Wesley, therefore, returned to England by 1777, **except Francis Asbury, whose sympathies rested with the Americans**. His convictions, however (in keeping with Wesley's explicit comments in his treatise on Original Sin), were pacifist, and he was therefore misunderstood by many of the more rabid 'patriots' as being nonsupportive of, if not traitorous to, the American revolutionary cause.")

Enlightenment philosophy that had prevailed at the College of New Jersey at Princeton, and by the neo-orthodox Puritans of New England.[120] As a sect that represented, and grew out of, the theology of the Church of England,[121] the new American Methodist sect (i.e., the Methodist Episcopal Church) would adopt the spirit of latitudinarianism which prevailed among the Whigs and many of the High Church Anglicans in England. This is significant, because the American Methodists—and not the American Episcopalians—became the predominant Protestant group that represented the heritage of the Anglican Church (i.e., the Church of England) in the new United States of America.

Denomination[122]	**1776**	**1850**
Anglican-Episcopalians	53,089	95,110
Methodists	6,971	1,632,613

The early American Methodists, as "High-Church" Anglicans (i.e., liberal Whigs), were also strong advocates of the abolition of slavery, whereas most American Episcopalians, as "Low-Church" Anglicans (i.e., conservative Tories), were either ambivalent towards slavery, such as American Founding Father Thomas Jefferson seemed to be,[123] or they were themselves wealthy

120 Ibid.

121 Ibid.

122 Newman, William M. and Peter L. Halvorson, Atlas of American Religion: The Denominational Era, 1776-1990 (Walnut Creek, CA: AltaMira Press, 2000), pp. 73, 77, 80, 83.

123 Although a slave-owner himself, Thomas Jefferson admits that slavery is immoral and retards the moral character of society, stating:

> There must doubtless be **an unhappy influence on the manners of our people produced by the existence of slavery among us**. The whole commerce between master and slave is a perpetual exercise of the most boisterous passions, the most unremitting despotism on the one part, and degrading submissions on the other.
>
> Our children see this, and learn to imitate it; for man is an imitative animal. This quality is the germ of all education in him. From his cradle to his grave he is learning to do what he sees others do. If a parent could find no motive either in his philanthropy or his self-love, for restraining the intemperance of passion towards his slave, it should always be a sufficient one that his child is present. But generally it is not sufficient. The parent storms, the child looks on, catches the linements of wrath, puts on the same airs in the circle of smaller slaves, gives a loose to his worst of passions, and thus nursed, educated, and daily exercised in tyranny, cannot but be stamped by it with odious peculiarities. … With the morals of the

slave owners, such as American Founding Father George Washington. [124] As American patriots, the "Low-Church" American Episcopalians (i.e., Tories) stood to inherit the booty and loot of

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> people, their industry also is destroyed. For in a warm climate, no man will labour for himself who can make another labour for him. This is so true, that of the proprietors of slaves a very small proportion indeed are ever seen to labour. And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are of the gift of God? That they are not to be violated but with his wrath? Indeed **I tremble for my country when I reflect that God is just: that his justice cannot sleep for ever**: that considering numbers, nature and natural means only, a revolution of the wheel of fortune, an exchange of situation, is among possible events: that it may become probable by supernatural interference! The Almighty has no attribute which can take side with us in such a contest.—But it is impossible to be temperate and to pursue this subject through the various considerations of policy, of morals, of history natural and civil. We must be contented to hope they will force their way into every one's mind.

Thomas Jefferson, *Writings* (New York, N.Y.: The Library of America, 1984), pp. 288 – 289.

124 The Methodist Church engaged in a valiant anti-slavery protest movement during the late 1780s. See, e.g., http://consulthardesty.hardspace.info/wp-content/uploads/2016/09/Hardesty-timeline-Rev10.pdf, stating:

> 9 April 1785 Coke and Asbury personally inform General Washington (four years prior to his election as President) of their opposition to slavery. Coke is stalked by an assassin - then violently threatened in Virginia - for equating slavery with injustice. Instead of accepting a bounty for giving Coke a hundred lashes with the whip, a local magistrate – after hearing the evangelist preach in a barn – emancipates his 15 slaves. A chain reaction ensues, wherein perhaps an additional nine souls are freed from servitude. Coke organizes church members in North Carolina to petition their legislature that manumission become legal. Failing, Coke returns to Virginia to lead calls for legislative change. This effort too is unsuccessful. Two counties set out indictments against him.

The Methodist Church engaged in a valiant anti-slavery protest movement during the late 1780s. See, e.g., "The Long Road: Francis Asbury and George Washington," (October 1, 2015), https://www.francisasburytriptych.com/francis-asbury-and-george-washington/

> For example, in 1785, Methodists superintendents Bishop Francis Asbury and Thomas Coke met personally with future President George Washington at his home at Mount Vernon. They both asked Gen. Washington to sign their abolition petition to be submitted to Virginia legislature. Gen. Washington stated that he shared their abolition sentiments but felt that it would not be appropriate for him to sign any petition, but that if the Virginia legislature brought the matter to the floor, then he would give his opinion on the subject.

The Episcopal Church (i.e., "Anglican Church") in Virginia was thoroughly controlled through a "vestry" system that was controlled by slaveholders. For a description of George Washington's attitude towards his own Anglican faith and the Episcopal Church, see Fletcher, Ryan Lee, "Christ and Class: The Protestant Episcopal Church in the South, 1760-1865" (2013) Electronic Theses and Dissertations, p. 78, 85, 88, 92-93 ("Mary V. Thompson's recent analysis of Washington's religious disposition appears accurate. Thompson contends in "In The Hands of a Good Providence": Religion in the Life of George Washington that **Washington lived as a "liberal, Latitudinarian" in the Anglican Church**—not a deist or a pietist.... Vestryman Washington had to ensure that hired clergy had the necessary resources to practice the established faith.... The Church of England provided the southern gentry with comfort as its rituals transformed death intothe promise of eternal life.... Fourteen years after Washington had married Martha Custis, Mount Vernon had grown to encompass **119 slaves over the age of sixteen and land holdings in excess of 6,500 acres**. In the five years preceding the convening of the Second Continental Congress in 1775, the number of slaves owned by Washington had doubled. Land and slaves should not be minimized in the cultivation of planter class identity, but Washington also necessitated established church pews. At a critical time as he labored to secure his membership in the planter class, George Washington incorporated pews into an ever-expanding inventory of plantation properties.... For Washington and numerous other planter-vestrymen, the Church of England provided a social space to both manufacture a planter community and receive theological edification. Washington's military efforts in the American Revolution supported independence for the United States, Mount Vernon, and the Episcopal Church. Republicanism, a tobacco plantation, and Episcopal pews— the three pillars of George Washington— motivated him to engage in the American Revolution. Or to borrow the allegorical language of Reverend John Lewis: Washington elected to defend his three vineyards from an

British mercantilism which included the wealth attained from slavery and the transatlantic slave trade.[125] In fact, this was one of Rev. Wesley's observations and criticisms of the American Revolution from the beginning.[126] The economic and commercial aspects of the empire of Great Britain, the American Revolutionary War, the transatlantic slave trade, and the Methodist responses to these developments are discussed in volume six of this postdoctoral study.

eighteenth-century reincarnation of King Ahab. By doing so, the vestryman emeritus bequeathed a distinctive inheritance of Episcopal republicanism to the late eighteenth and early nineteenth century South.")

125 See, e.g., Rowan Strong, *Anglicanism and the British Empire, c. 1700 – 1850* (Oxford, United Kingdom: Oxford Univ. Press, 2007).

126 John Wesley, "A Calm Address to our American Colonies" (1775), *The Works of John Wesley* [citation omitted]; John Wesley, "Thoughts Concerning the Origin of Power" (1772), *The Works of John Wesley* [citation omitted]; John Wesley, "Some observations on Liberty" (1776), *The Works of John Wesley* [citation omitted]; John Wesley, "A Calm Address to the Inhabitants of England" (1777), The Works of John Wesley [citation omitted]; John Wesley, "A Seasonable Address to the More Serious Part of the Inhabitants of Great Britain" (1776), *The Works of John Wesley* [citation omitted]; John Wesley, *Thoughts Upon Slavery* (London, England/ Philadelphia, PA: J. Crukshank Pub., 1778); and Daniel Pratt Morris-Chapman, "High and Low? The Heritage of Anglican Latitudinarianism in The Thought of John Wesley" [citation omitted], pp. 83-99.

Chapter Three

"Scottish-Presbyterian Theology and the United States Constitution"

We come now to the great heritage which the Church of Scotland bequeathed to colonial British North America and the new United States of America. That Presbyterian heritage was fundamentally Calvinistic and Augustinian. During the 18th century, The Scottish and Scottish-Irish Presbyterians exercised extraordinary influence upon several other Protestant groups, including the Puritan-Quakers, the Puritan-Baptists, and the latitudinarian Anglicans. Unlike their Congregationalists brethren who were Englishmen primarily in colonial New England, the Presbyterians came to North America during the later 17th- and early 18th centuries and they throughout all of the North American colonies, thus making the Presbyterian denomination a truly "national" denomination, rather than a regional one. But they primarily populated Maryland, Pennsylvania, and New Jersey, where they established the College of New Jersey at Princeton.

The first Presbyterian national headquarters was also stationed at Philadelphia, where it was established in 1706, and where it naturally imbibed the ideals of the Puritan-Quakers and other motley Nonconformists groups. Hence, the brand of Reformed-Calvinistic theology which the American Puritans developed was far more cosmopolitan and, perhaps, more sophisticated, than that of the Congregationalists of Puritan colonial New England. In nearby New Jersey, during the mid-1700s, the Presbyterians soon took over the helm of leadership at the College of New Jersey at Princeton, which was founded in 1746, and from thenceforth assumed a sort of cultural and intellectual leadership over the American colonies and the new United States.

The Presbyterians were Calvinists, but they brought something unique and modern to their ministry and to their intellectual leadership, to wit, the "Scottish Common Sense Realism" of the Scottish Enlightenment, which made the American Presbyterians much more than orthodox Puritans or orthodox Calvinists— they were, in fact, neo-orthodox Calvinists. In order

to fully understand the rich tradition of the American Presbyterians, it is necessary to review the organic nature of their Celtic-British and Roman Catholic heritage in Scotland.[127] The Church of Scotland, like the Church of England, was founded during the 6th century.[128] Celtic Monastic Christianity flourished during the period for several centuries, before it finally became completely "Romanized" by the Roman Catholic Church.[129] "Although Roman influence came to dominate the Church in Scotland, certain Celtic influences remained in the Scottish Church, such as 'the singing of metrical psalms, many of them set to old Celtic Christianity Scottish traditional and folk tunes,' which later became a 'distinctive part of Scottish Presbyterian worship'."[130]

The Church of Scotland thus developed and flourished as a Roman Catholic Church up through the mid-1500s, when the winds of the Protestant Reformation blew into Scotland with the preaching George Wishart (1513 – 1546), who became the role model, mentor, and confidant for a man named John Knox (c. 1505 – 1572). "The foremost leader of the Scottish Reformation, as well as the founder of Presbyterianism in that country, was John Knox."[131] Knox attended, and was affiliated with, the University of Glasgow and the University of St. Andrews, where he both studied and lectured, before receiving ordination as a Roman Catholic priest in 1530. Knox served as a Catholic priest for about fifteen years before he got involved with the Protestant Reformation. During this period, Cardinal David Beaton had his mentor George Wishart was arrested, tried for heresy, and burned alive in 1546. Shortly thereafter, in 1547, Knox was arrested, imprisoned, and sentenced to hard labor, and served nineteen months in captivity to the French Catholics before being released in February 1549, due in large measure to the

127 "Presbyterianism," Wikipedia (online encyclopedia): https://en.wikipedia.org/wiki/Presbyterianism#Early_history

128 Ibid.

129 Ibid.

130 Ibid.

131 Bell and Sumner, *The Reformation and Protestantism*, supra, p. 166.

diplomatic efforts of England's King Edward VI. Knox traveled to England where he became an Anglican priest and preached for two years in Berwick, England and was appointed as a chaplain to Edward VI.

In 1553, Edward VI died. Thereafter, Knox's fortunes in England soured when the Catholic Queen Mary I ascended the throne and commenced her Catholic persecutions of the English Protestants. It was then that Edward VI fled to Geneva and met the get Protestant Reformer John Calvin (1509 – 1564). Knox also traveled to Protestant Germany, where he observed the Lutherans and took up a pastorship there in 1555. Knox resigned due to theological differences, returned briefly to Scotland during the period 1555-1556, and then he returned back to Geneva where he continued his tutelage under Calving, during the years 1556 to 1559. In January 1559, the people of Edinburgh asked Knox to return to Scotland and to lead the Protestant Reformation there. "Using language similar to that of Guillaume Farel when he persuaded John Calvin to stay in Geneva, they warned Knox not to rebel against God by refusing to come. In January of 1559, John Knox returned to Scotland to stay."[132] In 1559, Knox appealed to Queen Elizabeth I of England, and thence the fates of the up-start Protestant Church of Scotland and up-start Protestant Church of England would be indelibly linked together.[133] The Scottish and the English signed the Treaty of Berwick in 1560 to provide mutual military assistance against France and the Roman Catholic Church. A sort of glorious religious revolution and revival swept through Scotland, as men and women spontaneously began to destroy the iconography within the Roman Catholic churches and cathedrals.[134] On July 6, 1650, the Treat of Edinburgh was signed. It provided for the withdrawal of French troops and

132 Ibid., p. 170.

133 Ibid., p. 171.

134 Ibid. ("In Perth and in other cities of Scotland, church images and statues, as well as monasteries, were destroyed, and some of the churches were looted. While Knox did not condone this action, he didn't speak out against it.")

the disenfranchisement of Frenchmen within Scotland. During that same year, Scotland's parliament ratified the *Scot's Confession of Faith*—which was a Calvinistic creed.[135]

Significantly, Knox helped to institute Presbyterianism in Scotland. Presbyterianism is a democratic form of church government[136] and was designed to be an attempt to return to the New Testament Church as described in the *Book of Acts* and the apostolic letters.[137]

> Presbyterianism is a system that provides a 'balance of power' between clergy and laity and between congregations and a church's larger governing bodies. There are some variations in the structure of Presbyterian Church government. Each congregation is governed by a ruling body composed of the pastor and the elders, who are elected by the congregation. Individual congregations belong to a presbytery, which governs the activities of congregations in a given geographic area. The members of a presbytery include all the pastors and elected representative elders from each of the congregations.
>
> In Presbyterianism, the presbytery has the power to ordain ministers. This is different from Episcopal forms of church government, in which a bishop ordains the ministers, and from the congregational church government, in which the congregation has the power to ordain. Each presbytery belongs to a synod, which is a larger geographic unit of the church. A general assembly, or general synod, unites the entire church.[138]

The social, cultural, and political implications of Presbyterian's democratic ecclesiastical structure were profound. They faithfully instituted the theological doctrine of "the priesthood of all believers," an idea which dignified, enfranchised and empowered the common people.[139] This

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135 Ibid. ("The Confession held a place of great importance in Scotland, before it was replaced in 1647 by the more comprehensive *Westminster Confession of Faith*.")

136 Ibid., p. 174 ("If you wanted to describe Presbyterianism in one word, the word democratic would be a good one. From the beginning, John Knox's Reformation was embraced by the people of Scotland (as opposed to many other places, where reformation was imposed, or at least introduced, by the authority of government). Knox's system of church government assured that no one man—no pope, cardinal, or bishop—would dominate or rule. Under Knox, for the first time ever in Scotland, the layman had actual power within the church.")

137 William Goodell, *The Democracy of Christianity*, supra, p. 317 ("The word presbyter is of Greek origin, and signifies the same thing as elder. The presbytery of a church could be nothing distinct from the plurality of elders in a church, nor hold any other powers than those of an elder.")

138 Bell and Sumner, *The Reformation and Protestantism*, supra, p. 173.

139 "Presbyterianism," Wikipedia (online encyclopedia): https://en.wikipedia.org/wiki/Presbyterianism

> Presbyterian history is part of the history of Christianity, but the beginning of Presbyterianism as a distinct movement occurred during the 16th-century Protestant Reformation. As the Catholic Church resisted the Reformers, several different theological movements splintered from the Church and bore different denominations. Presbyterianism was especially influenced by the French theologian John Calvin, who is credited with the development of Reformed theology, and the work of John Knox, a Scottish Catholic Priest

doctrine created a democratic or a republican spirit within the Church of Scotland that would later have a powerful influence in colonial British North America.[140] This "Presbyterian church government was ensured in Scotland by the Acts of Union in 1707, which created the Kingdom of Great Britain."[141]

The Presbyterian form of church government, liturgy, and Calvinistic theology came to colonial British North American during the late 1600s when Rev. Francis Makemie (1658 - 1708), a native of Ireland who attended the University of Glasgow (Scotland), was invited to the colony of Maryland in 1683. In Somerset, Maryland, an officially-established Anglican colony at the time, Makemie established the Rehobeth Presbyterian Church, which is the oldest Presbyterian Church in America. This church co-existed alongside of a nearby Anglican church in the Coventry Parish in Maryland. Rev. Makemie would next lay the foundation for the Presbyterian Church in colonial British North America.

> Makemie traveled widely on along the American coast between North Carolina and New York, as well as participating in the West Indies Trade. In 1692, the year Makemie was granted land in Accomack County, Virginia, **he and seven other Presbyterian ministers gathered in Philadelphia, Pennsylvania and either then or in 1706 founded what later came to be known as the Presbytery of Philadelphia, the first in America, with Makemie as its moderator**. He also helped found churches in Salisbury, Princess Anne, Berlin and Pocomoke City as well as in two places on the Eastern Shore of Virginia, both in Accomack County further down the Delmarva Peninsula.[142]

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who studied with Calvin in Geneva. He brought back Reformed teachings to Scotland. The Presbyterian church traces its ancestry back primarily to Scotland. In August 1560, the Parliament of Scotland adopted the *Scots Confession* as the creed of the Scottish Kingdom. In December 1560, the *First Book of Discipline* was published, outlining important doctrinal issues but also establishing regulations for church government, including the creation of ten ecclesiastical districts with appointed superintendents which later became known as presbyteries. In time, the Scots Confession would be supplanted by the Westminster Confession of Faith, and the larger and shorter catechisms, which were formulated by the Westminster Assembly between 1643 and 1649.

140 Ibid. ("Presbyterians in the United States came largely from Scottish immigrants, Scots-Irish immigrants, and also from New England Yankee communities that had originally been Congregational but changed because of an agreed-upon Plan of Union of 1801 for frontier areas.")

141 Ibid.

142 "Francis Makemie," Wikipedia (online encyclopedia): https://en.wikipedia.org/wiki/Francis_Makemi

It is not a coincident that the first presbytery was established in Philadelphia, because Penn and the Quakers had established the colony of Pennsylvania as a safe haven for religious dissenters, whereas in most of the other colonies, there were established churches and laws which prohibited religious liberty.[143] For example, in 1707, the Governor of New York had Rev. Makemie arrested for preaching without a license. Rev. Makemie spent two months in jail before being released, and only after having incurred excessive legal fees. Rev. Makemie's imprisonment for "preaching without a license publicized Presbyterians as defenders of freedom of religion."[144]

Another key feature of the Presbyterians is that they "did not offer the Lord's Supper frequently. They preferred to set aside a few days a year for preaching, praying, confessing sins, and expressing the need for forgiveness. The gathered believers, now ready for the Lord's Supper, would walk up to large tables for a communal sharing of the bread and wine. Other religions started imitating this practice, irregularly until the Great Awakening."[145] Hence, American Presbyterianism soon became a politically and culturally galvanizing influence upon American culture.[146] "Within a decade of Makemie's trial, the massive immigration of Scots-Irish would commence. Beginning in 1717, a steady stream of Ulster Scots populated the Middle Colonies, particularly the frontier in western Pennsylvania. By the time of American independence, nearly five hundred thousand Scots-Irish had come to America."[147]

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143 Bell and Sumner, *The Reformation and Protestantism*, supra, p. 316.

144 Ibid.

145 Ibid.

146 "Francis Makemie," Wikipedia (online encyclopedia): https://en.wikipedia.org/wiki/Francis_Makemi ("Makemie and his wife Naomi bought a plantation along Holdens Creek at Temperanceville, Virginia in Accomack County, not far from the county seat. There he spent his final years and died in 1708.")

147 Donald Fortson, "Scotland and the Birth of the United States" Church History: https://www.ligonier.org/learn/articles/scotland-and-birth-united-states

Finally, the Scotch and Scotch-Irish Presbyterians were disproportionately involved in the transatlantic slave trade and many of them were slave owners,[148] including Rev. Makemie.

