

The American Reformation: The Politics of Religious Liberty, Charleston and New York

1770-1830

by

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ABSTRACT

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This study argues that churches were important sites in which early Americans invented and participated in politics. Revolutionary Charlestonians and New Yorkers—Protestant, Catholic, and Jewish alike—self-consciously engaged in a reformation of their religious societies and, as a result, forged new patterns of religious conflict and accommodation that shaped how they understood government, partisanship, toleration, and pluralism. Practical politics took place every week in religious societies (not just on Election Day), making them important sites to help us understand the mechanics, culture, and lived experience of early national politics. This work draws on church records, personal papers, court cases, controversial literature, pamphlets, and periodicals, and brings together diverse historiographies such as Atlantic history, Early Modern European history, and political theory. Through these literatures and sources, this study provides important insights into the practice of politics, the boundaries between church and state, and the uses and abuses of religious difference in the founding of a liberal democracy.

Introduction

The twenty-first century New York City skyline is an iconic image. The distinctive silhouette of skyscrapers, rising nearly out of the water's edge, visually reinforces the city's role as a capital of finance, industry, entertainment, and diplomacy. For colonial New Yorkers, the view of the eighteenth-century city also called attention to the powerful economic, political, and cultural institutions that served, supported, and sometimes exploited the 25,000 inhabitants of the colonial port. However, on the eve of the American Revolution, steeples, not skyscrapers, dominated the skyline. Those lithe spires were attached to more than eighteen houses of worship from at least ten denominations: Anglican/Episcopalian, Presbyterian, Dutch Reformed, Lutheran, Huguenot, Quaker, Anabaptist, Moravian, Methodist, and Jewish.¹

When visitors to the colonial city of Charles Towne, nearly 800 miles south of New York, approached by sea, their first view would also have been a church. Since the city was built on low ground, the tower of St. Michael's Anglican Church would have been visible for several minutes before an observer set his or her eyes on the ships, dwellings, taverns, brothels and custom houses constructed in the busy port.² While St. Michael's was likely the most visually imposing structure for colonial onlookers,

¹ Ira Rosenwaik, *Population History of New York* (Syracuse, NY: Syracuse University Press, 1972), 1. New York had roughly 25,000 inhabitants in 1770. The population increased to 33,131 in 1790, 60,489 in 1800, 96,373 in 1810, 123,706 in 1820, and 202,589 in 1830. See Rosenwaik, 16.

² Completed in 1761, St. Michael's still stands, virtually unchanged for 250 years.

Charleston earned the nickname, “the holy city,” in fact, because even today its landscape is dotted with grand and elegant churches, cathedrals, and synagogues. In 1704, Charleston had six different houses of worship: Anglican, Huguenot, Quaker, Presbyterian, Independent, and Anabaptist. Throughout the eighteenth century, settlers from England were joined by the descendants of French Huguenots, Sephardic Jews, immigrants from the Netherlands, Switzerland, Germany, Scotland, and especially Ireland, migrants whose families had earlier settled in New England, Pennsylvania, and North Carolina, and forced migrants, or slaves, from Africa. By the 1770s, the 11,500 inhabitants had added a Jewish synagogue, a German Lutheran church, and two Baptist churches.³

Since the eighteenth century, these two cities have been recognized for their unique architecture, and for their iconic status as dominant centers of American merchant, industrial, and financial capitalism, and chattel slavery. Nevertheless, their colonial skylines show that their churches and synagogues were, for many years, their most physically dominant characteristics. In fact, the landscapes of Charleston and New York highlight a vital trend. Churches were not only physical spaces, but also centers of public culture. Religious societies were among the most stable institutions in the United States’ transition from colony to federal republic. They had traditions that bridged the colonial and republican eras, including raising and managing funds, overseeing social programs such as poverty relief and education, and providing opportunities for people to

³ James D. Kornwolf and Georgiana Wallis Kornwolf, *Architecture and Town Planning in Colonial North America*, v. 2 (Baltimore: Johns Hopkins University Press, 2002) 899; I draw these observations about population largely from Cynthia Kennedy, *Braided Relations, Entwined Lives: Women of Charleston’s Urban Slave Society* (Bloomington: Indiana University Press, 2005), 19, and Walter Edgar, *South Carolina, a History* (Columbia, SC: University of South Carolina Press, 1998), 47-81; George Rogers Jr., *Charleston in the Age of the Pinckneys* (Norman: University of Oklahoma Press, 1969), 94; for population estimates see Peter Coclanis, *The Shadow of a Dream, Economic Life and Death in the South Carolina Low Country, 1670-1920* (New York and Oxford: Oxford University Press, 1989), 114.

participate in electoral politics. The infrastructure that religious societies provided to city dwellers was critical at a time when Americans in the new nation were uncertain about how active a role government should play in developing and administering public projects and social services.

At the same time, the American Revolution threw into stark relief the ways in which churches and synagogues were not timeless and unchanging leviathans, whose forms were fixed and whose functions were transparent, as they are often portrayed in contemporary political discourse. Most American denominations had their roots in monarchical, theocratic, or diasporic environments. In the revolutionary and early national United States, clergy and laymen and women had to consider the possibility that the ways they had structured and governed their communities in the colonial era or in Europe were increasingly irrelevant. At a time when Americans were seriously rethinking the legitimacy of authoritarian power, and the nature of authority more generally, it was not clear what sort of institution a church should be in a liberal republic.

“The American Reformation: The Politics of Religious Liberty, Charleston and New York 1770-1830” argues that churches were crucibles for experiments in politics and public participation. Revolutionary Charlestonians and New Yorkers—Protestant, Catholic, and Jewish alike—were required to rethink the nature and purpose of organized religion as the United States transitioned from colony to republic. As a result, they self-consciously reformed their religious societies from colonial institutions republican institutions. In the process they forged new patterns of religious conflict and accommodation that shaped how many Americans understood government, partisanship, toleration, and pluralism. In the sixty years following the Revolution, Americans were

dynamically experimenting, constructing, contesting, and manipulating mechanisms of liberalism, such as representative government, print culture, and universal principles, in order to compete and coexist. For example, print was the space for diverse opinion, but also the space to combat diverse opinion. Universalism forged a path to include more people in the polity, but it also allowed people to claim that they did not have to tolerate those outside of the polity. Religious liberty guaranteed equality under the law, it did not promise an equal playing field.

Though “Reformation” refers to a particular moment in world history—the rupture of Christianity into Protestantism and Catholicism in sixteenth-century Europe—I use the term deliberately. The Reformation in Europe was a theological movement but it was also a political and a social movement. It created new relationships between ruler and ruled. It required new justifications for the origins of power and authority. It provoked and legitimized new demands for broader individual participation in civil and religious society. Even more, it forged new categories of difference and it forced people to confront difference in ways they had never experienced. Those ruptures can still be felt to this day.

I argue that a related movement took place in the United States after the American Revolution. When Americans forged new relationships between ruler and ruled, when they invented new justifications for the location of sovereignty, and when they demanded more individual participation in civil society, those changes had profound effects on patterns of religious organization, worship, competition, and cooperation, just as they had profound effects on government. Though this movement did not lead to 300 years of violent war, it fundamentally shaped how Americans would understand difference and

how they would police it. This reformation meant that liberalism and evangelicalism in the United States emerged out of the same political, social, and cultural changes. It meant that political authority and religious authority were redefined at the same moment and in the same terms and in ways that we are still trying to understand and unravel.

Congregational politics have a lot to reveal about American political culture and civil life. For that reason, the fundamental unit of analysis in this study is the congregation. As John L. Brooke has argued in his study of civil life in the Hudson River Valley:

We need to remember that the national narrative is *lived* in the host of localities where Americans embody and enact their collective society... We examine some local stories because of their *illustrative* drama. And, occasionally, some local stories are of strategic and contingent *consequence* to the fabric of the national narrative.⁴

When religious societies in Charleston and New York adapted to a revolutionary landscape, their negotiations were both illustrative and consequential. In their churches and synagogues, revolutionary Americans engaged in a project to evaluate the intersection of doctrine and government that ultimately influenced political authority and participation more broadly.

Consequently, religious societies became political communities on a small scale. Post-revolutionary urban lay leaders were, in most cases, the same people contributing to civil government on both the local and national level. They maintained that while churches were centers for worship, they were also organizations where men exercised power over other men and therefore they had the responsibility to provide good government. Religious societies adopted constitutions and bylaws modeled on a federal

⁴ John L. Brooke, *Columbia Rising: Civil Life on the Upper Hudson from the Revolution to the Age of Jackson* (Chapel Hill: Omohundro Institute of Early American History and Culture, by the University of North Carolina Press, 2010), 11.

system of government, attempting to make them consistent with the new and shifting political, social, and cultural environment. Since church governments were generally small and local, yet contained sophisticated governing mechanisms and statewide and national federations, participants witnessed what they perceived to be the constraints and limits of constitutions, and honed specific critiques of representative democracy. Practical politics took place every week in religious societies (not just on Election Day), making them important sites to help us understand the mechanics, culture, and lived experience of early national politics.