> In the colonial era, Scots-Irish immigrants comprised the large part of American Presbyterians. Either coming directly from their homeland—or, more commonly, having resided in northern Ireland for one or more generations—these immigrants chiefly settled in the middle colonies from New York to Virginia, where they lived among slaveholders and sometimes owned slaves themselves The Reverend Francis Makemie is often regarded as the father of the denomination: he played a major role in forming early congregations, organized the first American presbytery in 1706, and contributed to the establishment of the principle of religious toleration though a notable court case in New York the following year. He also held property in human beings. A native of Donegal, Ireland, Makemie resided for some time in the British colony of Barbados, whose prosperity depended on slaves and sugar, and his residence in Barbados and trade with the colony financially supported his ministerial labor in North America. Makemie later married into a wealthy family in Accomack County on the eastern shore of Virginia, where he acquired substantial land holdings. His 1708 will also listed and ordered the distribution of thirty-three chattel slaves.[149]

The Scots-Irish deeply influenced American culture, especially in the American South.[150] To be sure, following the American Revolutionary period, Scotland, the Church of Scotland, and the

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148 "Slavery and the Slave Trade," https://www.nrscotland.gov.uk/research/guides/slavery-and-the-slave-trade

> Following the union of parliaments in 1707, Scotland gained formal access to the transatlantic slave trade. Scottish merchants became increasingly involved in the trade and Scottish planters (especially sugar and tobacco) began to settle in the colonies, generating much of their wealth through enslaved labour. Evidence of the acquisition of enslaved individuals from slave traders and other enslavers can be found among the Estate and plantation records and the Business records of merchants and individuals involved in enslavement.

"Scots Involvement in the Atlantic Slave Trade," https://www.nls.uk/collections/scotland-and-the-slave-trade/involvement/

> Clear evidence of Scottish involvement in the transatlantic slave trade exists in the National Library of Scotland's collections. Modern research has identified 27 slave trade voyages that left the ports of Greenock, Port Glasgow, Leith and Montrose between 1706 and 1766. These ships took around 4,000 to 5,000 captives across the Atlantic and into slavery....
>
> Indeed, Scots were directly involved in the transatlantic slave trade as investors, owners of enslaved people, and overseers on the plantations. They were also in the extensive range of professions and trades involved in maintaining the infrastructure of the slave trade.

149 "Racist Thought and the Presbyterian Church in the United States of America," https://static1.squarespace.com/static/553ea282e4b0e1b549d403d5/t/5f28bc2b1e1a3e7bcc4732b4/1596505148509/Racist+Thought+and+the+Presbyterian+Church+in+the+United+States+of+America.pdf

150 See, e.g., Edna Campos, "The Scotch-Irish and the Savage South," https://mountainx.com/opinion/0802martin-php/ ("Sixteenth-century reformer John Knox believed everyone should come to know God personally by reading the Bible, and Scots soon began reading all sorts of things that fueled their free-thinking ways. By the end of the 17th century, Scotland was the most literate nation on earth, says Herman. In the 18th century, it became a center of philosophic and economic thinking, led by Adam Smith, David Hume and a host of others. Its universities were the envy of every country in Europe, and Scotland was also a

American Presbyterians produced many anti-slavery abolitionists.[151] However, the institution of African slavery and the participation in the transatlantic slave trade were not activities that were officially prohibited by the secular or ecclesiastical laws of Scotland, the Church of Scotland, or the Presbyterian churches in colonial British North America during the late 1600s or early 1700s.[152] Prior to the period of the American Revolutionary War, the Presbyterians were

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hotbed of invention and business development, with James Watt's 1781 steam engine becoming the workhorse of the Industrial Revolution. But what does all this have to do with North Carolina today? The transformation of Scotland was in full bloom just as waves of Scots and Scots-Irish immigrants were landing in America and settling here. And those new Scottish values — especially the commitment to educational excellence and the freedom of the human mind to inquire in all directions — are a solid rock on which our state's best traditions have been built.")

151 https://www.nrscotland.gov.uk/research/guides/slavery-and-the-slave-trade

> The Abolition Movement
>
> Many individual Scots were involved in the movement to abolish slavery or helped fugitives of slavery in Scotland in their quest for freedom. The Church of Scotland and other churches were also involved in the petitioning of parliament to abolish the slave trade in the late-eighteenth century and early-nineteenth century and individual church ministers baptised enslaved individuals in order to aid their attempts to gain freedom. The Court of Session cases challenging the status of slavery in Scotland reveal that local people helped fugitives of slavery – see under Court of Session cases. The NRS and SCAN online catalogues and the National Register of Archives can be used to some extent to search for material about the abolition movement and leading abolitionist figures, such as William Dickson of Moffat and William Wilberforce. See under 'Searching the NRS, SCAN and NRAS online catalogues' below. Researchers into the abolition movement in Scotland should refer to Iain Whyte, *Scotland and the Abolition of Black Slavery*, 1756-1838 (Edinburgh University Press, 2006).

152 "Bristol and Transatlantic Slavery," https://www.discoveringbristol.org.uk/slavery/routes/places-involved/britain/Scotland-Ireland-the-North/

> Scotland had an Africa trading company by 1695. The traders there were keen to join the profitable trade, which was controlled by London merchants. The Scottish cities of Edinburgh, Glasgow, Dundee, Inverness and Montrose all campaigned against this London control. They wanted the government to change the laws so that the London-based Royal African Company (a trading company) would lose its control over the trade to Africa. A partnership of bankers and traders fitted out a slave ship from Edinburgh in 1695. As a result of the campaign to end the Royal African Company control, other merchants were allowed to trade to Africa if they paid the Royal African Company for the privilege. The money would go towards costs, such as maintaining the slave forts on the west coast of Africa. Slave traders used the forts as a base, slaves could be kept there before their journey across the Atlantic Ocean, and slave ships could anchor nearby.
>
> Glasgow was sending a few slaving voyages out, but the local merchants came to trade more in tobacco than in slaves. The city developed a major industry processing the slave-produced tobacco.
>
> Newcastle, on the north east coast of England, along with nearby Hull and Yarmouth on the east coast, seem to have avoided the slave trade itself. Instead they traded directly with the plantations in America and the Caribbean. They supplied the colonies with the many items they needed, including window glass and vegetable seeds. Tobacco, sugar and rum came back from the Caribbean and were processed in the cities. This contributed to the growth in their industries.
>
> Liverpool, on the north west coast of England, was the major slaving port in the north of England. The trade from this small port developed in the early 18th century. In the 1740s Liverpool overtook Bristol in the slave trade. The reasons for this are not clear. Liverpool may have had lower local wage rates than Bristol, which would led to higher profits for investors. The city had good port facilities and closer access to the manufacturing towns of the north and midlands than Bristol. Liverpool may have

theologically and psychologically misdirected and uncertain as to how to approach slavery, the slave trade, and race. If Rev. Dr. John Witherspoon (1723 – 1794)'s worldview may safely be construed to be the "official" Presbyterian view on slavery during the time of the American Revolution, then we may safely conclude that the Presbyterians, at least during the late 1700s, believed that slavery was unnatural, that Africans were human and should be afforded human rights, but that, given the American set of circumstances, that slavery should be *phased out gradually*, say, over the period of about *twenty or thirty years* from the ending of the Revolutionary War, in order to afford the slaves a reasonable opportunity to adjust to their new lives as freedmen.

> In this connection it may be noted that in 1790 President Witherspoon, while a member of the New Jersey Legislature, was chairman of a committee on the abolition of slavery in the state, and brought in a report advising no action, on the ground that the law already forbade the importation of slaves and encouraged voluntary manumission. He suggested, however, that the state might enact a law that all slaves born after its passage should be free at a certain age—e.g., 28 years, as in Pennsylvania, although in his optimistic opinion the state of society in America and the progress of the idea of universal liberty gave little reason to believe that there would be any slaves at all in America in 28 years' time, and precipitation therefore might do more harm than good.[153]

> overtaken Bristol in the slave trade because its merchants were more enterprising, and more willing to take risks, than merchants elsewhere. Liverpool remained the country's major slaving port for the rest of the century. Lancaster, also on the north west coast of England, is pictured here in 1792. The town had merchants who were involved in the slave trade. Having started slowly and gradually increasing the number of voyages, Lancaster became the fourth biggest slaving port after Liverpool, London and Bristol. Merchants and ships from other smaller ports traded through Lancaster. These included towns such as Preston on the north east coast, and the nearby towns of Poulton and Ulverston.
>
> A merchant called Isaac Milner in the town of Whitehaven, on the north east coast of England, invested in a large number of African voyages out of Bristol and London (rather than Whitehaven itself). Others in the town invested in voyages to Africa. They also invested in voyages carrying slaves from the Caribbean island of Barbados to the southern state of Virginia in America. They brought tobacco back. Whitehaven's isolated position meant that it soon dropped out of the long-distance trade with the Caribbean. This was because organising trade goods and finance was difficult in a town so far away from the big manufacturing towns.
>
> Merchants from Ireland were investing in slaving voyages in the early 18th century, but it was never a major part of their trade. Irish ports like Dublin on the east coast, Belfast on the north eastern coast, Limerick in the south east and Kinsale on the south coast were involved indirectly with the trade. They were often used by English ships to supply provisions such as food and water as they set off for Africa.

153 John Witherspoon, *Lectures on Moral Philosophy* (Princeton, N.J.: Princeton University Press, 1912), p. 91. See, also, W.E.B. DuBois, *The Suppression of the African Slave Trade*, (New York, N.Y.: The Library of America, 1986), pp. 55-56, to wit:

> Meantime there was slowly arising a significant divergence of opinion on the subject. Probably the whole country still regarded both slavery and the slave-trade as temporary; but the Middle States expected to see

In fact, most of the northern colonies adopted and implemented the slow phasing out of slavery following the Revolutionary War. Hence, on the topic of African slavery and slave trade, the Presbyterians were not as forward-thinking as the Puritan-Quakers whose progressive influence upon the American Presbyterians would be felt in both Philadelphia and at the College of New Jersey in Princeton.[154]

Through the Church of Scotland, the influence of Calvin and Knox upon Anglo-American constitutional law was immense. Both Calvin and Knox stressed the right and duty of lay Christians to read the Sacred Scriptures themselves. This was in keeping with the doctrine on the "priesthood of all believers." It required Christians to be literate, and it also required pastors to be very well educated.

> Sixteenth-century reformer John Knox believed everyone should come to know God personally by reading the Bible, and Scots soon began reading all sorts of things that fueled their free-thinking ways. By the end of the 17th century, Scotland was the most literate nation on earth, says Herman. In the 18th century, it became a center of philosophic and economic thinking, led by Adam Smith, David Hume and a host of others. Its universities were the envy of every country in Europe, and Scotland was also a hotbed of invention and business development, with James Watt's 1781 steam engine becoming the workhorse of the Industrial Revolution....
>
> The transformation of Scotland was in full bloom just as waves of Scots and Scots-Irish immigrants were landing in America and settling here. And those new Scottish values — especially the commitment to educational excellence and the freedom of the human mind to inquire in all directions — are a solid rock on which our state's best traditions have been built.[155]

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the abolition of both within a generation, while the South scarcely thought it probable to prohibit even the slave-trade in that short time. Such a difference might, in all probability, have been satisfactorily adjusted, if both parties had recognized the real gravity of the matter. As it was, both regarded it as a problem of secondary importance, to be solved after many other more pressing ones had been disposed of. The anti-slavery men had seen slavery die in their own communities, and expected it to die the same way in others, with as little active effort on their own part. The Southern planters, born and reared in a slave system, thought that some day the system might change, and possibly disappear; but active effort to this end on their part was ever farthest from their thoughts. Here, then, began that fatal policy toward slavery and the slave-trade that characterized the nation for three-quarters of a century, the policy of *laissez-faire*, *laissez-passer*.

154 "A Brief History of Quakers in Princeton," https://www.princetonfriendsschool.org/about-us/a-brief-history-of-quakers-in-princeton.cfm

155 See, e.g., Edna Campos, "The Scotch-Irish and the Savage South," https://mountainx.com/opinion/0802martin-php/

One of the great intellectual movements of the eighteenth century known as Scottish Common Sense Realism ("SCSR") or the "School of Scottish Common Sense," swept through England and colonial British North America.[156] The founders of this new intellectual movement were Thomas Reid, Adam Ferguson, James Beattie, and Dugald Stewart. Thomas Reid, perhaps, was the leader of the movement.[157]

> Reid's philosophy can be non-contentiously reduced to four basic precepts:
>
> (1) The objects of acts of perception are external objects-That is, mind-independent spatially-located entities;
>
> (2) The necessary and sufficient condition for perceiving an external object is that the object cause in one a conception thereof and an immediate (non-inferential) belief about it;
>
> (3) We human beings are so made that, in perception, the external object causes a conception of, and an immediate belief about, itself, by way of causing a sensation which in turn causes ('suggests') the conception and immediate belief;
>
> (4) The sensation may cause, and often does in fact cause, the conception and belief without one's being sufficiently attentive to the sensation for a belief about it to be formed in one'....
>
> Reid articulated the basic principle of Common Sense Realism:
>
> 'If there are certain principles, as I think there are, which the constitution of our nature leads us to believe, and which we are under a necessity to take for granted in the common concerns of life, without being able to give a reason for them — these are what we call the principles of common sense; and what is manifestly contrary to them, is what we call absurd.'
>
> Scottish Common Sense Realism is rooted in Aristotelian thought and advocates an empirical and scientific philosophy wherein trust of our senses is implicit and necessary. The principles of common sense are fundamental to our accumulation of knowledge of both metaphysical and physical constructs. However, observation alone cannot account for all knowledge, and truth can be garnered by reflection. In Reid's own words:
>
> 'I can likewise conceive an individual object that really exists, such as St. Paul's Church in London. I have an idea of it; I conceive it. The immediate object of this conception is 400 miles distant; and I have no reason to think it acts upon me or that I act on it.'[158]

156 "Scottish Commonsense Realism," Wikipedia (online encyclopedia): https://en.wikipedia.org/wiki/Scottish_common_sense_realism

157 Ibid.

158 Ibid.

Common Sense Realism tended to keep ideas such as agnosticism, humanism, deism, and irreligion at bay, because it settled for scientific objectivity as it could be plainly demonstrated and understood by the broadest segment of society whose normal faculties could reasonably ascertain "truth" as well as any single person, or privilege group of persons, wielding authority under the disguise of divine right or religion or superior genetic inheritance. Hence, the nature of "common sense" is that the common man had a divine right to ascertain and assess not only biblical truth, but also political, social, and economic truths, for themselves. During the 18th century, the Scottish School of Common Sense was indeed revolutionary. "Common Sense Realism swept American intellectual circles in the 18th century."[159]

> Reid's philosophy was pervasive during the American Revolution and served as a stabilizing philosophical influence. Hailed by some as the "father of modern psychiatry," Benjamin Rush's tutelage at the University of Edinburgh imbued him with strong realist tendencies which influenced much of his scientific and political work including his moral opposition to slavery. Evidence of the influence of Scottish Common Sense realism can readily be found in the philosophy of both Thomas Jefferson and John Adams. Adams compared the contributions of Dugald Stewart favorably to works of Aristotle and René Descartes. Scotsman and signer of the Declaration of Independence, John Witherspoon presided over Princeton University; students under his tutelage included 12 state governors, 55 delegates to the Constitutional Convention and future president James Madison. His education at the University of Edinburgh made him a strong proponent of the Scottish Enlightenment and Realism. James McCosh (1811–94) continued the influence of Scottish Realism at Princeton when he became president of the university in 1868, reviving its influence as a major stronghold of the movement. Noah Porter (1811–92) taught Common Sense realism to generations of students at Yale.[160]

And, thereafter, through Princeton University, Scottish Common Sense Realism would continue to influence the culture of the United States of America.[161]

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159 Ibid.

160 Ibid.

161 Ibid., stating:

> Scottish Realism greatly influenced conservative religious thought and was strongest at Princeton Seminary until the Seminary moved in new directions after 1929. The Princeton theologians built their elaborate system on the basis of "common-sense" realism, biblicism and confessionalism. James McCosh was brought from Queen's College, Belfast, to Princeton College's Chair of Moral Philosophy and Presidency

The Anglican-Scottish Settlement[162]	
Dr. Matthew Tindal (1657- 1733)(Anglican, Church of England)	*Christianity as Old as the Creation; or, the Gospel a Republication of the Religion of Nature* (1730)
Bishop Matthew Warburton (1698 - 1779) (Anglican, Church of England)	*The Alliance between Church and State, or the Necessity of an Established Religion, and a Test Law demonstrated (*1736)
Bishop Joseph Butler (1692 - 1752) (Anglican, Church of England)	*The Analogy of Religion* (1736)
Rev. Dr. John Witherspoon (1723-1794)(Presbyterian, Church of Scotland)	***Lectures on Moral Philosophy; The Works of John Witherspoon, D.D.* (circa, 1768 – 1790)**
Rev. Dr. Adam Smith (1723-1790)(Presbyterian, Church of Scotland)	*The Theory of Moral Sentiments (1765); An Inquiry into the Nature and Causes of the Wealth of Nations* (1776)

Beginning with the Rev. Dr. John Witherspoon (1723 - 1794),[163] the Scottish influence upon American political, legal, and constitutional history increased exponentially during the

because of his book 'The Method of Divine Government,' a Christian philosophy that was precursory to Charles Darwin's The Origin of Species (1859). Several Princeton Theologians followed McCosh to adopt a stance of theistic evolution. It was his goal to develop Princeton as a Christian university in North America, as well as a forefront intellectual seminary of the Presbyterian Church. The faculty of the college and seminary included both evolutionary thinkers and non-evolutionary thinkers. Much evangelical theology of the 21st century is based on Princeton theology and thus reflects Common Sense Realism. New Testament scholar Grant Osborne concludes that Scottish Common Sense Realism influenced biblical hermeneutics, that the surface level understanding of Scripture became popular, and individualistic interpretations abounded.

162 The "Anglican-Scottish" Settlement is exemplified by the Church of England's Bishop Joseph Butler's significant influence on Rev. John Witherspoon (Scottish Presbyterian).

For instance, Dr. Witherspoon published the following work, *The Works of Joseph Butler*. See, e.g., https://www.goodreads.com/en/book/show/724374.The_Works_of_Joseph_Butler.

See, also, Wolfe, Stephen Michael Wolfe, "John Witherspoon and Reformed Orthodoxy: Reason, Revelation, and the American Founding" (2016). LSU Master's Theses. 1807, https://digitalcommons.lsu.edu/gradschool_theses/1807 ("Jack Scott, "Introduction," in [John Witherspoon's] *Lectures on Moral Philosophy* (Lectures), 27-28. He notes, however, that 'Witherspoon's ethical philosophy owes more to [Joseph] Butler [1692-1752] than to any other thinker,' 37-38.).")

163 A brief summary of the biography of John Witherspoon is located at ("John Witherspoon (February 5, 1723 – November 15, 1794) was a Scottish American Presbyterian minister, educator, farmer, slaveholder, and a Founding Father of the United States. Witherspoon embraced the concepts of Scottish common sense realism, and while president of the College of New Jersey (1768–1794; now Princeton University) became an influential figure in the development of the United States' national character. Politically active, Witherspoon was a delegate from New Jersey to the Second Continental Congress and a signatory to the July 4, 1776, Declaration of Independence. He was the only active clergyman and the only college president to sign the Declaration. Later, he signed the Articles of Confederation and supported ratification of the Constitution. In 1789 he was convening moderator of the First

decade leading up to the American Revolutionary War (1775 – 1783). Indeed, the religious and political motivations of many of the American Founding Fathers were clearly framed through Dr. Witherspoon's lectures and sermons, given originally, during the late 1700s, at what is today known as Princeton University. Through the writings, sermons, and lectures of one of the most influential of America's founding fathers John Witherspoon, we see clearly the influence of the Western Church upon America's founding principles and constitutional ideals. St. Augustine of Hippo's conceptualization of "nature," "providence" and of God as being the creator and author of nature and natural law is clearly manifest in Witherspoon's writings. Thus, the influence of St. Thomas Aquinas' conceptualization of the fundamental relationship between natural law and human law are also apparent in Witherspoon's writings.