This study surveys a broad swath of congregational life. This is not meant to be a comprehensive denominational history.⁵ Instead, I take a cross-denominational approach. While mine is certainly not the first cross-denominational study of American religious pluralism, it puts equal importance on new denominations and colonial churches, as well as communities often left out of the discussion of the early American religion.⁶ I

⁵ Throughout the nineteenth and twentieth centuries, historians often connected to particular congregations have compiled rich and rigorous monographs detailing the stories of congregational life. See for example, Robert A. Baker and Paul J. Craven Jr., *Adventures in Faith: The First 300 Years of First Baptist Church, Charleston, South Carolina* (Nashville: Broadman Press, 1982); The History of Synod Committee, *A History of the Lutheran Church in South Carolina* (The South Carolina Synod of the Lutheran Church in America, 1971); Morgan Dix, et al. *A History of the Parish of Trinity Church in the City of New York* (New York: The Knickerbocker Press, 1898); Joanne Calhoun, *The Circular Church: Three Centuries of Charleston History* (Charleston: The History Press, 2008). Also, historians have crafted detailed studies placing particular denominations in a broader context of early American religion. See for example, Erskine Clarke, *Our Southern Zion: A History of Calvinism in the South Carolina Low Country, 1690-1990* (Tuscaloosa: University of Alabama Press, 1996); Jay Dolan, *The Immigrant Church: New York's Irish and German Catholics, 1815-1865* (Baltimore and London: The Johns Hopkins University Press, 1975); Philip F. Hardt, *The Soul of Methodism: The Class Meeting in Early New York City Methodism* (University Press of America, 2005); James William Hagy, *This Happy Land: The Jews of Colonial and Antebellum Charleston* (Tuscaloosa and London: The University of Alabama Press, 1993); Dee Andrews, *Methodism and Revolutionary America, 1760-1800: the Shaping of Evangelical Culture* (Princeton: Princeton University Press, 2002)

⁶ A number of historians have done cross-denominational studies, but most focus exclusively on Protestants. Nathan Hatch's *Democratization of American Christianity* studies five denominations—Methodists, Disciples of Christ, Baptists, African Methodist Episcopal, and Mormons. Hatch is specifically concerned with denominations that experienced their ascendancy following the Revolution. Nathan Hatch, *The Democratization of American Christianity* (New Haven: Yale University Press, 1989). See also Chris Beneke, *Beyond Toleration: The Religious Origins of American Pluralism* (New York:

consider colonial Protestant sects—Anglicanism, Reformed Churches, and Baptists—newer Protestant denominations such as Methodists, African Methodist Episcopal, Unitarians and Universalists, as well as Catholics and Jews.⁷

A cross-denominational approach is useful because when studying religion, politics, and civil life, it is necessary to pay attention to patterns as well as particularities. In his groundbreaking study of early national religion, *The Democratization of American Christianity*, Nathan Hatch has underscored how American religious movements have been laboratories, shaped by civil political values and cultivated through moments of social change. Hatch has compellingly argued that “the theme of democratization is central to understanding the development of American Christianity” and has traced how populism, increased emphasis on individual participation, and free inquiry fundamentally altered how many Americans conceived of the relationship between clergy and laity, the role of institutions in worship communities, and the church in popular culture. However, in this way Hatch has portrayed democratization as a relatively fixed concept for early Americas. Furthermore, Hatch’s study is primarily interested in Protestant religious movements that were ascendant after the Revolution, viewing pre-existing communities as relatively staid and stable.⁸

“The American Reformation,” on the other hand, considers the constitutive nature of religion and civil life and how participants in religious movements were defining

Oxford University Press, 2006) and Christine Heyrman, *Southern Cross: The Beginnings of the Bible Belt* (Chapel Hill: The University of North Carolina Press, 1998).