Dr. Witherspoon's work at the College of New Jersey (Princeton) should also be considered as part of the culminating work of the influence of the Elizabethan Religioous Settlement of 1559 - 1563, because in colonial British North America, around the time of Dr. Witherspoon's arrival, the orthodox Anglicans ("Arminian") and the orthodox Calvinists ("Puritans") were beginning to reach a consensus about Christian civil polity and religious liberty. And in colonial British North America, these two Protestant groups were well represented in the majority of the colonial legislatures, as follows:

Southern Colonies:

Virginia—Anglican
Carolinas—Anglican/ Baptist
Georgia—Anglican/ Baptist

Middle Colonies:

Maryland—Anglican/ Catholic
Delaware- Anglican/ Catholic
Pennsylvania—Anglican/Quaker

Northern Colonies:

New York—Anglican/ Quaker

General Assembly of the Presbyterian Church in the United States of America.")
https://en.wikipedia.org/wiki/John_Witherspoon

New Jersey—Anglican/ Quaker
Massachusetts – Calvinist/ Puritan Congregational
Connecticut—Calvinist/ / Puritan Congregational
Rhode Island—Calvinist/ / Puritan Congregational
New Hampshire—Calvinist/ / Puritan Congregational

Throughout these colonies, Americans were reaching toward a consensus that "Christianity is a republication of natural religion,"[164] and that natural religion should be the foundation of civil polity. Indeed, natural religion was the only medium through which the various Protestant sects could form a political alliance in order to lay the foundations of an American republic.

At the same time, Rev. Witherspoon was a neo-orthodox Calvinist who did not see any contradiction between Calvinism and natural theology and science. He embraced the ideals of the Anglican bishop John Butler's *The Analogy of Religion*, which held that "Christianity is a republication of natural religion."[165] To that end, Dr. Witherspoon's philosophy was in perfect alignment with those influential latitudinarian Anglicans Matthew Tindal, William Warburton, and Joseph Butler. Dr. Witherspoon's *Lectures on Moral Philosophy* addressed the "laws of Duty or Morals." "[I]t is an inquiry into the nature and grounds of moral obligation by reason, as distinct from revelation."[166] In his *Lectures on Moral Philosophy*, Dr. Witherspoon reminds us that natural and moral philosophy are not inconsistent with the Holy Bible or Sacred Scripture.[167] "If the Scripture is true," wrote Dr. Witherspoon, "the discoveries of reason cannot

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164 To place this phrase into it proper biblical context, we must read Psalm 19:1-4 and Romans 10: 18 together. Psalm 19: 1-4 states: "The heavens declare the glory of God; and the firmament sheweth his handywork. Day unto day uttereth speech, and night unto night sheweth knowledge. There is no speech nor language, where their voice is not heard. Their line is gone out through all the earth, and their words to the end of the world"; and Romans 10: 18 states, "But I say, Have they not heard? Yes verily, their sound went into all the earth, and their words unto the ends of the world.")

165 See, e.g., Joseph Butler, *The Analogy of Religion, Natural and Revealed to the Constitution and Course of Nature*, supra, pp. 152, 155, 158 ("the Author of Nature"); p. 159 ("…the Author of Nature, which is the foundation of Religion"); p. 162 ("… there is one God, the Creator and moral Governor of the world"); p. 187 ("Christianity is a republication of natural Religion"); p. 188 ("The Law of Moses then, and the Gospel of Christ, are authoritative publications of the religion of nature…."); p. 192 ("Christianity being a promulgation of the law of nature…."); p. 243 ("These passages of Scriptures … comprehend and express the chief parts of Christ's office, as Mediator between God and men…. First, He was, by way of eminence, the Prophet: that Prophet that should come into the world, to declare the divine will. He published anew the law of nature…. He confirmed the truth of this moral system of nature….").

166 John Witherspoon, *Lectures on Moral Philosophy* (Princeton, N.J.: Princeton University Press, 1912), p. 1.

167 Ibid.

be contrary to it....";[168] "I am of the opinion that the whole Scripture is perfectly agreeable to sound philosophy; yet certainly it was never intended to teach us every thing";[169] and "[t]here is nothing certain or valuable in moral philosophy, but what is perfectly coincident with the scripture; where the glory of God is the first principle of action arising from the subject of the creature— where the good of others is the great object of duty, and our own interest the necessary consequence." [170]

Moral Philosophy= Ethics + Politics + Jurisprudence[171]
Moral Philosophy= "perfectly agreeable" to the Sacred Scriptures.[172]

Dr. Witherspoon also believed that "love,"[173] even the religious Christian principle of the Golden Rule,[174] was the necessary foundation of the civil state. "Love" embodied the natural moral law, and, according to Dr. Witherspoon, civil laws must ratify this natural moral law. The "objects of all civil laws," writes Dr. Witherspoon, are "[t]o ratify [natural] moral laws... [t]he transgression of such laws are called crimes...."[175] "On the great law of love to others," says Witherspoon, "I shall only say further that it ought to have for its object their greatest and best interest, and therefore implies wishing and doing them good in soul and body."[176]

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168 Ibid., pp. 1-2.

169 Ibid., p. 4.

170 Ibid., p. 141.

171 Ibid., p. 4

172 Ibid.

173 "If ye fulfill the royal law according to the scripture, Thou shalt love thy neighbor as thyself, ye do well...." (James 2:8).

174 Matthew 7:12 ("Therefore all things whatsoever ye would that men should do to you, do ye even so to them: for tis is the law and the prophets.")

175 John Witherspoon, *Lectures on Moral Philosophy*, p. 116.

176 Ibid., p. 54.

In sum, Dr. Witherspoon promoted the liberal arts, the sciences, and philosophy as subcomponents of the "law of Christ."[177] Dr. Witherspoon was in agreement with St. Paul who wrote: "[f]or when the Gentiles, which have not the law, do by nature the things contained in the law, these, having not the law, are a law unto themselves: which shew the work of the law written in their hearts, their conscience also bearing witness, and their thoughts the mean while accusing or else excusing one another."[178] Along the same lines, Dr. Witherspoon adopted a theory of nature that included the "light of nature" and the "law of nature,"[179] stating:

> We must distinguish here between the light of nature and the law of nature: by the first is to be understood what we can or do discover by our own powers, without revelation or tradition: by the second, that which, when discovered, can be made [to] appear to be agreeable to reason and nature.[180]

Hence, natural law, natural religion, and the Augustinian theological tradition flowed into colonial British North America from two directions: first, through the Anglican Church (i.e., latitudinarian Anglicanism; the College of William and Mary, where founding father Thomas Jefferson read the writings of Lord Bolingbroke) and, second, through the Presbyterian Church (i.e., Scottish Common Sense Realism; the College of New Jersey (Princeton), where founding father James Madison read or heard the lectures of Dr. Witherspoon on moral philosophy). Witherspoon's course on moral philosophy was mandatory for all juniors and seniors at this college. Through this college course, together with his own personal example and involvement in politics, Witherspoon would have significant influence upon the founding of the United States:

> Witherspoon transformed a college designed predominantly to train clergymen into a school that would equip the leaders of a new country. Students who later played prominent roles in the new nation's development included James Madison, Aaron Burr, Philip Freneau, William Bradford, and Hugh Henry Brackenridge.

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177 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).

178 Romans 2: 14-15.

179 John Witherspoon, *Lectures on Moral Philosophy*, supra, p. 3.

180 Ibid.

> From among his students came 37 judges (three of whom became justices of the U.S. Supreme Court); 10 Cabinet officers; 12 members of the Continental Congress, 28 U.S. senators, and 49 United States congressmen.[181]

Witherspoon's course on moral philosophy is indeed a barometer as to the mindset of American founding fathers, particularly James Madison,[182] who was father of the U.S. Constitution, as well as scores of lesser-known magistrates and public officials. Most of the signers of the American Declaration of Independence (1776) were merchants and lawyers— Dr. Witherspoon was the only ordained minister. Nevertheless, the Declaration of Independence is a clear replica of natural religion and natural rights philosophy that characterized the Scottish Enlightenment and latitudinarian Anglicanism of the late 18th century.

Thus, under Dr. Witherspoon's scheme of moral philosophy, science was not in contradiction or competition with the Sacred Scriptures:

> The noble and eminent improvements in natural philosophy, which have been made since the end of the last century, have been far from hurting the interest of religion; on the contrary, they have greatly promoted it.
>
> It is true, that infidels do commonly proceed upon pretended principles of reason. But as it is impossible to hinder them from reasoning on this subject, the best way is to meet them upon their own ground, and to show from reason itself, the fallacy of their principles. I do not know any thing that serves more for the support of religion than to see from the different and opposite systems of philosophers, that there is nothing certain in their schemes, but what is coincident with the word of God.[183]

At the College of New Jersey ("Princeton"), Dr. Witherspoon promoted natural religion and natural philosophy as being fully compatible with Calvinism and the Christian faith. In fact,

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181 "John Witherspoon," Wikipedia (online encyclopedia): https://en.wikipedia.org/wiki/John_Witherspoon

182 Educated by Presbyterian clergymen, Madison, as a student at Princeton (1769-1772), seems to have developed a "transient inclination" to enter the ministry. In a 1773 letter to a college friend he made the zealous proposal that the rising stars of his generation renounce their secular prospects and "publicly . . . declare their unsatisfactoriness by becoming fervent advocates in the cause of Christ." Two months later Madison renounced his spiritual prospects and began the study of law. The next year he entered the political arena, serving as a member of the Orange County Committee of Safety. Public service seems to have crowded out of his consciousness the previous imprints of faith. For the rest of his life there is no mention in his writings of Jesus Christ nor of any of the issues that might concern a practicing Christian. Late in retirement there are a few enigmatic references to religion, but nothing else. https://www.loc.gov/loc/madison/hutson-paper.html

183 Ibid., p. 2.

they—religion and philosophy—were re-statements of one another. This convergence transformed the provincial Calvinism of 17th -century Puritan New England into the cosmopolitan Calvinism of the 18th -century Age of Reason. As Dr. Witherspoon brought Scottish Common Sense Realism to colonial British North America, his ideas would have a significant impact upon the College of New Jersey and the American Revolution.

Within Dr. Witherspoon's theology and political philosophy is a conceptualization of natural religion, or of general Christianity, that placed America's two major constitutional documents within a binary framework of the two-tables theory conceptualized by Rev. Roger Williams (1603 – 1683) of Rhodes Island. Witherspoon likely viewed the United States Constitution as purely secular in nature, designed to carry out the limited functions of civil government. On the other hand, Witherspoon's conceptualization of civil government was that it was founded upon natural law and governed by the Providence of God. Thus, Witherspoon would have viewed the American Declaration of Independence as rightfully establishing "natural law" and the religion of nature as the theological foundation of the United States Constitution.

First Table of the Decalogue	**Second Table of the Decalogue**
American Declaration of Independence (1776) • Natural Religion (Natural Law) established as the "civil religion" for the United States • Reflects the "Three Articles of Natural Religion"- (1) the being of God; (2) the providence of God in human affairs; and (3) the difference between good and evil (i.e., natural law).[184]	United States Constitution (1776) • Prohibits the national government from establishing an official religion or prohibit the free exercise of religion • Restricts the national government to performing general functions of civil magistracy

Finally, it is appropriate to conclude this chapter by pointing out that the Presbyterians often claim credit for giving the new United States government its political structure. But this may be purely coincidental, when we consider the fact that the English Parliament was largely

184 Ibid.

shaped by the witan and the early church councils, and that the United States Congress was largely shaped by the English Parliament. And so, the United States Congress, it may rightfully be averred, was certainly shaped by the democratic tendencies of the Christian religion and the example of the New Testament Church. At the same time, during the late eighteenth-century, it is certainly plausible that the Scottish-Presbyterian cultural influences and Protestant theology on the "priesthood of all believers" and Calvinistic covenant theology led to a more firm and steady adjustment of the new United States to egalitarian and democratic principles. Through this powerful Presbyterian influence, neo-orthodox Calvinism (which was Augustinian theology) became the foundation of American constitutional law.

I

THE INFLUENCE OF THE PRESBYTERIAN CHURCH IN EARLY AMERICAN HISTORY: Part I [185]

by

Henry D. Funk

"Historians have generally recognized the fact that early American Presbyterianism exert an influence in the making of the United States that is fa yond what its numerical strength would lead one to expect. As a teacher of high moral ideals and Christian principles an agency for inspiring heroic patriotic action, and a champion of political and religious liberty, the Presbyterian Church exercised a remarkably far-reaching influence in period of the great struggle between England and France American domination. In these respects its service… deserves recognition. These assertions, the author believes, can be satisfactorily established by the consideration of a certain number of facts, which he has grouped under heads.

I. The Presbyterian Church, which was largely a frontier institution, provided America with a citizenry experienced in the principles of self-government through the practices of an ecclesiastical representative system, which was more democratic than most civil governments then existing in the English colonies.

II. Owing to the high intellectual qualifications demanded of the clergy, and to the belief of the Church that an enlightened Protestantism was essential to the maintenance of the evangelical faith, Presbyterianism fostered universal education and organized schools, classical academies, and colleges in the new regions where it became established, and thus trained many of the leaders who became illustrious in two critical and formative periods of its history (1754-1763) and (1776-1783).

III. The Presbyterian Church through the administrative and judicial work of its various judicatories, sessions, presbyteries, synods (and the General Assembly after 1789), endeavored to enforce the Christian principles governing a more righteous life, indispensable for the existence... of a true civilization, by disciplining in its various... courts those of its members who were morally delinquent. **The experience gained in the several church courts developed the judicial temper among the clergy and the laity, and them for the performance of the civil duties required enlightened democracy**.

IV. The Presbyterian Church by persistent, formal ac extending from the highest administrative bodies in the down through the presbyteries to the local congregation inculcated a loyal, patriotic, and national sentiment, ... the political ideas that were a prerequisite for making of America."

185 *Journal of the Presbyterian Historical Society* (1901-1930) , April, 1924, Vol. 12, No. 1 (April, 1924), pp. 26-63.

II

Scotland and the Birth of the United States

by

Donald Fortson[186]

"Scottish Presbyterianism, with its robust theology, disciplined government by elders, and strict piety, would significantly influence America through the waves of Scots-Irish immigrants that became the backbone of the Revolutionary era. Descended from lowland Scots, the Ulster Scots had begun settlement in northern Ireland during the reign of James VI and I, eventually organizing themselves into presbyteries within the established Irish Anglican Church. The Scots-Irish were required to pay taxes to support the established church; only in America would they eventually be free to practice their Presbyterianism within the context of complete religious liberty.

"The great American Presbyterian pioneer was Scots-Irish minister Francis Makemie (1657–1708), who was ordained in 1682 by the Irish Presbytery of Laggan and departed the next year for Maryland, responding to pleas for a Presbyterian clergyman. His early American years were spent in evangelistic work in Maryland, Virginia, and North Carolina, where he established five congregations. Makemie's designation as the "Father of American Presbyterianism" is associated with his role in the founding of the first American presbytery in 1706 in Philadelphia.

"One of the reasons American Presbyterians had organized themselves was a belief that joint effort could strengthen religious toleration. Under the 1689 Toleration Act of William and Mary, Makemie and other ministers had secured Dissenter licenses. Makemie's house had been designated as an authorized preaching point in Anglican-established Virginia, but he was arrested in New York by the governor, Lord Cornbury, for illegal preaching. He was jailed and eventually tried, but was acquitted in 1707. Makemie's exoneration was a notable milestone in the advancement of religious liberty in the colonies and made Presbyterians popular with Dissenters.

"Within a decade of Makemie's trial, the massive immigration of Scots-Irish would commence. Beginning in 1717, a steady stream of Ulster Scots populated the Middle Colonies, particularly the frontier in western Pennsylvania. By the time of American independence, nearly five hundred thousand Scots-Irish had come to America. The Virginia and Carolina Piedmont areas were unoccupied before 1730, but Scots-Irish settlers coming down the "Great Philadelphia Wagon Road" began to populate the backcountry. By 1750, they had moved into the South Carolina Piedmont and north Georgia. Scottish Highlanders settled along the North Carolina seaboard and coastal areas of Georgia.

"The most remarkable spiritual event to shape Scots-Irish colonists in the generation preceding the Revolutionary War was the revival known as the First Great Awakening. Many Presbyterians were keen supporters of revivalist preachers George Whitefield and Jonathan Edwards, who deepened American passion for freedom to worship God according to the dictates of one's conscience.

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186 Church History: Resources about God's covenant people in space and time, including: eras and movements, general church history, and geographical perspectives.https://www.ligonier.org/learn/articles/scotland-and-birth-united-states

"One fruit of the revival was renewed Christian piety, which many American clergy saw as central to God's blessing on the colonies. There were also millennial overtones to the Spirit's work as a sign of America's providential destiny. These elements helped create fertile soil for the American Revolution, and Presbyterian ministers utilized these themes as advocates for independence from Britain.

"As Presbyterian churches in the South and Middle Colonies proliferated under the revival, the need for more clergy made a theological school imperative. Pro-revival Presbyterian ministers in 1747 received a charter to start the College of New Jersey for college studies and training ministers. Several prominent leaders served as president of the new college, including Jonathan Edwards. By the 1760s, the school needed a new president, and the trustees selected a Presbyterian minister from Scotland, John Witherspoon (1723–1794), to lead the fledgling school. In 1768, the Witherspoon family arrived in New Jersey.

"The spirit of colonial America captured Witherspoon, who had embraced the vision of representative government. He became involved politically as he witnessed the oppression of the colonists by the British crown, believing their rights as Englishmen were being violated. In 1774, Witherspoon was part of the state convention in New Brunswick and soon was thrust headlong into the War for Independence.

"His first political sermon, preached in May 1776, urged resistance to tyranny as obedience to God and encouraged listeners to trust in God to bring good out of evil. The published sermon was dedicated to John Hancock, president of the Continental Congress. The sermon drew praise for Witherspoon as a patriot, but British loyalists hated him, burning him in effigy. A member of the British Parliament exclaimed, 'Cousin America has run off with a Presbyterian parson.'

"When Presbyterians in Mecklenburg County, North Carolina, got word about the skirmishes at Lexington and Concord, they gathered at the Charlotte Courthouse in May 1775 and issued the Mecklenburg Declaration, proclaiming independence from Britain. Having learned the skills of using a musket in the backcountry against Indians, the Scots-Irish frontiersmen were adept fighters. The American forces that defeated the redcoats at Kings Mountain were predominately Scots-Irish, led by five colonels who were Presbyterian elders.

"The Scots-Irish filled the ranks of General George Washington's army for the duration of the Revolutionary War. At Valley Forge, when many had deserted, the Scots-Irish remained, enduring the cold and hunger. During the war, a Hessian officer wrote home: 'Call this war by whatever name you may, only call it not an American rebellion; it is nothing more or less than a Scotch Irish Presbyterian rebellion.'

"When the Second Continental Congress convened in Philadelphia, Witherspoon served as the only clergy delegate and signed the Declaration of Independence on July 4, 1776. Witherspoon also signed the Articles of Confederation (1778), helped ratify the Constitution (1787) as a member of the New Jersey convention, and served on the Board of War and Board of Foreign Affairs.

"The College of New Jersey was a hotbed of patriotism during the war as numbers of students entered the Continental Army.

"The War for Independence cost Witherspoon dearly; he lost two of his sons in battle. He was keenly aware of God's providence in the conflict and wrote several proclamations on behalf of Congress, calling on Americans to offer God thanksgiving for His mercy.

“One of the fascinating questions associated with American representative government is the degree to which Presbyterian church government influenced the Constitutional Convention of 1787. Only Pennsylvania and New Jersey were represented at the convention by Presbyterians, and there is no record of any mention of Presbyterian structure by the delegates. There are certainly parallels in the structures, such as the people's right to choose their own representative leaders and the idea of confederation—union of presbyteries in a general assembly and individual states' union in a federal government. There are also significant ways that Presbyterianism differed from the American constitutional government with its executive, judicial and legislative branches, two distinct legislative houses, and a powerful executive office.

“It is more probable that the greater Presbyterian inspiration upon American government came through Witherspoon's most prominent student, James Madison, the ‘Father of the Constitution’ and fourth president of the United States. Madison studied at the College of New Jersey, even staying an extra year after graduation in 1771 to study Hebrew. Witherspoon had taught his students about balanced political structure where misuse of power may be corrected. Madison had apparently also imbibed from Witherspoon the old Calvinist doctrine of total depravity and man's natural inclination to vice and political corruption. Largely through Madison's influence as a chief architect of the U.S. Constitution, the genius of the American republican democracy would include a complex system of checks and balances, preventing political power from ever resting in the hands of a tyrannical few.

“Witherspoon believed that the maintenance of civil and religious liberties demanded both public and private virtue. The people should choose godly magistrates who would encourage a virtuous stable society. Witherspoon was also a stout defender of freedom of conscience, stating, ‘Everyone should judge for himself in matters of religion.’ Madison was a key advocate of the Bill of Rights, including its enshrinement of religious freedom in the First Amendment.

“When evaluating Witherspoon's influence upon the U.S. government, it only begins with Madison. In addition to his famous student who became president, Witherspoon's former pupils included a vice president, twelve members of the Continental Congress, five delegates to the Constitutional Convention, forty-nine U.S. representatives, twenty-eight senators, and three Supreme Court justices.

“The Scottish Reformation was a rebellion established upon the deeply held conviction that practicing one's faith, according to conscience informed by Scripture, was an inalienable right. This became a founding principle of the United States government. When George Washington was elected president in 1789, the Presbyterian General Assembly sent him a congratulatory letter; Washington replied, reminding the Presbyterians, ‘All men within our territories are protected in worshiping the Deity according to the dictates of their conscience.’

“In our time, when this liberty appears to be threatened again by politicians imposing policies that churches deem immoral, a good dose of the old Scots-Irish spirit may again be in order. Fighting for religious liberty is about as quintessentially Scottish and American as it gets.”

Chapter Four

"Puritan-Quaker Theology and the United States Constitution"[187]

We turn now to the Christian theological legacy upon the United States Constitution (1787) of the Society of Friends, commonly known as the Quakers.[188] Arguably, even the Puritan-Quakers had embraced Augustine of Hippo's very broad and expansive soteriology which he described in *The City of God*, as follows:

> 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, such as the objects which are accommodated to our outward senses, light, night, the air, and waters are suitable for us, and everything the body requires to sustain, shelter, heal, or beautify it: and all under this most equitable condition, that every man who made a good use of these advantages suited to the peace of his mortal condition, should receive ampler and better blessings, namely, *the peace of immortality*, accompanied by glory and honour in an

187 The word "Puritan-Quaker" has been adopted to reflect the original or traditional form of "orthodox" Quakerism that was practiced by George Fox (1624 – 1691) and William Penn (1644 – 1718). Today, the programmed Quakers who acknowledge the Christian religion, have Christian pastors, and conduct structured religious services that are similar in nature to other Protestant churches are carrying on the same traditions of the original Puritan-Quakers. See, e.g., David Yount, *How the Quakers Invented America*, supra, pp. 145 – 147 (describing the programmed Quakers). See, also, **Appendix F**, "The Quaker Influence Upon the U. S. Constitution."

188 See, e.g., David Yount, *How the Quakers Invented America*, supra, pp. 1-2, 14 – 17 (describing "How Quaker Values Infused the Constitution," particularly the American Bill of Rights of 1791), stating:

> The vaunted American tradition of church-state separation exists to guarantee freedom of religion, not its discouragement, and to mandate religious tolerance by all peoples. Moreover, the overwhelming religiosity of the American people continues to serve as a bulwark protecting democracy, the rule of law, trial by one's peers, consent of the governed, universal education, and equal opportunity. Far from being the products of secular minds, these innovations were successfully incorporated into colonial life by a religiously motivated people as early as a century before the American Revolution. Quakers, the most harshly persecuted Christians in seventeenth-century England, found refuge in Pennsylvania, founded by William Penn, himself a member of the Society of Friends. Over time, Pennsylvania became the model for the United States. The liberty that Americans take for granted originated not in the minds of secular Enlightenment thinkers but from the application of the Quakers' Christian faith.

See, also, James S. Bell Jr. and Tracy Macon Sumner, *The Reformation & Protestantism*, supra, p. 316, stating:

> Pennsylvania- The Colony with a Difference! In the late 1600s, William Penn helped Quakers settle in his place, Pennsylvania. This new colony offered freedom of religion for anybody who believed in one God. The founding of Germantown, Pennsylvania, marked a decisive moment because it incorporated two religions—German Mennonites and Dutch Quakers—into one town! The Penn administration treated Native Americans fair and square.

> endless life made fit for the enjoyment of God and of one another in God; but that he who used the present blessings badly should both lose them and should not receive the others.[189]

Hence, the Quakers wished end all formalized religion here, and allow every man to follow his own conscience in Christian liberty, and without further ecclesiastical requirements from established churches such as the Church of England.[190] Notably, even evangelist George Whitefield (1714 - 1770) preached under the auspices of the Quakers.[191]

In the American colonies, there had been a haphazard mixture of various Christian denominations, with the Calvinists denominating colonial New England and the Anglicans dominating the South and Mid-Atlantic regions. During the 1770s, these two groups were unified particularly through the intellectual leadership of the Scottish Presbyterian and neo-orthodox Calvinist Rev. Dr. John Witherspoon who became president of the College of New Jersey at Princeton, where many Anglicans, Congregationalists, and Presbyterians alike attended. For it was there at Princeton where a sort of "Anglican-Scottish" constitutional settlement or consensus was reached on certain vital questions as the establishment of religion, freedom of conscience, natural law, natural rights, divine providence, and constitutional law. But what is less known, and recognized, is the Puritan-Quaker influence at the College of New Jersey, in the local city of Princeton, and in the colony and state of New Jersey. The Puritan-Quakers are a powerful testament to the fact that stature, size, and popularity have no bearing whatsoever upon the positive influence of an individual or a group; for, indeed, the Puritan-

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[189] Ibid., p. 691.

[190] Arguably, the Quakers were the first to reach this theological and constitutional conclusion, which it gifted to the United States through the colonies of Pennsylvania and New Jersey. In his "Notes on the State of Virginia" (1781), Jefferson highly appraised both the Quakers and the Quaker political experient in the colony of Pennsylvania. Thomas Jeffersons, *Writings* (New York, N.Y.: The Library of America, 1984), pp. 283 - 287. Puritan-Quaker, principle founder of Pennsylvania, and trustee of New Jersey, William Penn (1644 - 1718) "believed politics to be 'a part of religion itself, a thing sacred in its institution and its end.'" This basic Quaker philosophy and ideology was reflected in the teachings of Dr. Martin Luther King, Jr. (1929 - 1968), who had apparently been heavily influenced by an African American Quaker/ Baptist minister named Rev. Howard Thurman. See, generally, David Yount, *How the Quakers Invented America* (Lanham: Maryland: Rowman & Littlefield Pub., 2007), pp. 14, 129 ("Dr. King's spiritual mentor was Howard Thurman (1900 - 1981)").

[191] Arnold Dallimore, *George Whitefield: The Life and Time*s, Vol. II, supra, p. 257.

Quakers wielded enormous power in colonial British North America not because their popularity or numbers but because of the potency of their ideas.

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Not enough credit is given to the 17th-century Puritan-Quakers of colonial New Jersey and Pennsylvania, particularly to William Penn (1644 - 1718) and many other notable Quaker leaders,[192] but Thomas Jefferson, in his "Notes On the State of Virginia" at Query XVII, appears to have done so, and to have impressed by the Quaker example of religious freedom.[193] In comparison, the purported influence upon the American Founding Fathers and America's constitutional heritage by Englishman John Locke (1632 - 1704), who wrote no constitutional charters and founded no colonies in North America, has been seemingly overemphasized. Indeed, John Locke (Anglican) deserves great credit, but the work of Roger Williams (Baptist) and William Penn (Quaker) deserve even greater credit than Locke's, because both Williams and Penn were practical statesmen, governors, and clergymen who actually established local

192 THE PURITAN- QUAKER INFLUENCE: The "Law of the Gentiles" is the law of nature or Natural Law— i.e., the Golden Rule—which is reason implanted in all human beings; a reason which the Greeks called *Logos*, whom the Apostles John and Paul identified as Jesus Christ. The *Book of Job*, which may be the oldest book in the Bible, demonstrates that the Gentiles had access to this *Logos* (i.e., Christ) even before there were formal religions called Judaism, Christianity, or Islam. Similarly, the Quaker belief of "God in everyone" and in an "inner light" in every human being is a restatement of the Noahic covenant of nature. The Quakers believed that this "inner light" is the voice of God (or the voice of Christ) in every human being. For this reason, the Quakers held that all human beings—regardless of sex, color, race, religious creed, nationality, etc.—were brothers. George Fox (1624 – 1691), who founded the Quaker denomination, did not believe in deism, and he held to orthodox Trinitarianism, but at the same time it is fair to say the Fox and the Quakers believed that the voice of Jesus Christ—as the incarnate *Logos* of God—was already present inside of all human beings, regardless of their formal religion, cultural heritage, ethnicity, race, etc. See, e.g., Lewis Benson, "'That of God in Every Man'—What Did George Fox Mean by It?" *Quaker Religious Thought*, Vol XII, No. 2 (Spring 1970). ("That Fox saw 'that of God in every man' **in the context of Romans** 1 is evident from the following passage written in 1658: '**So that which may be known of God is manifest within people, which God hath showed unto them… and to that of God in them all must they come before they do hold the truth in righteousness, or retain God in their knowledge, or retain his covenant of light**'…. It is true that Fox's starting point with non-Christians was usually the fact that there is that of God in them. But in his dealings with non-Christians his greatest concern is that the Gentiles should be fellow-heirs and partakers of God's promise in Christ by the gospel). And if see carefully study Augustine of Hippo's *The City of God*, supra, pp. 690-692, we find the same theological conclusions regarding nature, natural law, and general revelation. Although an orthodox Catholic bishop, Augustine of Hippo makes the same references to nature and natural law, to Romans 1: 19-20, and to righteous Gentiles such as Job. Thus, this Quaker belief was at the foundation of the colony of Pennsylvania and the city of Philadelphia, where the "Fatherhood of God and the brotherhood" of man was espoused as fundamental constitutional doctrines. See, e.g., *Frame of Government of Pennsylvania* (1682). The Quakers held to a belief in a religion of nature. And it was partly due to Quaker influence that both Anglicans and Puritans adopted more latitudinarian approaches to Christian polity and to civil government, which found its consummate expression in the American Declaration of Independence (1776). See, also, **Appendix F**, "The Quaker Influence Upon the U. S. Constitution."

193 Thomas Jefferson, *Writings* (New York, N.Y., 1984), p. 283.

constitutions and civil polities which served as examples for they laying of the foundations of the Declaration of Independence, the United States Constitution, and the Bill of Rights.[194] Notably, the Puritan-Quaker William Penn who "believed politics to be 'a part of religion itself, a thing sacred in its institution and its end.'"[195]

Accordingly, this postdoctoral study has concluded that the neo-orthodox Calvinistic and Augustinian foundations of American constitutional law and jurisprudence were established in the colonies of Rhode Island (Puritan-Baptist), New Jersey (Quaker), and Pennsylvania (Quaker):

Colony	Year Founded	Founder	Alma Mater	Denomination	Constitution
Rhodes Island	1636 (Chartered in 1643)	Roger Williams (1603 – 1683)	Cambridge (Pembroke College)	Puritan-Baptist (Reformed)	Royal Charter of 1663
New Jersey ("West Jersey," or the western part of the future colony of New Jersey)	1681	Three Quakers appointed as Trustees (including Gawen Laurie; Nicholas Lucas; and William Penn)	--	Puritan-Separatist-Quaker (Arminian)	Right of Government of 1681
Pennsylvania	1682	William Penn (1644 – 1718)	Oxford (Christ Church)	Puritan-Separatist-Quaker (Arminian)[196]	Frame of Government of 1682

194 See, e.g., David Yount, *How the Quakers Built America* (Lanham, MD: Rowan & Littlefield Pub., 2007), pp. 14-17.

195 David Yount, *How the Quakers Invented America* (Lanham, MD: Rowan & Littlefield, Pub., 2007), p. 14.

196 See, e.g., "Religion and the Founding of the American Republic: America as a Religious Refuge: The Seventeenth Century, Part 2":

> The Quakers (or Religious Society of Friends) formed in England in 1652 around a charismatic leader, George Fox (1624-1691). Many scholars today consider Quakers as **radical Puritans**, because the Quakers carried to extremes many Puritan convictions. They stretched the sober deportment of the Puritans into a glorification of "plainness." Theologically, they **expanded the Puritan concept of a church of individuals regenerated by the Holy Spirit to the idea of the indwelling of the Spirit or the "Light of Christ" in every person**. Such teaching struck many of the Quakers' contemporaries as dangerous heresy. Quakers were severely persecuted in England for daring to deviate so far from orthodox Christianity. By 1680, 10,000 Quakers had been imprisoned in England, and 243 had died of torture and mistreatment in the King's jails. This reign of terror impelled Friends to seek refuge in New Jersey in the 1670s, where they soon became well entrenched. In 1681, when Quaker leader William Penn (1644-1718) parlayed a debt owed by Charles II to his father into a charter for the province of Pennsylvania, many more Quakers were prepared to grasp the opportunity to live in a land where they might worship freely. By 1685

Indeed, the Quakerism of George Fox and William Penn won the hearts and minds of the vast numbers of American colonists. But because the Quakers did not establish a university or college, did not have an organized clergy, and were pacifists who generally did not support taking up arms to fight the British during the American Revolutionary War, the Quakers divested themselves of much-deserved political influence in the new United States of America.[197] Thus, the primary beneficiaries of Puritan-Quaker political theology—e.g., the principles set forth in the charters of Pennsylvania and West Jersey—were the Presbyterians, the Baptists, and the Methodists—who comprised 72.8 % of all Protestants in the United States by the year 1850. Other Protestant groups, including the Anglicans, thus inherited, and continued to carry the mantle of, the political ideology of Puritan-Quakerism.[198] On the whole, the entire foundation of the American constitutional system owes a great debt to the Quakers.

Nevertheless, as Quakerism has always considered itself to be a "way of life rather than an established creed," we may arguably conceptualize the current state of nondenominational American Christianity as the *de facto* Quakerism of George Fox and William Penn.[199] The spirit

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as many as 8,000 Quakers had come to Pennsylvania. Although the Quakers may have resembled the Puritans in some religious beliefs and practices, they differed with them over the necessity of compelling religious uniformity in society.

197 David Yount, *How the Quakers Built America* (Lanham, MD: Rowan & Littlefield Pub., 2007), pp. 77-85 (describing how the Quaker's struggled to reconcile their religious faith with the exigencies of taking up arms to defend the colony of Pennsylvania. Thomas Jefferson and Benjamin Franklin both criticized the Quakers. "Ironically, when the College of Philadelphia (now the University of Pennsylvania) was founded, it was not by Quakers but by a coalition of Anglicans and Presbyterians." Ibid, p. 83. During the American Revolution, or shortly thereafter, there was a "Quaker abdication from government." Ibid., p. 84. Nevertheless, Yount concludes that "[i]f the Holy Experiment did not succeed in establishing Penn's vision of heaven on earth in the New World, it nevertheless demonstrated the civilizing tendencies that would combine to form the American character. The Declaration of Independence was conceived and published in Philadelphia, and the City of Brotherly Love became the first capital of a new nation conceived in liberty and dedicated to the proposition that all men are created equal with inalienable rights—surely articles of the Quaker faith. The original Quaker-drafted constitution of Rhodes Island became the model for the nation's Bill of Rights." Ibid., pp. 84-85).

198 Ibid.

199 See, e.g., Ryan P. Burge, "Nondenominational Churches Are Adding Millions of Members. Where are they coming from?" *News & Reporting* (August 5, 2022):

> Over the last decade Baptists, Methodists, Lutherans, Presbyterians, and every other Protestant family has declined except for those who say they are nondenominational.

of independent, nondenominational Christianity in America reflects the same spirit of Puritan-Quaker independence and Quaker-like direct appeal to the Almighty God—believing that, within themselves is an "inner light" that is the voice of God speaking directly to them. American Evangelicalism is thus akin to "anonymous Quakerism"—sometimes called American "evangelicalism" or nondenominational Christianity— as is reflected in the original social movement of George Fox and in William Penn's *The Frame of the Government of Pennsylvania* (1682).[200]

The Puritan-Quakers simply upheld the theological doctrine of the "priesthood of all believers," which was an Augustinian doctrine. The Puritan-Quakers were more radical than their other Protestant brethren in imposing this doctrine, because the Puritan-Quakers disdained the summoning of an organized clergy. Nevertheless, like their Lutheran and Reformed brethren, the Puritan-Quakers held Augustine of Hippo's theology on the priesthood of all believers in very high regards, to wit:

"THE PRIESTHOOD OF ALL BELIEVERS"
According to St. Augustine of Hippo[201]

I.

"I desire to be a member, no matter what, or how small, of Thy priesthood. By the PRIESTHOOD he here means the PEOPLE ITSELF, of which He is the Priest who is the Mediator between God and men, the man Christ Jesus. This people the Apostle Peter calls 'a holy people, a royal priesthood.'"[202]

The 2020 US Religion Census, due out later this year, tallied 4,000 more nondenominational churches than in 2010, and nondenominational church attendance rose by 6.5 million during that time.

At the same time, mainline Protestant Christianity is collapsing following five decades of declines. In the mid-1970s, nearly a third of Americans were affiliated with denominations like the United Methodist Church, the United Church of Christ, and the Episcopal Church. But now, just one in ten Americans are part of the mainline tradition.

200 See, also, **Appendix F**, "The Quaker Influence Upon the U. S. Constitution: William Penn, Pennsylvania, and the English Common Law."

201 See, generally, St. Augustine, *The City of God* (New York, N.Y.: The Library of America, 1950).

202 Ibid., p. 582.

-- St. Augustine of Hippo, “City of God”
(Book XVII)

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II.

“'Put me in a part of Thy priesthood, to eat bread,' is ... the Word of God who dwells in the HEART of ONE WHO BELEIVES."[203]

-- St. Augustine of Hippo, “City of God” (Book XVII)

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III.

“For we see that priests and Levites are now chosen, not from a certain family and blood, as was originally the rule in the priesthood according to the order of Aaron, but as befits the new testament, under which Christ is the High Priest after the order of Melchizedek, in consideration of the merit which is bestowed upon each man by divine grace. And these priests are not to be judged by their mere title, which is often borne by unworthy men, but by that HOLINESS which is not common to good men and bad."

-- St. Augustine of Hippo, “City of God” (Book XX)

**** All- Capital Letter Added to add emphasis**

Simply put, the Puritan-Quakers asked, “Who are the true ‘priests’ or true ‘presbyters’ or the true ‘deacons’ or the true ‘bishops’ of the New Testament?” According to the Puritan-Quakers, all true believers were priests, with no distinction between laity and clergy, since the “light of God” is dispensed equally to all men— hence the “Father of God and the Brotherhood of Man.”

Politically speaking, the Puritan-Quaker ideal appealed to many average and common Americans, especially those who were marginalized and not affiliated with any formal religion. But what set the Puritan-Quakers apart from sects such as the Presbyterians, Baptists, and Methodists, is the fact that King Charles II had vested significant political power into the hands of a few prominent men who happened to be Quakers, and those same men founded the city of Philadelphia, and the colonies of Pennsylvania and New Jersey. Thus, the Puritan-Quakers were able to codify their ideals into constitutional and statutory law, whereas the other aforementioned sects could not. Hence, many of the Puritan-Quaker’s constitutional and

203 Ibid.

statutory ideals were later adopted copied almost verbatim in the American Declaration of Independence (1776) and in the American Bill of Rights (1789).[204]

Significantly, William Penn's and the Puritan-Quakers' relationship to King Charles II was a positive one. Charles II bestowed favor upon the Puritan-Quakers through the proprietary grants of East Jersey and Pennsylvania. The Puritan-Quakers were, and conceptualized themselves as, loyal subjects of the King of England. And the Society of Friends (i.e., the Quakers) was construed to be a form of Puritanism that operated within a framework of the Church of England, but which espoused religious freedom for all. To that end, the Puritan-Quakers understood that their colonies were both subjects of the English crown as well as "Christian colonies," as the case of *Updegraph v. Commonwealth*, 11 Serg. & Rawl, 394 P. 1824,[205] clearly explains.

Just as John Calvin's Geneva experiment had a profound and lasting influence upon the Puritans of colonial New England a century later, the political experiments of the Puritan-Quaker William Penn had a profound and lasting influence[206] upon the American Revolution

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204 See, e.g., David Yount, *How the Quakers Invented America*, supra, pp. 14-17 ("How Quaker Values Infused the Constitution), and p. 2, stating:

> It is no coincidence that the American Declaration of Independence was proclaimed in Quaker Pennsylvania or that our young nation's Bill of Rights was modeled after the Quaker-drafted constitution of Rhodes Island. The Liberty Bell itself, which rang to celebrate the Declaration of Independence, was originally the Great Quaker Bell, purchased by the Pennsylvania assembly long before the American Revolution.
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> 'Proclaim Liberty throughout all the land unto all the inhabitants thereof' was inscribed on the bell by Quakers before freedom was proclaimed to be the right of all Americans. As early as 1682, William Penn, in the preface to his Frame of Government of Pennsylvania, had announced that 'any government is free to the people under it (whatever be the frame) where the laws rule, and the people are a party to those laws, and more than this is tyranny, oligarchy, or confusion.'
>
> Former Librarian of Congress Daniel J. Boorstin affirms that 'the Quakers possessed a set of attitudes which fit later textbook definitions of American democracy.' Despite their relative obscurity in twenty-first-century America, Quakers, by dint of their role in forming the American character, can be said to have invented America. To this day, all Americans subscribe to the following fundamental beliefs of the people who call themselves 'Friends.'