⁷ Cross-denominational work is particularly difficult in New York. Most of the city’s church corporations still hold their historic records, meaning that this research cannot be done while confined to a library. It takes place through a tour of attics, basements, conference rooms, and storage areas of churches and synagogues across the city. This task is easier in Charleston. In the 1930s the WPA compiled and transcribed most of the city’s existing congregational records, now housed in the South Caroliniana Library at the University of South Carolina. The research is also particularly enjoyable in the beautifully preserved city of Charleston, where the textures of early American religious life are still visible across the city.

⁸ Hatch, *Democratization of American Christianity*, 3.

social and political concepts as they negotiated how to worship in a voluntary church system. Jews, Catholics, and Protestants all had similar strategies for adapting to the new, if poorly defined and rapidly evolving, political, constitutional, social, and cultural systems. They petitioned for charters of incorporation, a new right for non-Anglican churches in those cities, giving them the opportunity to hold property in trust, to elect a board of trustees to manage those assets, and to sue and to be sued. They wrote constitutions and bylaws, helping them to determine the rights and responsibilities of their members and leaders, and their rights and responsibilities vis-à-vis the state. They encouraged religious liberty yet vigorously competed to make sure other groups did not survive long enough to receive that right.

Moreover, participants in virtually every urban religious society had to confront shared questions about the extent of their reforms. Namely, did they simply have to enact one set of reforms after the Revolution to adapt from colonial institutions to republican institutions, essentially sacralizing their reforms as new doctrines of faith? Or rather, when religious societies acknowledged the principle that their organizations had to be consistent with the political environment, did they also accept that their institutions had to continue to adapt to changing views about democratic participation in civil life? Did they have to be open to enduring evolution and social reform?

These two views about how religious societies should be constituted—in a single moment of reform or an acknowledgement that religious communities had to continue to change as the nation faced challenges which their original governing doctrines did not anticipate—bitterly divided congregations and denominations. They even mapped onto civil political battles, such as strict constructionalism versus loose constructionalism, and

the legitimacy of organized opposition. When they considered the relationship between social change and institutional change, participants in religious societies became the vanguard in an intellectual and material struggle that continues to this day. They were establishing patterns of competition and coexistence for a liberal society, that is, a society that recognized that it was made up of diverse peoples, interests, and beliefs.

Furthermore, negotiating these two poles, religious societies highlighted both the promises and limitations of liberalism to explain and manage difference and dissent. Many early American participants in organized religion firmly believed that they should be able to transcend religious difference and forge a nation united by its beliefs. However, at the same time they believed that their particularities were ordained by God, or had historical, political, or practical importance and therefore their differences were essential and nonnegotiable. When congregations were ripped apart by these two opposing views about reform, they had to confront the frightening possibility that they might not be able to bring together the diverse threads of the new nation if they could not come to terms with them within their own communities.

Religious leaders who were committed to reconciling pluralism and evangelicalism attempted to overcome their congregations' own internal divisions by identifying common external enemies. They deemphasized certain differences by placing new significance on others, often on beliefs or characteristics that were more social than theological. Many communities, or rather factions within communities, vilified people and groups who had transgressive ideas about gender, race, the family, or about social or political reform more broadly. When participants in religious societies confronted challenges to their idealized vision of a nation united by its beliefs, their most common

critique was that their competitors were intolerant bigots and tyrants who intended to disrupt the peace and unity that they and their allies had so tenuously forged. These accusations were in many cases coded manipulations of liberal principles. The people positioning themselves as the victims of illiberal bigots were positing that the beliefs that would unite society were their own.

Conflicts about religious difference took place both in person and in print in the early national United States, and they had significance beyond the congregation. They helped to construct a language of participation in civil society. Through these negotiations, participants in and observers of religious politics drew boundaries around who belonged to a united nation and who undermined it. In the same way, they made a statement about toleration. Toleration only applied to those who already shared certain beliefs deemed essential or universal. Anyone who could be construed as rejecting those universal beliefs was an enemy of unity and a danger to the nation as a whole.

By the 1830s religious conflict violently flared in the United States. Americans used evangelical Christianity to negotiate the market revolution. Homegrown religious movements and millenarian sects such as the Mormons and the Shakers challenged mainstream religious culture. Some members of former anti-slavery groups such as Methodists and Baptists abandoned abolitionism and used Christianity to justify the perpetuation of slavery, and anti-Catholic nativism reared its ugly head. However, the fractious pluralism of the 1830s, 40s, and 50s often attributed to Catholic immigration and Jacksonian Democratic politics had its roots and took its shape in the early national reformation of religious societies, through the invention of local politics and the

possibilities and limitations of liberal pluralism, discursively and materially, that American religious politics promised.