205 For the full text of this court opinion, see **Appendix F**, "The Quaker Influence Upon the United States Constitution: William Penn, Pennsylvania, and the English Common Law."

206 Rev. Roger Williams was familiar with the Quakers and he opposed their theological views on the "inner light" being present within all human beings. When Quaker founder and theologian George Fox visited New England, Rev. Williams challenged him to a debate. Fox was unable to attend, but several other Quakers agreed to

(1775 – 1783). The local Puritan-Quakers who lived in Princeton had assisted with the founding the College of New Jersey. The theoretical elements in the brand of neo-orthodox Calvinism which Dr. Witherspoon taught at Princeton, had already been planted in Pennsylvania by William Penn and the Quakers, as the *Frame of Government of Pennsylvania* (1682) clearly demonstrate:

THE FRAME OF THE GOVERNMENT OF PENNSYLVANIA
MAY 5, 1682

The frame of the government of the province of Pensilvania [sic], in America: together with certain laws agreed upon in England, by the Governor arid divers freemen of the aforesaid province.

The Preface

When the great and wise God had made the world, of all his creatures, it pleased him to chuse man his Deputy to rule it: and to fit him for so great a charge and trust, he did not only qualify him with skill and power, but with integrity to use them justly….

This the Apostle teaches in divers of his epistles: " The law (says he) was added because of transgression: " In another place, " Knowing that the law was not made for the righteous man; but for the disobedient and ungodly, for sinners, for unholy and prophane, for murderers, for whoremongers, for them that defile themselves with mankind, and for man-stealers, for lyers, for perjured persons," &c., but this is not all, he opens and carries the matter of government a little further: " Let every soul be subject to the higher powers; for there is no power but of God. The powers that be are ordained of God: whosoever therefore resisteth the power, resisteth the ordinance of God. For rulers are not a terror to good works, but to evil: wilt thou then not be afraid of the power? do that which is good, and thou shalt have praise of the same." " He is the minister of God to thee for good." " Wherefore ye must needs be subject, not only for wrath, but for conscience sake."

This settles the divine right of government beyond exception, and that for two ends: first, to terrify evil doers: secondly, to cherish those that do well; which gives government a life beyond corruption, and makes it as durable in the world, as good men shall be. So that government seems to me a part of religion itself, a filing sacred in its institution and end. For, if it does not directly remove the cause, it crushes the effects of evil, and is as such, (though a lower, yet) an emanation of the same Divine Power, that is both author and object of pure religion; the difference lying here, that the one is more free and mental, the other more corporal and compulsive in its operations: but that is only to evil doers; government itself being otherwise as capable of kindness, goodness and charity, as a more private society. They weakly err, that think there is no other use of government, than correction, which is the coarsest part of it: daily experience tells us, that the care and regulation of many other affairs, more soft, and daily necessary, make up much of the greatest part of government; and which must have followed the peopling of the world, had Adam never fell, and will continue among men, on earth, under the highest attainments they may arrive at, by the coming of the blessed Second Adam, the Lord

debate Rev. Williams. The subject matter and substance of that debate was later published in a Boston paper.

from heaven. Thus much of government in general, as to its rise and end….

I know what is said by the several admirers of monarchy, aristocracy and democracy, which are the rule of one, a few, and many, and are the three common ideas of government, when men discourse on the subject. But I chuse to solve the controversy with this small distinction, and it belongs to all three: Any government is free to the people under it (whatever be the frame) where the laws rule, and the people are a party to those laws, and more than this is tyranny, oligarchy, or confusion….

Governments, like clocks, go from the motion men give them; and as governments are made and moved by men, so by them they are ruined too. Wherefore governments rather depend upon men, than men upon governments. Let men be good, and the government cannot be bad; if it be ill, they will cure it. But, if men be bad, let the government be never so good, they will endeavor to warp and spoil it to their turn….

But, next to the power of necessity, (which is a solicitor, that will take no denial) this induced me to a compliance, that we have (with reverence to God, and good conscience to men) to the best of our skill, contrived and composed the frame and laws of this government, to the great end of all government, viz: To support power in reverence with the people, and to secure the people from the almost of power; that they may be free by their just obedience, and the magistrates honourable, for their just administration: for liberty without obedience is confusion, and obedience without liberty is slavery. To carry this evenness is partly owing to the constitution, and partly to the magistracy: where either of these fail, government will be subject to convulsions; but where both are wanting, it must be totally subverted; then where both meet, the government is like to endure. Which I humbly pray and hope God will please to make the lot of this of Pensilvania [sic]. Amen.

WILLIAM PENN.

The Frame

To all Persons, to whom these presents may come. WHEREAS, king Charles the Second, by his letters patents, under the great seal of England, bearing date the fourth day of March in the Thirty and Third Year of the King, for divers considerations therein mentioned, hath been graciously pleased to give and grant unto me William Penn, by the name of William Penn, Esquire, son and heir of Sir William Penn, deceased, and to my heirs and assigns forever, all that tract of land, or Province, called Pennsylvania [sic], in America, with divers great powers, pre-eminences, royalties, jurisdictions, and authorities, necessary for the well-being and government thereof….

XXXV. That all persons living in this province, who confess and acknowledge the one Almighty and eternal God, to be the Creator, Upholder and Ruler of the world; and that hold themselves obliged in conscience to live peaceably and justly in civil society, shall, in no ways, be molested or prejudiced for their religious persuasion, or practice, in matters of faith and worship, nor shall they be compelled, at any time, to frequent or maintain any religious worship, place or ministry whatever.

XXXVI. That, according to the good example of the primitive Christians, and the case of the creation, every first day of the week, called the Lord's day, people shall abstain from their common daily labour, that they may the better dispose themselves to worship God according to their understandings.

XXXVII. That as a careless and corrupt administration of justice draws the wrath of God upon magistrates, so the wildness and looseness of the people provoke the indignation of God against a country: therefore, that all such offences against God, as swearing, cursing, lying, prophane talking, drunkenness, drinking of healths, obscene words, incest, sodomy, rapes,

whoredom, fornication, and other uncleanness (not to be repeated) all treasons, misprisions, murders, duels, felony, seditions, maims, forcible entries, and other violences, to the persons and estates of the inhabitants within this province; all prizes, stage-plays, cards, dice, May-games, gamesters, masques, revels, bull-battings, cock-fightings, bear-battings, and the like, which excite the people to rudeness, cruelty, looseness, and irreligion, shall be respectively discouraged, and severely punished, according to the appointment of the Governor and freemen in provincial Council and General Assembly; as also all proceedings contrary to these laws, that are not here made expressly penal.

XXXVIII. That a copy of these laws shall be hung up in the provincial Council, and in public courts of justice: and that they shall be read yearly at the opening of every provincial Council and General Assembly, and court of justice; and their assent shall be testified, by their standing up after the reading thereof.

XXXIX. That there shall be, at no time, any alteration of any of these laws, without the consent of the Governor, his heirs, or assigns, and six parts of seven of the freemen, met in provincial Council and General Assembly….

What is striking about this charter is its "Augustinian" character. Indeed, the words, "[w]hen the great and wise God had made the world, of all his creatures, it pleased him to chuse man his Deputy to rule it: and to fit him for so great a charge and trust" reflects the "Covenant of Nature," which holds that through patriarchs Adam and Noah a divine covenant of dominion was bequeathed to all mankind.

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The Puritan-Quaker's theological conception of one "Almighty and eternal God" who could be adored and worshipped in a myriad of ways through free religious expression was later reframed as "Nature's God" printed in the American Declaration of Independence. Indeed, the Quaker-founded city of Philadelphia became the first national capital of the United States of America from which came founding constitutional documents that incorporated many of the Quaker's most fundamental neo-orthodox Puritan viewpoints on civil government.[207] Here, it must be acknowledged that the Puritan-Quaker doctrine that all men have a certain "light," that

207 Since the Baptist denominational sect became more numerous than the Quakers, constitutional and church historians tend to give more credit to Rev. Roger Williams, Rhode Island, the founding of the First Baptist Church in Providence, and Williams' stern principles regarding the doctrine of the separation of church and state than to political legacy and influence of William Penn and the Quakers.

this certain "light," which is the law of Christ (i.e., God), makes for the brotherhood of mankind and is at the very foundation of secular Anglo-American jurisprudence— and especially as the Puritan-Quakers interpreted and applied that jurisprudence in the colonies of Pennsylvania and New Jersey.

This Puritan-Quaker system of Christian jurisprudence was adopted for the whole United States in 1776 when the several delegates in Philadelphia ratified the Declaration of Independence. Within Anglo-American and western jurisprudence in general, this system of Christian jurisprudence is called natural law, the law of Nature, and (or) general equity,[208] and it was the brainchild of the Presbyterian Enlightenment which stood upon the shoulders of latitudinarian Anglicans, Quakers, Baptists, and the Scottish Common-Sense Realists. To be clear, the American Declaration of Independence (1776) represents a brand of "blended" Puritan theology on the Covenant of Nature.[209] Hence, we might say that the only official religion in the United States is the religion of nature; and that this religion of nature is officially enunciated in the American Declaration of Independence. As an expression of the primitive Christian faith, the religion of nature is reflected in the Declaration of Independence. This religion of nature is an exemplification of 17th-century Puritan-Quakerism (see, e.g., William Penn's "The Frame of

208 See, e.g., Goldwin Smith, *A Constitutional and Legal History of England* (New York, N.Y.: Dorset Press, 1990), pp. 208-209:

> What is equity? In its beginnings in England it was the extraordinary justice administered by the king's Chancellor to enlarge, supplant, or override the common law system where that system had become too narrow and rigid in its scope.... The basic idea of equity was, and remains, the application of a moral governing principle to a body of circumstances in order to reach a judgment that was in accord with Christian conscience and Roman natural law, a settlement that showed the common denominations of humanity, justice, and mercy.... [Just as Christ had come not to destroy the law, but to fulfill it, so too] 'Equity had come not to destroy the law but to fulfill it.'

209 Indeed, there are elements of covenant theology from orthodox Calvinism (i.e., "New Light"). But there is also "half-way" covenant theology of the "Old Light" New England Congregationalist (i.e., Arminianism), latitudinarian Anglicanism, Presbyterian Common-Sense Realism, and Quakerism (i.e., radical Puritanism).

the Government of Pennsylvania" (1682)); 18th-century latitudinarian Anglicanism[210]; and 18th-century neo-orthodox Calvinism.[211]

Puritan-Quakerism in New Jersey and Other Influences

William Penn's and the Quaker's influence in Pennsylvania was extended into the nearby colony of West Jersey (the western half of what would later become the colony of New Jersey).[212]

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210 "Latitudinarian Anglicanism." In this post-doctoral study, Anglicans such as George Washington, Thomas Jefferson, James Madison, and scores of others who were willing to overthrow King George III and the Church of England, and to establish a system of government on the basis of the principles set forth in the American Declaration of Independence are referenced as "latitudinarian Anglicans" or as Jeffersonians. In both England, the latitudinarian Anglicans tended to be Whigs and High-Church Anglican bishops. In colonial British Norther America, the latitudinarian Anglicans tended to be both Whigs and American patriots who opted for the separation of church and state and religious pluralism. In order to get at religious diversity, natural law and natural religion was relied upon and incorporated into the American Declaration of Independence. The basic ideology within latitudinarian Anglicanism is that "Christianity is a republication of natural religion." See, also , the writings of the Latitudinarian Anglican and Bishop Joseph Butler (1692 -1752). See, e.g., Joseph Butler, *The Analogy of Religion, Natural and Revealed to the Constitution and Course of Nature*, supra, pp. 152, 155, 158 ("the Author of Nature"); p. 159 ("…the Author of Nature, which is the foundation of Religion"); p. 162 ("… there is one God, the Creator and moral Governor of the world"); p. 187 ("Christianity is a republication of natural Religion"); p. 188 ("The Law of Moses then, and the Gospel of Christ, are authoritative publications of the religion of nature…."); p. 192 ("Christianity being a promulgation of the law of nature…."); p. 243 ("These passages of Scriptures … comprehend and express the chief parts of Christ's office, as Mediator between God and men…. First, He was, by way of eminence, the Prophet: that Prophet that should come into the world, to declare the divine will. He published anew the law of nature…. He confirmed the truth of this moral system of nature…."). See generally the writings of the Latitudinarian Anglican and Chancery Lawyer Matthew Tindal (1657 - 1733). See, e.g., Matthew Tindal, *Christianity as Old as the Creation, or the Gospel a Republication of the Religion of Nature* (Newburgh, England: David Deniston Pub., 1730) [Republished by Forgotten Books in 2012], pp. 52, 56, 61, 64, 72-74 (stating that Christianity is a republication of natural religion). See, also, **Appendix D**, "Of Thomas Jefferson and the Jeffersonians."

211 "Neo-Orthodox Calvinism.": I rejected the popular notion that "neo-orthodox Calvinism" began with Twentieth-Century theologians such as Karl Barth and Reinhold Niebuhr. Instead, this post-doctoral study advances the historical fact that a grave crisis occurred in 16th-century Geneva when the Libertines challenged the orthodox worldview of John Calvin himself. The same crisis occurred in 17th-century colonial New England when the orthodox worldview of the Puritans was challenged by the "Half-Way" covenant, Arminianism, Deism, and even Unitarianism. The First Great Awakening was a manifestation of a growing crisis within the Puritan church-state. The rise of the Presbyterians at the College of New Jersey during the 18th Century reflected a new school of orthodox Calvinism. Led by Rev. Dr. John Witherspoon of the College of New Jersey (Princeton) and others, these neo-orthodox Calvinists were joined by the school of thought called Scottish Common-Sense Realism, as well as a group of latitudinarian Anglicans, who were represented by Thomas Jefferson. The immortal document, which reflected natural theology espoused by all of these groups, was the American Declaration of Independence (1776). Therefore, throughout this postdoctoral study, I shall use the term "neo-orthodox Calvinism" in reference to the theology and philosophy of Rev. Dr. John Witherspoon and the 18th-century political philosophy taught at the College of New Jersey (Princeton) during the 18th Century. The influential latitudinarian Anglican Bishop Joseph Butler had a profound influence upon Dr. Witherspoon. And so the connection between the latitudinarian Anglicans and the Scottish Presbyterians is well documented. Founding Father James Madison (Anglican) and scores of other influential American public servants attended Princeton and were tutored by Dr. Witherspoon. The influence of the local Quakers upon Princeton University is a subject that deserves its own in depth study. Finally, the Puritan "covenant of nature" and the "state of nature" referenced in the writings of political philosophers Thomas Hobbes and John Locke mean the same fundamental ideals.

212 See, e.g., "The Founding of the Quaker colony of West Jersey," https://www.ushistory.org/penn/pennnj.htm

At his earnest entreaty, Penn consented to be associated as joint trustee, with two of the creditors, Gawen

During the 1670s, the Quakers were invited to form a government there, and William Penn was then one of the trustees for West Jersey.[213] Here the Quakers also planted the seeds of what would become the basic structure of the American Declaration of Independence into the 1681 Charter for West Jersey, to wit:

> **RIGHT OF GOVERNMENT**
> November 25, 1681
>
> Forasmuch as it hath pleased God, to bring us into this Province of West New Jersey and settle us here in safety, that we may be a people to the praise and honour of his name, who hath so dealt with us and for the good and welfare of our posterity to come, we the Governor and Proprietors, freeholders and inhabitants of West New Jersey, by mutual consent and agreement, for the prevention of innovasion and oppression, either upon us or our posterity, and for the preservation of the peace and tranquility of the same; and that all may be encouraged to go on chearfully in their several places: We do make and constitute these our agreements to be as fundamentals to us and our posterity to be held inviolable, and that no person or persons whatsoever, shall or may make void or disanul the same upon any pretence whatsoever….
>
> X. That liberty of conscience in matters of faith and worship towards God, shall be granted to all people within the Province aforesaid; who shall live peaceably and quietly therein; and that none of the free people of the said Province shall be rendered uncapable of office in respect of their faith and worship.

In East Jersey, there were Anglicans, Congregationalists, and, later, Presbyterians. "Since the state's inception, New Jersey has been characterized by ethnic and religious diversity. New England Congregationalists settled alongside Scots Presbyterians and Dutch Reformed migrants…. English Quakers and Anglicans owned large landholdings. Unlike Plymouth Colony,

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> Laurie, of London, and Nicholas Lucas, of Hertford, to carry out his intentions and render the property available. Penn thus became one of the chief instruments in the settlement of New Jersey, and establishment of a colonial government, which prepared him for the still greater work of founding a colony of his own.

213 See, e.g., "The Founding of the Quaker colony of West Jersey," https://www.ushistory.org/penn/pennnj.htm

> In the years 1677 and 1678 five vessels sailed for the province of West New Jersey with 800 emigrants, most of them members of the Society of Friends. Among the first purchasers were two companies of Friends — the one from Yorkshire, the other from London, who each contracted for a large tract of land. In 1677 commissioners, some of whom were chosen from the London, and others from the Yorkshire company, were sent out by the proprietors, with power to buy land of the natives, to inspect the rights of such as claimed property, to order the lands out, and to administer the government.

Jamestown and other colonies, New Jersey was populated by a secondary wave of immigrants who came from other colonies instead of those who migrated directly from Europe."[214]

Hence, both East and West Jersey early and largely developed a "blended Puritanism" that included both Quakers and Congregationalists. "Between 1664 and 1674, most settlement was from other parts of the Americas, especially New England, Long Island, and the West Indies. Elizabethtown and Newark in particular had a strong Puritan character. South of the Raritan River the Monmouth Tract was developed primarily by Quakers from Long Island."[215] The College of New Jersey, which was founded in 1746 and would later become known as Princeton University, espoused the ideals of the Presbyterian Enlightenment—a brand of neo-orthodox Calvinism that reflected both Quaker ideals of religious liberty and natural rights and Reformed ideals of covenant theology.[216] Both the colony of New Jersey and Princeton University became leading exponents of cause of the American revolt from Great Britain.[217]

Significantly, it is critically important to acknowledge the important fact of William Penn's and the Quakers' relationship to King Charles II, who bestowed favor upon the Quakers

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214 "New Jersey," Wikipedia (online encyclopedia): https://en.wikipedia.org/wiki/New_Jersey.

215 "East Jersey," Wikipedia (online encyclopedia): https://en.wikipedia.org/wiki/East_Jersey.

216 See, e.g., "A Brief History of the Quakers in Princeton," https://www.princetonfriendsschool.org/about-us/a-brief-history-of-quakers-in-princeton.cfm.

> In 1681, Carteret's East Jersey holdings were auctioned off to William Penn and eleven other prominent Quakers. These twelve were joined by an additional twelve, eight of whom were also Quakers. The original plan was to unite all of East Jersey and West Jersey as a Quaker colony. But Penn eventually decided to focus his energies and attention on what is now Pennsylvania, and over the next twenty years (through purchases and deeds too complex to describe here) most of what is now most of Princeton Township came into the possession of six Quaker families: Richard Stockton (the grandfather of the signer of the Declaration of Independence), Benjamin Clarke, William Olden, Joseph Worth, John Horner, and Benjamin Fitz Randolph. These Quakers created the settlement of Stony Brook in the hollow of the bend in the brook that runs along what is now Quaker Road.... In 1754-6, the Presbyterian College of New Jersey moved from Newark to Princeton. A number of original Quaker settlers donated land to the College of New Jersey, today known as Princeton University. In 1777, during the American Revolution, the meetinghouse was used as a hospital by both American and British forces.

217 The president of Princeton University, the Rev. Dr. John Witherspoon (1723 - 1794), was both a Presbyterian and leading proponent of the revolutionary ideals that were incorporated into the American Declaration of Independence (1776). And "[a]mong the 56 Founding Fathers who signed the Declaration of Independence, five were New Jersey representatives: Richard Stockton, John Witherspoon, Francis Hopkinson, John Hart, and Abraham Clark." "New Jersey," Wikipedia (online encyclopedia): https://en.wikipedia.org/wiki/New_Jersey.

through the proprietary grants of East Jersey and Pennsylvania. The Quakers were, and conceptualized themselves as, loyal subjects of the King of England. And the Society of Friends (i.e., the Quakers) was construed to be a form of Puritanism that operated within a framework of the Church of England, but which espoused religious freedom for all. To that end, the Quakers understood that their colonies were both subjects of the English crown as well as "Christian colonies," as the case of *Updegraph v. Commonwealth*, 11 Serg. & Rawl, 394 P. 1824,[218] clearly explains.

Updegraph v. Commonwealth

11 Serg. & Rawle 394 Pa. 1824

"Duncan, J.

"This was an indictment for blasphemy, founded on an act of assembly, passed in 1700, which enacts, that whosoever shall wilfully, premeditatedly, and despitefully blaspheme, and speak loosely and *profanely* of Almighty God, Christ Jesus, the Holy Spirit, or the Scriptures of Truth, and is legally convicted thereof, shall forfeit and pay the sum of *ten pounds*….

"Christianity, general Christianity, is, and always has been, a part of the common law of *Pennsylvania*; Christianity, without the spiritual artillery of *European* countries; for this Christianity was one of the considerations of the royal charter, and the very basis of its great founder, *William Penn*; not Christianity founded on any particular religious tenets; not Christianity with an established church, and tithes, and spiritual courts; but Christianity with liberty of conscience to all men….

"From the time of *Bracton,* Christianity has been received as part of the common law of *England*. I will not go back to remote periods, but state a series of prominent decisions, in which the doctrine is to be found. *The King* v. *Taylor, Ventr*. 93. 3 *Keb.* 507…. the case of *The King* v. *Woolaston,* 2 *Stra*. 884. *Fitzg*. 64. *Raymond,* 162… *Evens* v. *Chamberlain of London. Furneaux's Letters to Sir W. Blackstone. Appx. to Black. Com.* and 2 *Burns' Eccles. Law, p.* 95…. *The People* v. *Ruggles,* 8 *Johnston,* 290….

"In the case of the *Guardians of the Poor* v. *Green,* 5 *Binn.* 55.
Judge Brackenbridge observed, the church establishment of *England* has become a part of the common law, but was the common law in this particular, or any part of it, carried with us in our emigration and planting a colony in *Pennsylvania?* Not a particle of it. On the contrary, the getting quit of the ecclesiastical establishment and tyranny, was a great cause of the emigration. All things were reduced to a primitive Christianity, and we went into a new state….

"And Chief Justice Tilghman observes, that every country has its own common law; ours is composed partly of our own usages. When our ancestors emigrated from *England,* they took with them such of the English principles as were convenient for the situation in which they were about to be placed. It required time and experience to ascertain how much of the *English* law would be suitable to this country. The minds of *William Penn* and his followers, would have

218 For the full text of this court opinion, see **Appendix F**, "The Quaker Influence Upon the United States Constitution: William Penn, Pennsylvania, and the English Common Law."

> revolted at the idea of an established church. Liberty to all, preference to none; equal privilege is extended to the mitred Bishop and the unadorned Friend.
>
> "This is the Christianity which is the law of our land, and I do not think it will be an invasion of any man's right of private judgment, or of the most extended privilege of propagating his sentiments with regard to religion, in the manner which he thinks most conclusive. If from a regard to decency and the good order of society, profane swearing, breach of the Sabbath, and blasphemy, are punishable by civil magistrates, these are not punished as sins or offences against God, but crimes injurious to, and having a malignant influence on society; for it is certain, that by these practices, no one pretends to prove any supposed truths, detect any supposed error, or advance any sentiment whatever….
>
> Judgement reversed."

This *Updegraph* opinion is the clearest, most well-documented legal authority explaining the nature of American Christianity, namely, that the Christian religion was sewn into the English common law, which was transported into the colonies. And that English common law, although modified throughout the American colonies, remained fundamentally Christian without the "Spiritual artillery" of England's ecclesiastical courts. The United States Supreme Court has adopted the same reasoning and reached the same conclusion as the decision in *Updegraph v. Commonwealth*, supra.[219] See, e.g., *Terrett v. Taylor*, 13 U.S. 43 (1815);[220] *Holy Trinity v. United States*, 143 U.S. 457 (1892);[221] and *United States v. Macintosh*, 283 U.S. 605 (1931).[222] Indeed, the fundamental tenet of the English common law is "reason" or the "reasonable person" standard; and this "reasonable person" standard has to do with the basic morals of

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219 *Updegraph v. Commonwealth***,** *11 Serg. & Rawle 394 Pa. 1824* ("not Christianity founded on any particular religious tenets; not Christianity with an established church, and tithes, and spiritual courts; but **Christianity with liberty of conscience to all men**….") See, **Appendix F**, "The Quaker Influence upon the U. S. Constitution."

220 *Terrett v. Taylor*, 13 U.S. 43, 52, 9 Cranch 43 (1815)(referencing "the principles of **natural justice**, upon **the fundamental laws of every free government**").

221 *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**.")

222 *United States v. Macintosh*, 283 U.S. 605, 625 (1931) (stating that [w]e 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.")

American traditions and customs known as "general Christianity," which comprise both the common laws and the constitutional foundations of the United States.[223] These political, legal, and constitutional innovations were fundamentally Puritan, Calvinistic, and Augustinian.

223 For this reason, if the American legal profession fails to conceptualize itself to be the priesthood of the English Common Law, it will aid and abet in the steady corrosion of both the United States Constitution and the primitive Christian faith. The key is for the American legal profession to acknowledge all "reason" as the manifestation of Christ himself. Jesus of Nazareth, as the Son of God, was believed to be the essence of "Reason" or "the Word," which is the divine "Logos." See, e.g., John 1:1-3. See, also, "Aquinas on Law," https://people.wku.edu/jan.garrett/302/aquinlaw.htm (where Saint Thomas Aquinas describes law as "'a certain rule and measure of acts whereby man is induced to act or is restrained from acting.'" (q90, a1) Because the rule and measure of human actions is **reason**, law has an essential relation to reason; in the first place to divine reason; in the second place to human reason, when it acts correctly, i.e., in accordance with the purpose or final cause implanted in it by God.") See, also, Sir Edward Coke (1552-1634), former Chief Justice of England and Wales, who says *In Dr. Bonham's Case* (1610) 8 Co. Rep. 107; 77 Eng. Rep. 638, that "[r]eason is the life of the law; nay, the common law itself is nothing else but reason… The law, which is perfection of reason." See, also, **Appendix C**, "Jesus Christ, the Logos of God, and the Foundation of Anglo-American Civil Law and Secular Jurisprudence."

Chapter Five

"Puritan-Baptist Theology and the United States Constitution"

The Puritan-Baptists' original and radical doctrine of separation of Church and State is represented in a "Two Tables" theory of civil government that subjects the civil government and civil magistrates to the law of reason and the laws of nature, while simultaneously guaranteeing freedom of religion and conscience. Arguably, even this Puritan-Baptist doctrine can be bolstered and supported by a very fair and even conservative reading of Augustine's *The City of God*, which explicitly acknowledges that the pagan Roman republic had acted virtuously and justly through a stern morality that prevented the people from becoming lascivious reprobates. If the Reverend Roger William's (1603 - 1683) life and thought can be taken as an authoritative example of Puritan-Baptist ideology— and this study assumes that they can— then we may rightfully conclude that the Puritan-Baptists, like their Congregationalist brethren from colonial New England, were most Augustinian in nature.[224]

The General Baptist denomination has a very rich history with deep roots in the Church of England. And it is fair to assume that the English Baptists were an "Anglican" sect[225]— just separated from the Church of England. Its three principal founders—John Smyth, Thomas Heywys, and Roger Williams—were each well-educated Puritans. Hence, the early Baptist movement was a child of its mother, the Church of England. And, as such, the Baptist denomination was "Anglican" in conception and worldview with respect to the doctrine of Church and State, Christian theology, and natural law. Most significantly, the English Baptists were loyal subjects of the King of England.

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[224] Rev. Roger Williams (1603- 1680), was a Calvinistic Puritan who co-founded the first Baptist Church in North America. But because many Baptists became Armininan-leaning in their theology, they were perhaps less Calvinistic and much more "Augustinian," than Rev. Williams and many of the New England Congregationalists.

[225] See the general discusison on the "Baptist" sect in Max Weber, *The Protestant Work Ethic and the Spirit of Capitalism (*New York, N.Y.: Vigeo Press, 2017).

BAPTIST FOUNDING FATHERS	MINISTERIAL CREDENTIALS
John Smyth (1554 -1612)	Anglican Priest Fellow, Christ's College, Cambridge, 1594 Ordained Anglican Priest, 1584
Thomas Helwys (1575- 1616)	Lawyer/ Baptist Minister Gray's Inn (Inn of Court)
Roger Williams (1603 – 1683)	Anglican Priest Pembroke College, Cambridge, 1627 Ordained Anglican Priest, 1628 • Law secretary to Sir Edward Coke, lawyer, jurist, Chief Judge of England, Member of Parliament

Puritan-Baptist doctrine drew from orthodox Catholic, Lutheran, and Anglican doctrine, as well as Reformed doctrine. More specifically, the early Puritan-Baptist theologians embraced an idea of Church and State that was theologically rooted in Augustine of Hippo's *The City of God* and presented a definition of "church" that was truly multinational, independent, and autonomous—and completely separate from the state or civil government.[226] Hence, the First Amendment's Establishment and Free Exercise Clauses, within the United States Constitution, were arguably

[226] Derek H. Davis, "Baptists," *Free Speech Center at Middle Tennessee State University* https://firstamendment.mtsu.edu/article/baptists/#:~:text=Baptists%20were%20first%20religious%20group,they%20believed%20the%20Scriptures%20taught. (The American tradition of religious liberty, ensconced in the U.S. Constitution and more fully elaborated in the *Bill of Rights,* owes much to Baptist belief and practice. But the Baptist contribution to religious liberty, especially the principle of separation of church and state, is often overlooked.... Beginning in the early 17th century, Baptists were the first religious group to adopt *separation of church and state* as a fundamental article of faith. Early Baptists sought the freedom to worship God as they believed the Scriptures taught. They understood religious liberty to be a principle that would apply to all persons, not one manufactured to advance only their own interests. Baptists grounded their advocacy of religious liberty primarily in the New Testament. While never denying proper authority to civil rulers, Baptists did not accede to the notion that the New Testament gave civil rulers any authority whatsoever to compel religious belief. Rather, religious commitment was a matter between the human person and God, and civil magistrates should respect the religious conscience of all persons. Baptists fundamentally rejected any policy that afforded the state the "divine" authority to compel or even guide people in matters of religion. Baptists supported religious liberty for all. A leading Baptist theologian of the twentieth century, E. Y. Mullins, contended that religious liberty is the greatest of human rights. In support of the Baptist notion of religious liberty for all, he asserted that, first, no human authority should come between a human soul and God, because each person has the right to direct access to God, and, second, each person is inherently entitled to search for truth in religion.")

based upon this standard Puritan-Baptist doctrine of "Separation of Church and State."[227] That Puritan-Baptist legacy had been established, not in Massachusetts or Connecticut, but rather in neighboring Rhode Island, where the Puritan-Baptist theologian Rev. Roger Williams (1603 – 1683), together with a few Puritan-Baptists and dissenters, laid the foundation for religious freedom in colonial British North America when they founded the colony of Rhode Island and Providence Plantations.

Charter of Rhode Island and Providence Plantations - July 15, 1663

CHARLES THE SECOND, by the grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, &c., to all to whome these presents shall come, greeting: …. the rest of the purchasers and ffree inhabitants of our island, called Rhode-Island, and the rest of the colonie of Providence Plantations, in the Narragansett Bay, in New-England, in America, that they, pursueing, with peaceable and loyall minces, their sober, serious and religious intentions, of goalie edifieing themselves, and one another, in the holie Christian ffaith and worshipp as they were perswaded; together with the gaineing over and conversione of the poore ignorant Indian natives, in those partes of America, to the sincere professione and obedienc of the same ffaith and worship….

[W]here, by the good Providence of God, from whome the Plantationes have taken their name, upon theire labour and industrie, they have not onlie byn preserved to admiration, but have increased and prospered, and are seized and possessed, by purchase and consent of the said natives, to their ffull content, of such lands, islands, rivers, harbours and roades, as are verie convenient, both for plantationes and alsoe for buildings of shipps, suplye of pypestaves, and other merchandise; and which lyes verie commodious, in manic respects, for commerce, and to accommodate oure southern plantationes, and may much advance the trade of this oure realme, and greatlie enlarge the territories thereof; they haveinge, by neare neighbourhoode to and friendlie societie with the greate bodie of the Narragansett Indians, given them encouragement, of theire owne accorde, to subject themselves, theire people and lances, unto us; whereby, as is hoped, there may, in due tyme, by the blessing of God upon theire endeavours, bee layd a sure ffoundation of happinesse to all America:

And whereas, in theire humble addresse, they have ffreely declared, that it is much on their hearts (if they may be permitted), to hold forth a livlie experiment, that a most flourishing civill state may stand and best bee maintained, and that among our English subjects. with a full libertie in religious concernements; and that true pietye rightly grounded upon gospell principles, will give the best and greatest security to sovereignetye, and will lay in the hearts of men the strongest obligations to true loyaltye: Now know bee, that wee beinge willinge to encourage the hopefull undertakeinge of oure sayd lovall and loveinge subjects, and to secure them in the free exercise and enjovment of all theire civill and religious rights, appertaining to them, as our loveing subjects; and to preserve unto them that libertye, in the true Christian ffaith and worshipp of God, which they have sought with soe much travaill, and with peaceable myndes, and lovall subjectione to our royall progenitors and ourselves, to enjoye; and because some of the people and inhabitants of the same colonie cannot, in theire private opinions, conforms to the publique exercise of religion, according to the litturgy, formes and ceremonyes of the Church of England, or take or subscribe the oaths and articles made and established in that behalfe; and for that the same, by reason of the remote distances of those places, will (as wee hope) bee noe breach of the unitie and unifformitie established in this nation….

[227] Ibid.

Over a century later, while addressing a group of Baptists, President Thomas Jefferson expressly interpreted the First Amendment (U.S. Constitution) through the prism of that "orthodox" Puritan legacy that was reflected in Rev. Williams' Puritan theology, stating:

> Believing with you that religion is a matter which lies solely between man and his God, that he owes account to none other for his faith or his worship, that the legislative powers of government reach actions only, and not opinions, I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should 'make no law respecting an establishment of religion, or prohibiting the free exercise thereof,' thus building a wall of separation between church and State. Adhering to this expression of the supreme will of the nation in behalf of the rights of conscience, I shall see with sincere satisfaction the progress of those sentiments which tend to restore to man all his natural rights, convinced he has no natural right in opposition to his social duties. I reciprocate your kind prayers for the protection and blessing of the common Father and Creator of man, and tender you for yourselves and your religious association, assurances of my highest respect and esteem.[228]

To that end, at least, American constitutional democracy may rightfully be described as an outgrowth of seventeenth-century Puritan-Baptist civil polity and theology,[229] which promoted government by the consent of the governed and the complete separation of the Church from the State, with the caveat that they were both subservient to God, the law of nature, and the law of reason.

228 Ibid., p. 510. See, also, **Appendix D**, "Of Thomas Jefferson and the Jeffersonians."

229 The Baptist Church movement began in England in 1611 when Rev. Thomas Helwys brought its denominational doctrine from the Netherlands to London. The movement was a branch of the Puritan movement of the early seventeenth century. The Baptist Church movement was a unique Puritan movement, in that it incorporated some of their theological doctrines from John Calvin; some from Jacobus Arminius; and some from the Anabaptists. The Baptists promoted an independent church structure; adult baptism only; the doctrine of sola scriptura; and only two church offices: pastor and deacon. Its services were typically unstructured and heavily dependent upon the improvisation of the Holy Ghost in order to guide the services. Pastors were expected to preach long, spirit-filled sermons. The Baptists, most significantly, traced their roots directly to John the Baptist. They did not believe in the liturgical or apostolic history and tradition of the Roman Catholic Church or of the Anglican Church. Nor did the Baptists wish for the Church to be entangled with the State—it viewed the secular state as a necessary evil, as worldly and dangerous. Hence, from its earliest days, the Baptist Church disdained the idea of a "state church" and stood for the complete separation of the Church and the State. I have always found this Baptist view of the secular state to be confusing, if not altogether irresponsible. Under this Baptist scheme, how could the Church, being wholly separate, influence the State to do justice?

Likewise, the First Amendment's Establishment Clause may also be described as the first fruit of Baptist democratic doctrine and polity. The text of the First Amendment states:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

This constitutional provision arises from Puritan-Baptist influences. The seventeenth-century Baptist wing of the Puritan-Reformed Church movement insisted upon "freedom of religion," "freedom of conscience," and the "right of petition"; and its great Puritan legacy, emanating out of the English Civil War (1642-1651), was the First Amendment to the United States Constitution.

Thus, the First Amendment is partly the great legacy of the Reverend Roger Williams, who was a Calvinist, a Puritan, a principal founder of the colony of Rhode Island, and a founder and first pastor of the first Baptist church in North America. To a very great degree, the 18th-century Anglican-Presbyterian Enlightenment[230] was deeply rooted in the ideas of Rev. Williams' *The Bloudy Tenent of Persecution for the Cause of Conscience*,[231] which contains within it a "two-tables"[232] political theory of civil government, as well as a Baptist theological[233] conceptualization of natural law, which Rev. Williams calls "reason" or the "law of reason."

230 The Anglican-Presbyterian Enlightenment includes the Latitudinarian Anglicans and the Scottish Common Sense Realists or the Presbyterian Enlightenment philosophers.

231 I would be remiss if I did not mention that during the course of this research, I visited Brown University in Providence, Rhodes Island, and attained a copy of Rev. Roger William's *The Bloudy Tenet* from a nearby museum.

232 See, e.g., Stephen Phillips, "Roger Williams and the Two Tables Theory of the Law" *Journal of Church and State* Vol. 38, No. 3 (SUMMER 1996), pp. 547-568 ("Roger Williams insisted on a thoroughgoing separation of church and state, holding that civil government could not enforce the First Table of the Decalogue. He did, however, envision the enforcement of the Second Table (relationships of men to men) as fully within the scope of government. On the other hand, Williams also held that civil government was not actually bound by the Second Table. As Williams himself found out, his answers did not solve all the problems of church-state relations. Indeed, he may have created more conflicts by insisting on separation of not only church and state, but also of god and government.")

233 Indeed, there is a very strong "natural law" tradition in Baptist theology and philosophy. See, generally, Norman Doe, *Christianity and Natural Law*. Cambridge (U.K.: Cambridge Univ. Press, 2017).

It is also critically important to note that Rev. Williams had served as a legal secretary to the great champion of the English common law Edward Coke (1552 - 1634), chief justice of England, author of the *Institutes of the Laws of England* (1628), and author of the landmark holding in *Dr. Bonham's Case* (1610), which stated that "reason" is the source of the English common law and that statute that is contradicts reason is void. Thus, there is no coincidence that Rev. Williams' theology reflected the principles of Coke's common law jurisprudence. Rev. Williams' fundamental theology was that there were "two-tables" or "two swords," one representing the church and one representing the state, as follows:

The Two Tables Theory for Church and State	
CHURCH-- FIRST TABLE	**STATE-- SECOND TABLE**
Ten Commandments (I – IV): 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. Thou shalt not make make unto thee any graven image, or any likeness of any thing that is in heaven above, or that is in the water underthe earth. Thou shalt not bow down thyself to them, nor serve them: for I the LORD thy Godam 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 Thou shalt not take the name of the LORD thy God in vain; for the LORD will not hold him guiltless that that taketh his name in vain. Ex. 20: 7 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 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 restedthe seventh day: wherefore the LORD blessed the Sabbath day, and hallowed it. Ex. 20:8-11.	**Ten Commandments (V- X):** Honor thy father and thy mother: that thy days may be long upon the land which the LORD thyGod giveth thee. Ex. 20:12 Thou shalt not kill! Ex. 20:13 Thou shalt not commit adultery! Ex. 20: 14 Thou shalt not steal! Ex. 20: 15 Thou shalt not bear false witness against thy neighbor! Ex. 20:16 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 thyneighbor's. Ex. 20: 17.

Significantly, according to Rev. Williams, the God of the "second table" of the Decalogue ("Law") was also the God over the entire universe, and over the whole world. This was the God over all creation and all nature. According to Rev. Williams, even the pagan or non-Christian civil magistrate honors Christ by keeping the "second table" of the Law, even where the civil sword is justly used against rebellious members of the church. Rev. Williams writes that "Christ Jesus is honoured when the civil magistrate… punisheth any member or elder of the church with the civil sword, even to the death, for any crime against the civil state, so deserving it; for he bears not the sword in vain."[234] This theology plainly demonstrates the nature of the Noahic "Covenant of Nature" that was given to all of nations on earth.