While the arguments in this work are largely domestic, this project brings together diverse historiographies and methodologies, particularly political philosophy, Atlantic history, and Early Modern European historiography. Drawing from the work of philosophers and political theorists including Wendy Brown and Martha Nussbaum, I consider the conflicting, ambiguous, and evolving meanings of religious liberty and liberal pluralism. In her study, *Liberty of Conscience*, Martha Nussbaum makes an important observation that religious liberty is not always distributed evenly, even though the principle of religious fairness is a defining characteristic of the American political tradition. Wendy Brown's book, *Regulating Aversion*, prompted me to notice how early Americans deployed concepts such as religious liberty and toleration as discursive strategies. Early Americans rarely used "religious liberty" to describe a material reality. They often used it as a battle cry, distracting from very real divisions within their own communities, or finding an excuse not to tolerate people who were different.⁹

This project also draws from Atlantic history. Atlantic history has been a significant methodological breakthrough. Its contributions have moved beyond a particular geographical region and have required that historians of multiple regions and time periods constantly think about the broader circulation of peoples, things, and ideas. I use Atlantic history in a slightly different way. This work posits that local does not mean provincial. While Atlantic history has required historians to think differently about

⁹ Martha Nussbaum, *Liberty of Conscience: in Defense of America's Tradition of Religious Equality* (New York: Basic Books, 2008) 1-16; Wendy Brown, *Regulating Aversion: Tolerance in the Age of Identity and Empire* (Princeton and Oxford: Princeton University Press, 2006), 1-24.

people who moved, it also requires a rethinking of the community study. Fixing the lens on two spaces, the project develops an “expanded local” approach, focusing on networks of relationships, and the coercion, competition, and cooperation that sustained them. It considers and balances multiple layers of interaction: a person in a community, a community in a city, a city in a state, a state in a nation, and a nation within a world. Paying attention to both patterns and particularities makes it possible to explore both the conflict and the possibility created by pluralism, and the intersections of the local and the global.

“The American Reformation” is also strongly influenced by the historiography of religious toleration in Early Modern Europe. In fact, the initial idea and preliminary research for the dissertation evolved out of a reading and writing seminar on Early Modern European history that I took during my second year of graduate school with Professor Jonathan Sheehan. I was the only student who signed up for the course, so Professor Sheehan and I designed the syllabus together. We found that we shared an interest in political and religious toleration, pluralism, the boundaries between the civil and spiritual spheres, and diasporas and we spent several months reading literature on these topics. During the second half of the course, I carried out a research project on religious diasporas and religious pluralism, focusing on Huguenots in colonial and early national New York, using archives in New York, London, and Bordeaux.

Throughout the readings and research, I was fascinated by the ways that Early Modern European historians such as Benjamin Kaplan, Alexandra Walsham, and Brad Gregory approached the study of toleration.¹⁰ These historians were less interested in the

¹⁰ Alexander Walsham, *Charitable Hatred: Tolerance and Intolerance in England, 1500-1700* (Manchester: Manchester University Press, 2006); Keith Luria, *Sacred Boundaries: Religious Coexistence*

ideas of philosophers and the laws of kings and clergy, than in the intersection of those principles and policies with the constant daily negotiations in which people navigated a world where religious violence was endemic, yet where diverse communities still found ways to manage conflict.

It seemed to me that the approaches of Early Modern European historians of toleration—paying attention to how people accommodated differences and maintained communities in a world where individuals’ relationship to their churches, churches’ relationship to the state, and rulers’ relationship to the ruled were being redefined—would be useful when considering the history of the early national United States. How did early national religious societies—new Protestants, old Protestants, and non-Protestants—constitute themselves in a pluralist society? How did early Americans understand religious difference in a new political context guaranteeing religious liberty, and a new religious landscape defined by a voluntary church system? Historians have extensively documented the intellectual traditions guiding the creation of a liberal republic and have chronicled how the personal beliefs about religion and government held by many of the nation’s leaders influenced founding documents, but did these strands affect how people interacted in their everyday lives?