Rev. Williams concluded that, whether pagan, non-Christian, Jew or Christian, the civil magistrate is "a ministry indeed, magistrates are God's ministers, Rom. xiii 4,"[235] whose duty it is to redress injustice and oppressions of the weak. "I see not how," wrote Rev. Williams, "according to the rule of Christ, Rom. xiii., the magistrate may refuse to hear and help the just complaints of any such petitioners—children, wives, and servants—against oppression, &c."[236] Under this Baptist theology, the God of the Christians is the God of justice, and He is also the God of the whole world. Indeed, as the Apostle Paul had concluded, Jehovah God is the God of the Jew as well as the Gentile. "Is he the God of the Jews only?" Paul asked. "Is he not also of the Gentiles? Yes, of the Gentiles also: Seeing it is one God, which shall justify the circumcision by faith, and uncircumcision through faith. Do we then make void the law through faith? God forbid: yea, we establish the law."[237]

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234 *Publication: Williams, Roger. The Bloudy Tenet of Persecution* (Miami, FL.: HardPress, 2019), p. 351.

235 Ibid., p. 345.

236 Ibid., p. 332.

237 Romans 3:29-31.

Indeed, influenced by the English Civil War (1642-1651), Rev. Williams did not believe that secular civil magistrates should have unlimited and unrestricted authority or power to make laws that do not square with natural law, fundamental law, the law of reason, higher law, and the like. This was certainly the belief of Rev. Williams' former employer and patron, Lord Chief Justice Edward Coke, who had written in *Dr. Bonham's Case* (1610) that, "[i]n many cases, the common law will control Acts of Parliament, and sometimes adjudge them to be utterly void: for when an Act of Parliament is against common right and reason, or repugnant, or impossible to be performed, the common law will control it, and adjudge such Act to be void." Hence, within Rev. Williams' scheme for evaluating whether secular laws were just or unjust, was whether the "law of reason" had been applied. Laws that were "without reason" or "unreasonable," were simply illegal or unconstitutional, within Rev. Williams' legal framework. "And therefore it is the duty of the magistrate," wrote Rev. Williams, "in all laws about indifferent things, to show the reasons, not only the will [i.e., the authority].... For we conceive in laws of this nature, it is not the will of the lawgiver only, but the reason of the law which binds."[238] No civil magistrate could rely simply upon his "legal authority" to interpret, make, or promulgate laws. Instead, the civil magistrate must be able to provide clear "reasons" for making such laws or rendering official legal opinions. Otherwise— just as Edward Coke had argued and held in *Dr. Bonham's Case* (1610)— arbitrary and capricious laws that were enacted without the magistrate's willingness or ability to present "reasons," could be rendered null and void. Simultaneously, civil magistrates could not deny to citizens the right to demand that magistrates show reasons for their decrees, rules, statutes and laws.

Hence, Rev. Williams insisted that the right of the governed included the right to hold magistrates accountable for the laws which they enact. Rev. Williams argued that subjects or citizens:

238 *Publication: Williams, Roger. The Bloudy Tenet of Persecution* (Miami, FL.: HardPress, 2019), p. 220.

> …. are bound to try and examine his commands, and satisfy their own reason, conscience, and judgment before the Lord, and that they shall sin, if they follow the magistrate's command, not being persuaded in their own soul and conscience that his commands are according to God: it will be much more unlawful and heinous in the magistrate to compel the subjects unto that which, according to their consciences' persuasion, is simply unlawful, as unto a falsely constituted church, ministry, worship, administration, and they shall not escape the ditch, by being led blindfold by the magistrate; but through he fall in first, yet they shall [fall] in after him and upon him, to his greater and more dreadful judgment.[239]

For this reason, Rev. Williams argued that both subjects (or citizens) and the churches must "censure" the civil magistrate for any sin against the moral law of God (i.e., a violation of the Second Table). Just as Martin Luther concluded in *Temporal Authority: to What Extent is Should Be Obeyed* (1523), Rev. Williams likewise held that churches thus have a duty to chastise the civil magistrate, to wit:

> 'Magistrates may be censured for apparent and manifest sin against any moral law of God in their judicial proceedings, or in the execution of their office. Courts are not sanctuaries for sin; and if for no sin, then not for such especially. 'First, because sins of magistrates in court are as hateful to God…. God hath nowhere granted such immunity to them… what a brother may do privately in case of private offence, that the church may do publicly in case of public scandal…. 'Lastly, Civil magistracy doth not exempt any church from faithful watchfulness over any member, nor deprive a church of her due power, nor a church member of his due privilege, which is to partake of every ordinance of God, needful and requisite to their winning and salvation, ergo,-- ….' Truth. These arguments to prove the magistrate subject, even for sin committed in judicial proceeding, I judge, like Mount Zion, immoveable, and every true Christian that is a magistrate will judge so with me….[240]

This idea of the function and duties of the civil magistrate was also reflected in the London Baptist Confession of Faith (1644),[241] to wit:

239 Ibid., pp. 220-221.

240 Ibid., pp. 348-349.

241 See "1644 Baptist Confession of Faith," Wikipedia Encyclopedia (Online): https://en.wikipedia.org/wiki/1644_Baptist_Confession_of_Faith ("In 1644, 7 Particular Baptist (**Reformed Baptist** or **Calvinistic Baptist**) churches met in London to write a confession of faith. The document called First London Baptist Confession, was published in 1644.")

LONDON BAPTIST CONFESSION OF FAITH (1644)

XLVIII.

That **a civil magistrate is an ordinance of God** set up by God for the punishment of evil doers, and for the praise of them that do well; and that **all lawful things commanded by them, subjection ought to be given by us in the Lord**: and that we are to make supplication and prayer for Kings, and all that are in authority, that under them we may live a peaceable and quiet life in all godliness and honesty.

Rom. 13:1-4; 1 Peter 2:13, 14; 1 Tim. 2:2 …[242]

XLIX.

The supreme Magistrate of this Kingdom we believe to be the King and Parliament freely chosen by the Kingdom, and that in all those civil laws which have been acted by them, or for the present is or shall by ordained, we are bound to yield subjection and obedience unto in the Lord, as conceiving our selves bound to defend both the persons of those chosen, and all civil laws made by them, with our persons, liberties, and estates, with all that is called ours, although we should suffer never so much from them in not actively submitting to some ecclesiastical laws, which might be conceived by them to be their duties to establish which we for the present could not see, nor our consciences could submit unto; yet are we bound to yield our persons to their pleasures.

L.

And if God should provide such a mercy for us, as to incline the magistrates hearts so far to tender our consciences, as that we might be protected by them from wrong, injury, oppression and molestation, which long we formerly have groaned under by the tyranny and oppression of the Prelatical Hierarchy, which God through mercy has made this present King and Parliament wonderful honorable; as an instrument is His hand, to throw down; and we thereby have had some breathing time, we shall, we hope, look at it as a mercy beyond our expectation, and conceive ourselves further engaged for ever to bless God for it.

1 Tim. 1:2-4; Psal. 126:1; Acts 9:31

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242 Cross-reference this with the 1689 Baptist Confession of Faith (Second London Baptist Confession), Chapter Twenty Four, which states:

> God, the supreme **Lord and King of all the world, has ordained civil magistrates to be under him**, over the people, for his own glory and the public good; and to this end has armed them with the power of the sword, for defence and encouragement of them that do good, and for the punishment of evil doers. (Rom. 13:1-4)….
>
> It is lawful for Christians to accept and execute the office of a magistrate when called thereunto; in the management whereof, as they ought especially to maintain justice and peace,2 according to the wholesome laws of each kingdom and commonwealth, so for that end they may lawfully now, under the New Testament, wage war upon just and necessary occasions…. (2 Sam. 23:3; Ps. 82:3–4; Luke 3:14)….
>
> Civil magistrates being set up by God for the ends aforesaid; subjection, in all lawful things commanded by them, ought to be yielded by us in the Lord, not only for wrath, but for conscience' sake; and we ought to make supplications and prayers for kings and all that are in authority, that under them we may live a quiet and peaceable life, in all godliness and honesty…. (Rom. 13:5–7; 1 Pet. 2:17; 1 Tim. 2:1–2)….

See, also, "1689 Baptist Confession of Faith," Wikipedia Encyclopedia (online), stating: "The 1689 Baptist Confession of Faith, also called the Second London Baptist Confession, was written by Particular Baptists, who held to a Calvinistic soteriology in England to give a formal expression of their Christian faith from a Baptist perspective."

LI.

But if God with hold the magistrates allowance and furtherance herein;(1) **yet we must not withstanding proceed together in Christian communion**, not daring to give place to suspend our practice, but to walk in obedience to Christ in the profession and holding forth this faith before mentioned, even in the midst of all trails and afflictions, not accounting out goods, lands, wives, husbands, children, fathers, mothers, brethren, sisters, yea, and our own lives dear unto us, so we may finish our course with joy: **remembering always we ought to obey God rather then men**, and grounding upon the commandment, commission, and promise of our Lord and Master Jesus Christ, who as **He has power in heaven and earth, so also has promised, if we keep His commandments which He has given us, to be with us to the end of the world**: and when we have finished our course, and kept the faith, to give us the crown of righteousness, which is laid up for all that love His appearing, and to whom we must give an account of all our actions, no man being able to discharge us of the same.

Acts 2:40,41; 4:19; 5:28,29,41; 20:23; 1 Thes. 3:3; Phil. 1:27-29; Dan. 3:16,17; 6:7, 10, 22, 23.

2) Matth. 28:18-20; 1 Tim. 6:13-15; Rom. 12:1.8; 1 Cor. 14:37; 2 Tim. 4:7,8; Rev. 2:10; Gal 2:4,5.

Conclusion

Thus **we desire to give unto Christ that which is His**, and **unto all lawful Authority that which is their due**, and **to owe nothing to any many but love, to live quietly and peaceably, at is becometh saints**, endeavoring in all things to keep a good conscience, and to do unto every man (of what judgment soever) as we would they should do unto us, that as our practice is, so it may prove us to a conscionable, quiet, and harmless people, (no ways dangerous or troublesome to human Society) and to labor and work with our hands, that we may not be chargeable to any, but to give to him that needeth both friends and enemies, accounting it more excellent to give than to receive.

According to this Baptist theology, the work of the Christian, then, is *not passive submission* to injustice and wrong; but rather it is *passive resistance* to injustice and wrong, while always adhering to the injunction that "we must obey God rather than men."[243] This was the legacy, heritage, and teaching of the Protestant Reformation.[244]

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243 Acts 5:29 ("We ought to obey God rather than men."); Martin Luther King, Jr., *Letter from the Birmingham City Jail* (1963)("YOU express a great deal of anxiety over our willingness to break laws. This is certainly a legitimate concern. Since we so diligently urge people to obey the Supreme Court's decision of 1954 outlawing segregation in the public schools, it is rather strange and paradoxical to find us consciously breaking laws. One may well ask, 'How can you advocate breaking some laws and obeying others?' The answer is found in the fact that there are two types of laws: there are just laws, and there are unjust laws. I would agree with St. Augustine that 'An unjust law is no law at all.'"); and Algernon Sidney Crapsey, *Religion and Politics*, supra, p. 89 ("Jesus's method of warfare is to fight evil, not by active resistance, but by passive endurance. He was ready, not to kill, but, if need were, to be killed.") I submit that this general Baptist political or legal theory is reflected in the plain text of the American *Declaration of Independence* (1776).

244 For further information regarding this aspect of the Protestant Reformation, see, e.g.:

Significantly, Rev. Williams also asserted that churches have a duty to recover the souls of apostate civil magistrates who are churchmen, for the benefit of themselves and the government. “And Christ Jesus,” writes Rev. Williams, “is again most highly honoured, when for apparent sin in the magistrates, being a member of the church, for otherwise they have not to

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See Martin Luther, *Temporal Authority: To What Extent it Should be Obeyed* (1523) (“[W]e must provide a sound basis for the civil law and sword so no one will doubt that it is in the world by God's will and ordinance.... The law of this temporal sword has existed from the beginning of the world.... All who are not Christians belong to the kingdom of the world and are under the law. There are few true believers, and still fewer who live a Christian life, who do not resist evil and indeed themselves do no evil. For this reason God has provided for them a different government beyond the Christian estate and kingdom of God. He has subjected them to the sword so that, even though they would like to, they are unable to practice their wickedness, and if they do practice it they cannot do so without their wickedness, and if they do practice it they cannot do so without fear or with success and impunity. In the same way a savage wild beast is bound with chains and ropes so that it cannot bite and tear as it would normally do, even though it would like to; whereas a tame and gentle animal needs no restraint, but is harmless despite the lack of chains and ropes. If this were not so, men would devour one another, seeing that the whole world is evil and that among thousands there is scarcely a single true Christian. No one could support wife and child, feed himself, and serve God. The world would be reduced to chaos. For this reason God has ordained two governments: the spiritual, by which the Holy Spirit produces Christians and righteous people under Christ; and the temporal, which restrains the un-Christian and wicked so that-no thanks to them-they are obliged to keep still and to maintain an outward peace. Thus does St. Paul interpret the temporal sword in Romans 13 [:3], when he says it is not a terror to good conduct but to bad. And Peter says it is for the punishment of the wicked [I Peter 2:14].... Here you inquire further, whether constables, hangmen, jurists, lawyers, and others of similar function can also be Christians and in a state of salvation. Answer: If the governing authority and its sword are a divine service, as was proved above, then everything that is essential for the authority's bearing of the sword must also be divine service. There must be those who arrest, prosecute, execute, and destroy the wicked, and who protect, acquit, defend, and save the good. Therefore, when they perform their duties, not with the intention of seeking their own ends but only of helping the law and the governing authority function to coerce the wicked, there is no peril in that; they may use their office like anybody else would use his trade, as a means of livelihood. For, as has been said, love of neighbor is not concerned about its own; it considers not how great or humble, but how profitable and needful the works are for neighbor or community.... What if a prince is in the wrong? Are his people bound to follow him then too? Answer: No, for it is no one's duty to do wrong; we must obey God (who desires the right) rather than men [acts 5:29].”

Theodore Beza (1519 -1605)

See, also, Theodore Beza, *On the Rights of Magistrates* (1574)(“In short, if we would also investigate the histories of ancient times, recorded by secular writers, it will be established — as indeed, Nature herself seems to proclaim with a loud voice — that rulers by whose authority their inferiors might be guided, were elected for a reason. It was that either the whole human race must perish, or some intermediate class must be instituted so that one or more rulers might be able to command the others by it, to protect good men, and restrain the wicked by means of punishments. This is what not only Plato, Aristotle, and the other natural philosophers have taught and proved with the light of human reason alone, but God Himself taught this by the utterance of St. Paul writing to the Romans. [Rom. xiii] So that, the rulers of nearly the entire world confirmed this with clear words. Thus the origin of all States and Powers is, with the best of reasoning, derived from God, the author of all good. Homer also recognized and freely testified of this when he called kings “the fosterlings of Zeus” and “the shepherds of the lost.... Therefore, when the duty of the rulers is inquired into, all will admit that it is assuredly right to remind rulers of their duty, and also to roundly admonish them whenever they stray from it. But when a case occurs of either needing to restrain tyrants who beyond a trace of doubt have strayed; or of punishing them in accordance with their deserts, the majority so earnestly commend patience and prayers to God, that they consider and condemn as mutineers and pseudo-Christians, all those who refuse to bow their necks to torture.... Hence it follows that the authority of all magistrates, however supreme and powerful they are, is dependent upon the public authority of those who have raised them to this degree of dignity, and not contrariwise.... And if those kings violate these conditions, the result is that those who had the power to confer this authority upon them, have retained no less power to again divest them of that authority.”)

meddle with him, the elders with the church admonish him, and recover his soul: of if obstinate in sin, cast him forth of their spiritual and Christian fellowship; which doubtless they could not do, were the magistrate supreme governor under Christ in ecclesiastical or church causes…."[245] Lastly, and most significantly, Rev. Williams believed that the churches' role, as well as the right of all subjects and citizens, is not to obey the civil magistrate "in any matter displeasing to God."[246] Indeed, the State must be separate from the Church; but the "Doctrine of the Separation of Church and State" did not mean the "Separation of the Law of Nature or the Law of Reason from the State."

Secondly, the civil magistrate must not, under Rev. William's scheme of government, impose any form of religion upon the body politic. Rev. Williams based this political idea of the "Separation of Church and State" on Matthew 13:24-30 (i.e., the "Parable of the Wheat and Tares"). Rev. Williams thus interpreted this "Parable of the Wheat and the Tares," as follows:

> The Lord Jesus, therefore, gives direction concerning these tares, that unto the end of the world, successively in all the sorts and generations of them, they must be (not approved or countenanced, but) let alone, or permitted in the world. Secondly, he gives to his own good seed this consolation; that those heavenly reapers, the angels, in the harvest, or end of the world, will take an order and course with them, to wit, they shall bind them into bundles, and cast them into the everlasting burnings; and to make the cup of their consolation run over, he adds, ver. 43, Then, then at that time, shall the righteous shine forth as the sun in the kingdom of their Father. These tares… can be no other sort of sinnders but false worshippers, idolaters, and in particular [and] properly, antichristians.[247]

Based upon this parable on the wheat and tares, it was clear to Rev. Williams that both Church governors and Secular governors had no jurisdiction whatsoever over the spiritual state of the souls or consciences of human beings. Other than implementing and administering the "Second Table," the civil magistrate had no authority, from God or anyone else, to impose any sort or

245 *Publication: Williams, Roger. The Bloudy Tenet of Persecution* (Miami, FL.: HardPress, 2019), p. 351.

246 Ibid. p. 322.

247 Ibid., p. 77.

form of particular faith upon other human beings. Hence, to Rev. Williams and others, this right to be free from government-imposed religion became a human right to freedom of conscience.

Like Thomas Jefferson, Rev. Williams did not believe that a diversity of views, opinions, and religious beliefs would damage or disturb the "civil peace" of the secular state. "A false religion," wrote Rev. Williams, "will not hurt the church, no more than weeds in the wilderness hurt the enclosed garden."[248] Similarly, Rev. Williams wrote that a "false religion and worship will not hurt the civil state, in case the worshippers break no civil law: and the answerer elsewhere acknowledgeth, that the civil laws not being broken, civil peace is not broken: and this only is the point in question."[249] In fact, Rev. Williams went so far as to state that the "law of Christ" requires civil magistrates to protect the diversity of opinions and the freedom of religious viewpoints. "Therefore," he wrote, "according to Christ Jesus' command, magistrates are bound not to persecute, and to see that none of their subjects be persecuted and oppressed for their conscience and worship, being otherwise subject and peaceable in civil obedience."[250] "God's people, since the coming the King of Israel, the Lord Jesus, have openly and constantly professed, that no civil magistrate, no king, no Caesar, have any power over the souls or consciences of their subjects, in the matters of God and the crown of Jesus; but the civil magistrates themselves, yea, kings and Caesars, are bound to subject their own souls to the ministry and church, the power and government of this Lord Jesus, the King of kings."[251]

Rev. Williams rejected the idea that secular civil magistrates must be Christians or must be members of the Congregational Church, the Church of England, or any other type of established or state-sponsored church.[252] He criticized his fellow Puritan brothers in the

248 Ibid., p. 167.

249 Ibid.

250 Ibid., p. 158.

251 Ibid., p. 49.

252 Ibid., p. 354.

Massachusetts Bay Colony, because they refused to establish freedom of religion. "The compulsion preached and practiced in New England," wrote Rev. Williams, "is not to the hearing of that ministry sent forth to convert unbelievers…."[253] In defending his position, Rev. Williams rejected the biblical model of ancient Israel for the practical affairs of the secular civil state;[254] and, in doing so, he emphatically rejected the experiment of Geneva as directed by John Calvin himself. "The prayers of God's people procure the peace of the city where they abide; yet, that Christ's ordinances and administration of worship are appointed and given by Christ to any civil state, town, or city, as is implied by the instance of Geneva, that I confidently deny."[255]

Here we may conclude that Rev. Williams did not believe that natural religion required a lawful civil magistrate hold any particular "orthodox" Christian denominational viewpoint. He insisted that God had punished the evil nations and empires in the Old Testament because of their failure to keep the "second table" of the Decalogue. Rev. Williams argued that none of these ancient empires— whether ancient Egypt or ancient Babylon— was ever punished by God for practicing false religion. Rather, these ancient empires were punished either for refusing to permit religious freedom to the ancient Israelites or for refusing to administer the "second table" of the Decalogue. Rev. Williams pointed out that those pagan emperors and kings which permitted religious freedom, and who established civil peace through keeping the "second table" of the Decalogue, were accounted just and righteous in the eyes of the ancient Hebrew prophets. Two examples are the king of Egypt who elevated Joseph in the Book of Genesis, and Cyrus of Persia who liberated the Jews from Babylonian captivity. The whole trajectory of the Bible, from

253 Ibid., p. 249.

254 Ibid., p. 357.

255 Ibid., p. 192 [citing the following quote: "[u]nder the influence of Calvin the legislation of Geneva was entirely theocratic. Idolatry, adultery, cursing and striking parents, were punishable with death. Imprisonment was inflicted for every immorality at the instance of the church courts. Women were forbidden to wear golden ornaments, and not more than two rights on their fingers. Even their feasts were regulated: but three courses were allowed, and each course to consist of only four dishes. Great efforts were also made, which gave rise to many civil commotions, to remove from office under the state persons excommunicated by the church. Henry's *Das Leben Calvins*, p. 173, edit. 1843]"].

the *Book of Genesis* to the *Book of Revelation*, seemed to support Rev. Williams' theological assessment of ecclesiastical polity and temporal government. According to basic, orthodox Baptist belief, the Noahic dominion "Covenant of Nature" had certainly authorized all nations upon earth(i.e., the "Church of the Gentiles")— and not just the Hebrews or the Christians— to establish just civil government. Thus, we may conclude that the First Amendment to the United States Constitution reflects Puritan-Separatists-Baptist civil polity and theology.

Unlike many of the "Anabaptists" who felt that the secular society and other religious sects had become *so corrupted* that any cooperation or any involvement with secular civil government constituted worldly and sinful activities, the English Baptists (i.e., Puritans) embraced the conventional Protestant viewpoint that civil government and the civil magistrate were ordained by God and, likewise, that the civil magistrate is God's minister, in the same sense in which the Apostle Paul and, later, Augustine of Hippo, articulated and described purpose and function of that civil office and authority.[256]

In many respects, the "General Christianity" which became the brainchild of latitudinarian Anglicanism and neo-orthodox Calvinism was the political consequence of the religious persecutions of the Baptists who made their views public— men such as Rev. Roger Williams (Reformed Baptist), Thomas Helwys (General Baptist), and many others. From a Baptist perspective— and especially the General or Arminian Baptists— the civil polity and the civil magistrate are ordained by God and constitute divine purposes of Providence which is to establish true and substantive justice. (The subsequent theology of Rev. Martin Luther King, Jr. (1929 1968) is a restatement of that original Baptist conception of civil polity.) At the same time, no government or civil magistrate should enforce a particular religion upon an individual's conscience. To the Baptist, the United States Constitution and the First Amendment or Bill of

256 See "1644 Baptist Confession of Faith," Wikipedia Encyclopedia (Online): https://en.wikipedia.org/wiki/1644_Baptist_Confession_of_Faith ("In 1644, 7 Particular Baptist (**Reformed Baptist** or **Calvinistic Baptist**) churches met in London to write a confession of faith. The document called First London Baptist Confession, was published in 1644.")

Rights represent orthodox Baptist political theory and religious values. Both the Quaker and the Baptist faithful may creditably conclude that the American political democracy and constitutional system represent the long struggle the English and American Quakers and

Baptists against the religious intolerance of the Church of England, and against the religious intolerance of the Calvinistic churches in colonial New England, more so than any other religious sect, denomination, or group.

— END OF VOLUME FIVE —

General Bibliography

"Aethelbert of Kent," *Wikipedia Encyclopedia* (Online).

"Alfred the Great," *Wikipedia Encyclopedia* (Online).

Alvarado, Ruben. *Calvin and the Whigs: A Study in Historical Political Theology*. The Netherlands: Pantocrator Press (2017).

Alvey, James E. "The Secret, Natural Theological Foundation of Adam Smith's Work." *Journal of Markets & Morality*. Volume 7, Number 2 (Fall 2004): 335–361.

Aquinas, Thomas (Saint). *Summa Theologica*. New York, N.Y.: The Catholic Primer. (2005).

"Aristotle," Wikipedia Encyclopedia (Online).

Aristotle's Nichomachean Ethics. Chicago, IL: The Univ. of Chicago Press. (2011).

Auerbach, Jerold S. *Rabbis and Lawyers: The Journey from Torah to Constitution*. New Orleans, Louisiana: Quid Pro Books (2010).

Bantu, Vince. *A Multitude of All Peoples: Engaging Ancient Christianity's Global Identity*. Downers Grove, Illinois: InterVarsity Press (2020).

Barry, John M. *Roger Williams and the Creation of the American Soul: Church, State, and the Birth of Liberty*. New York, N.Y., Penguin Books (2012).

Baxter, Richard. *A Christian Directory (or, A Sum of Practical Theology, and Cases of Conscience)*(reprinted in Columba, S.C. on January 18, 2019).

Benedict XVI (Pope). *Jesus of Nazareth: Holy Week: From the Entrance Into Jerusalem To the Resurrection*. New York, N.Y.: Ignatius Press (2007).

Berkhof, Louis. *Principles of Biblical Interpretation*. Grand Rapids, MI: Baker Book House. (1950).

Beza, Theodore. *On the Rights of Magistrates* (1574)[public domain].

Blackstone, William. *Commentaries on the Laws of England*. New York, N.Y.: W.E. Dean Pub. (1840).

Bode, Carle. *The Portable Emerson*. New York, N.Y.: Penguin Books (1981).

Bouvier, John. *Institutes of American Law*. Vol. 2. (1882).

Brutus, Stephen Junius. Vindiciae Contra Tyrannos: A Defense of Liberty Against Tyrants. Moscow, Idaho: Canon Press (2020).

Burtt, Edwin A. *The English Philosophers from Bacon to Mill*. New York, NY: The Modern Library (1967).

Butler, Joseph. *Analogy of Religion, Natural and Revealed*. United States: Columbia, SC (2021).

Calvin's Commentary on the Bible (Online).

Calvin, John. *The Institutes of the Christian Religion*. United States of America: Pantieos Press. (2017).

Catechism of the Catholic Church (various editions).

Clark, George L. *Equity: An Analysis and Discussion of Modern Equity Problems*. Columbia, Missouri: E.W. Stephens Pub. (1919).

Clark, Gordon H. *Predestination*. Phillipsburg, New Jersey: Presbyterian and Reformed Publishing Co. (1969).

Clarkston, Thomas. "Thoughts on the Necessity of Improving the Condition of the Slaves in the British Colonies With a View To Their Ultimate Emancipation; and on the Practicability, the Safety, and the Advantages of the Latter Measure" New York, N.Y.: Aeterna Pub. (2010).

Cocceius, Johannes. *The Doctrine of the Covenant and Testament of God*. Grand Rapids, MI: Reformation Heritage Books (2016).

Cochran, Robert F. and Zachary R. Calo. *Agape, Justice and Law: How might Christian Love Shape Law?* Cambridge, United Kingdom: Cambridge University Press (2017).

Coke, Edward. *The Second Part of The Institutes of the Laws of England*. London, England: Forgotten Books (2012).

Coke, Edward. *The Third Part of The Institutes of the Laws of England*. London, England: Forgotten Books (2012).

Cooper, Tim. "John Own, Richard Baxter and the Battle for Calvin in the Later Seventeenth-Century England," *Southern Baptist Journal of Theology*, 20.4 (2016): 63-78.

Cooper, Tim. *John Owen, Richard Baxter and the Formation of Nonconformity. Burlington, VT: Ashgate Publishing Co.* (2011).

"Covenant Theology," *Wikipedia Encyclopedia* (Online).

Crapsey, Algernon Sidney. *Religion and Politics*. New York, N.Y.: Thomas Whittaker. (1905).

Crummell, Alexander. *Africa and America: Addresses and Discourses*. Springfield, MA: Wiley & Co. (1891).

Dallimore, Arnold. *George Whitefield: The Life and Times of the Great Evangelist of the 18th Century Revival*. East Peoria, IL: Versa Press, Inc., Vols. I & II. (2019).

Daniell, Timothy. *The Lawyers*. Dobbs Ferry, N.Y.: Oceana Pub. (1976).

Darwin, Charles. *The Descent of Man*. United States: Pacific Publishing Studio. (2011).

Darwin, Charles. *The Origin of Species*. New York, N.Y.: Penguin Books. (2003).

Demar, Gary. *God and Government: A Biblical, Historical, and Constitutional Perspective.* Powder Springs, Georgia: American Vision. (2011).

Disraeli, Benjamin. *Vindication of the English Constitution in a Letter to a Noble and Learned Lord*. London, United Kingdom: Saunders and Otley. (1835).

Dockery, David S. *Biblical Interpretation Then and Now*. Grand Rapid, MI: Baker Book House (1992).

Doe, Norman. *Christianity and Natural Law*. Cambridge, U.K.: Cambridge University Press (2017).

Du Bois, W.E.B. *The World and Africa*. New York, N.Y.: International Publishers (2015).

Du Bois, W.E.B., *Writings*. New York, N.Y.: The Library of America. (1986).

Elazar, Daniel J. "Dealing with Fundamental Regime Change: The Biblical Paradigm of the Transition from Tribal Federation to Federal Monarchy Under David." *Jerusalem Center for Public Affairs*. (Elazar Papers Index) https://www.jcpa.org/dje/index-apc.htm

"Elizabethan Religious Settlement," Wikipedia Encyclopedia (Online).

"European Wars of Religion," *Wikipedia Encyclopedia* (On-line).

"First Great Awakening," *Wikipedia Encyclopedia* (Online).

Ford, Roderick O. *Jesus Master of Law: A Juridical Science of Christianity and the Law of Equity*. Tampa, Fl.: Xlibris Pub. (2015).

Ford, Roderick O. *The Law of Moses*. Tampa, Fl.: Xlibris Pub. (2017).

Ford, Roderick O. *The Parables of Christ*. Tampa, Fl.: Xlibris Pub. (2018).

Ford, Roderick O. *The Apostolate Papers*. www.roderickford.org (2022).

"Fundamental laws of England," Wikipedia Encyclopedia (Online).

Galbraith, John Kenneth. *The Affluent Society and Other Writings*. New York, N.Y.: The Library of America. (2010).

Galbraith, John Kenneth. *The Economics of Innocent Fraud: Truth for Our Time*. Boston, MA: Houghton Mifflin Co. (2004).

Gibbon, Edward. *The History of the Decline and Fall of the Roman Empire*.[public domain].

Goldenberg, David. *The Curse of Ham: Race and Slavery in Early Judaism, Christianity and Islam*. Princeton, N.J.: Princeton Univ. Press. (2003).

Goodell, William. *The American Slave Code In Theory and Practice*. New York, N.Y, : American and Foreign Anti-Slavery Society (1853).

Goodell, William. *The Democracy of Christianity, or; An Analysis of the Bible and its Doctrines in Their Relation to the Principles of Democracy*. New York, N.Y.: Cady and Burgess (1852).

Green, Leslie C. *Law and Religion: Cases and Materials*. New York, N.Y.: Foundation Press (2007).

Gregory, Jeremy. *The Oxford History of Anglicanism: Establishment and Empire, 1662 – 1829*, Vol. II. Oxford, U.K.: Oxford University Press (2017).

Guest, John Marshall. "The Influence of Biblical Texts Upon English Law" (An address delivered before the Phi Beta Kappa and Sigma Xi Societies of the University of Pennsylvania on June 14, 1910).

Haynes, Stephen R. "Original Dishonor: Noah's Curse and the Southern Defense of Slavery," *Journal of Southern Religion* (Feb. 2, 2000)

Heitzenrater, Richard P. *Wesley and the People Called Methodists*. Nashville, TN: Abingdon Press. (2013).

Hengstenberg, E.W. and R.D. Robbins. *Egypt and the Books of Moses, or the Books of Moses Illustrated by the Monuments of Egypt*. Republished in Columbia, SC. (2021).

"Henry de Bracton," *Wikipedia Encyclopedia* (Online).

Hooker, Richard. *The Laws of Ecclesiastical Polity*. Nashotah, WI: Nashotah House Press. (2012).

Jefferson, Thomas. "Notes on the State of Virginia," *Writings*. New York, N.Y.: The Library of America (1984).

"John Locke," *Wikipedia Encyclopedia* (Online).

Kevan, Ernest F. *The Grace of Law: A Study in Puritan Theology* (Grand Rapids, MI: Soli Deo Gloria Pub., 2018).

Kutner, Luis. *Legal Philosophers: A Trilogy on Great Philosophers and the Law: Plato and Aristotle: Precursors of the Human Rights of World Habeas Corpus*. 55 Marq. L. Rev. 255 (1972).

Lincoln, C. Eric and Lawrence H. Mamiya. *The Black Church in the African American Experience*. Durham, N.C.: Duke University Press (1990).

Locke, John. *Two Treatises of Government*. New York, N.Y.: New American Library (1965).

Longley, Clifford. *Chosen People: The Big Idea That Shaped England and America*. London, England: Hodder & Stroughton (2002).

Luther, Martin. *Martin Luther's Ninety-Five Theses and Selected Sermons*. Radford, VA: Wilder Publications. (2008).

Luther, Martin. *On Worldly Authority: To What Extent It Should Be Obeyed* (1523). [public domain].

Luther, Marin. *The Bondage of the Will*. Peabody, MA: Hendrickson Publishing, Inc. (2008).

Luther, Martin. *The Babylonian Captivity of the Church: A Prelude*. (1520). [public domain].

Metaxas, Eric. *Martin Luther: The Man Who Rediscovered God and Changed the World*. New York, N.Y.: Viking Press (2017).

Murray, John. *Redemption Accomplished and Applied*. Grand Rapid, MI.: Wm. B. Eerdman Publishing Co. (1955).

Myers, Gustavus. *History of the Supreme Court of the United States*. Chicago, IL: Charles H. Kerr & Co. (1912).

Mylin, Amanda S. *Evangelical Jeremiads and Consuming Eves: The Relationship of Religion and Consumerism in Eighteenth Century Colonial America* (Baylor University: Unpublished Master's Thesis, 2015).

"Natural Law," Wikipedia Online Encyclopedia.

Niebuhr, Reinhold. *Major Works on Religion and Politics*. New York, N.Y.: The Library of America. (2015).

Newton, Issac. *Observations Upon the Prophecies of Daniel and the Apocalypse of St. John*. United States of America: Renaissance Classics (2012).

Norman, Daniel Craig, "John Witherspoon, Common Sense, and Original Sin." Reformed Theological Seminary: Unpublished Master's Thesis (2006).

Norton, Mary Beth, et al. *A People and a Nation: A History of the United States*. Vol. II: 1877 to Present. Boston, MA: Houghton Mifflin Co. (1986).

Parker, T.H.L. *John Calvin: A Biography*. Louisville, KY: Westminster John Knox Press (2006).

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

Perry, Rufus Lewis. *The Cushite or, The Descendants of Ham*. Reprinted in Columbia, SC. (2020).

Phillips, Stephen. "Roger Williams and the Two Tables Theory of the Law." *Journal of Church and State* Vol. 38, No. 3 (SUMMER 1996).

Philo of Alexandria, *On the Confusion of Tongues*, [ancient text: citation omitted] http://www.earlychristianwritings.com/yonge/book15.html

Philo of Alexandria, *Who is Heir of Divine Things*, [ancient text: citation omitted] http://www.earlychristianwritings.com/yonge/book15.html

Pomeroy, John Norton. *A Treatise on Equity Jurisprudence: As Administered in the United States of America: Adapted for All the States and to the Union of Legal and Equitable Remedies Under the Reformed Procedure. Vol. 1.* (Fifth Edition) (1881).

Pound, Roscoe. *Legal Profession in the Middle Ages*. 3 Notre Dame Law Review (1944).

Quarles, Benjamin. *The Negro in the Making of America*. New York, N.Y.: Collier Macmillan. (1987).

Ravitch, Frank and Larry Backer. *Law and Religion: Cases and Materials*. St. Paul, MN: American Casebook Series (2021).

"Religion in the Original 13 Colonies." *Britannica* (Online).

Richey, Russell E., Kenneth E. Rowe, and Jean Miller Schmidt. *The Methodist Experience in America: A History*. Vol. I. Nashville, TN: Abingdon Press. (2010).

Richey, Russell E., Kenneth E. Rowe, and Jean Miller Schmidt. *The Methodist Experience in America: A Sourcebook*. Vol. II. Nashville, TN: Abingdon Press. (2010).

"Robert Filmer." Wikipedia Encyclopedia (On-line).

Russell, Bertrand. *A History of Western Philosophy*. New York, NY: Touchstone (2007).

Saint Augustine. *Confessions*. New York, N.Y.: Barnes & Nobles Classics (2007).

Saint Augustine. *On Grace and Free Will*. Louisville, Kentucky: GLH Publishing (2017).

Saint Augustine. *The City of God*. New York, N.Y.: The Modern Library (1950).

"Scottish Common Sense Realism." *Wikipedia Encyclopedia* (Online).

Second London Baptist Confession of Faith (1689). [public domain].

"Shire Courts." Wikipedia Encyclopedia (Online).

Smith, Adam. *The Wealth of Nations*. New York, N.Y.: The Modern Library (1937).

Smith, Goldwin. *A Constitutional and Legal History of England*. New York, N.Y.: Dorset Press (1990).

Smith, Goldwin. *A History of England*. New York, NY: Charles Scribner's Sons (1957).

Smylie, James. *Review of a Letter from the Presbytery of Chillocothe, to the Presbyery of Mississippi, on the Subject of Slavery* (1836). [public domain].

Strong, Rowan. *Anglicanism and the British Empire, c. 1700 – 1850*. Oxford, United Kingdom: Oxford Univ. Press (2007).

Switzer, Gerald B. "The Suppression of the Convocation of the Church of England." *Church History*. Sep., 1932, Vol. 1, No. 3 (Sep., 1932).

Talbot, Kenneth and Gary Crampton. *Calvinism, Hyper-Calvinism, and Arminianism*. Lakeland, FL.: Whitefield Media Publishing (1990).

Talbot, Kenneth. *Confirming Our Faith:A Reformed Covenantal Theology of the Sacraments*. Lakeland, FL.: Whitefield Media Publishing (2009).

Tawney, R.H. *Religion and the Rise of Capitalism*. New York, N.Y.: Mentor Books (1954).

The Federalist Papers. New York, N.Y.: Dutton/Signet (2012).

The Holy Bible (King James Version).

The Jewish Study Bible. Oxford, England: Oxford University Press (2014).

"Thomas Erastus." *Wikipedia Encyclopedia* (Online).

"Thomas Helwys." *Wikipedia Encyclopedia* (Online).

"Thomas Reid." *Wikipedia Encyclopedia* (Online).

Thoresen, Don. *Calvin vs. Wesley: Bringing Belief in Line with Practice*. Nashville, TN: Abingdon Press. (2013).

Tindal, Matthew. *Christianity as Old as the Creation, or the Gospel a Republication of the Religion of Nature*. Newburgh, England: David Deniston Pub. (1730).

Tocqueville, Alexis de. *Democracy in America*. New York, N.Y.: Harper Perennial (1988).

Warburton, William. *The Alliance Between Church and State, Or, the Necessity and Equity of an Established Religion and a Test-Law Demonstrated*. (1736) [Historical Book Reprint].

Watson, Richard. *Two Apologies: One For Christianity, In a Series Of Letters Addressed to Edward Gibbon; The Other for the Bible in Answer to Thomas Paine*. (1820). [Historical Book Reprint].

Weber, Max. *The Protestant Work Ethic and the Spirit of Capitalism*. New York, N.Y.: Vigeo Press. (2017).

Wesley, John. "An Estimate of The Manners of the Present Times" (1785). *The Works of Wesley* (Online).

Wesley, John. "Some Observations On Liberty" (1776). *The Works of Wesley* (Online).

Wesley, John. *Thoughts Upon Slavery*. London, England: Forgotten Books. (2015).

Westminster Confession of Faith (1647) [public domain].

Williams, Roger. *The Bloudy Tenet of Persecution for Cause of Conscience*. Miami, FL: Hardpress (2019).

Witherspoon, John. *Lectures on Moral Philosophy*. Princeton, N.J.: Princeton University Press (1912).

Witherspoon, John. *The Works of John Witherspoon, DD*. Vol. 8. Edinburgh, Scotland: Ogle (1815).

Witte, Jr., John and Frank S. Alexander. *Christianity and Law: An Introduction*. Cambridge, UK: Cambridge University Press (2008).

Woodson, Carter G. *The History of the Negro Church*. Washington, D.C.: The Associated Publishers (1921).

Yount, David. *How the Quakers Invented America*. Lantham, MD: Rowan & Littlefield Pub., Inc. (2007).

Zinkeisen, Frank. "The Anglo-Saxon Courts of Law." *Political Science Quarterly*. Vol. 10, No. 1 (Mar. 1895).