Historians of colonial America and the antebellum United States have well documented the intersection of religion, politics, and civil life. Scholars such as Patricia Bonomi, Ruth Bloch, Jon Butler, and Susan Juster have argued that innovations in and

and Conflict in Early Modern France (Washington D.C.: The Catholic University Press, 2005); Benjamin Kaplan, *Divided by Faith: Religious Conflict and the Practice of Toleration in Early Modern Europe* (Cambridge, MA, and London: The Belknap Press of Harvard University Press, 2007); Brad Stephen Gregory, *Salvation at Stake: Christian Martyrdom in Early Modern Europe* (Cambridge, MA: Harvard University Press, 2001); Neil Kamil, *Fortress of the Soul: Violence, Metaphysics, and Material Life in the Huguenots’ New World, 1517-1751* (Baltimore: The Johns Hopkins University Press, 2005).

reactions against the structure and mission of colonial churches helped to politicize early Americans, giving them the experiences and the tools to imagine, or in some cases exploit a new society.¹¹ Additionally, historians of the antebellum United States such as Mary Ryan, Paul Johnson, and Richard Cawardine have discovered that Protestant reform movements, and prejudices such as nativism and anti-Mormonism, were instrumental factors shaping the Jacksonian political and cultural landscape.¹² However, it can be argued that at no time in American history were changes so swift and far-reaching in both politics and religion than in the years following the American Revolution.¹³ Still, in recent years historians have largely looked to the market and to print culture rather than to politics to explain the growth and diversification of organized religion after the Revolution and to connect the importance of religious institutions to civil life.¹⁴

¹¹ Patricia Bonomi, *Under the Cope of Heaven: Religion, Society, and Politics in Colonial America* (Oxford and New York: Oxford University Press, 1986, 2003); Ruth Bloch, *Visionary Republic: Millennial Themes in American Thought* (Cambridge and New York: Cambridge University Press, 1985); Jon Butler, *Awash in a Sea of Faith: Christianizing the American People* (Cambridge, MA: Harvard University Press, 1992); Susan Juster, *Disorderly Women: Sexual Politics and Evangelicalism in Revolutionary New England* (Ithaca and London: Cornell University Press, 1994).

¹² Mary Ryan, *Cradle of the Middle Class: The Family in Oneida County, New York, 1790-1860* (Cambridge: Cambridge University Press, 1981); Paul Johnson, *A Shopkeeper's Millennium: Society and Revivals in Rochester, New York* (New York: Hill and Wang, 1978); Richard Cawardine, *Evangelicals and Politics in Antebellum America* (New Haven: Yale University Press, 1993)

¹³ In the past decade, historians have made significant contributions to our understandings of how early Americans practiced politics, identifying the significance of local, personal relationships over fixed partisan convictions in shaping political loyalties. See for example, Joanne Freeman, *Affairs of Honor: National Politics in the New Republic* (New Haven: Yale University Press, 2001); Catherine Algor, *Parlor Politics: In Which the Ladies of Washington Help Build a City and a Government* (Charlottesville and London: University Press of Virginia, 2000); and John L. Brooks, *Columbia Rising: Civil Life on the Upper Hudson from the Revolution to the Age of Jackson* (Chapel Hill: University of North Carolina Press, 2010)

¹⁴ R. Laurence Moore, *Selling God: American Religion in the Marketplace of Culture* (Oxford and New York: Oxford University Press, 1994); David Nord, *Faith in Reading: Religious Publishing and the Birth of Mass Media in America* (Oxford and New York: Oxford University Press, 2004); Candy Gunther Brown, *The Word in the World: Evangelical Writing, Publishing, and Reading in America, 1789-1880* (Chapel Hill and London: The University of North Carolina Press, 2004); Robert Gross and Mary Kelley, eds. *A History of the Book in America: Volume 2: An Extensive Republic: Print, Culture, and Society in the New Nation, 1790-1840* (Chapel Hill: University of North Carolina Press, 2010). Two notable exceptions are Monica Najar, *Evangelizing the South: A Social History of Church and State in Early America* (Oxford and New York: Oxford University Press, 2008) and Susan Juster, *Doomsayers: Anglo-American Prophecy in the Age of Revolution* (Philadelphia: University of Pennsylvania Press, 2003).

Therefore, “The American Reformation” takes politics as its central analytic. Ignoring politics makes it too tempting to view the American Revolution as a moment largely, or at least temporarily, ending religious violence, conflict, and intolerance. Relatedly, the religious violence, as well as the creativity and innovation of new religious organization in the antebellum period has regularly been considered as an emergent problem stemming from new patterns of immigration, new ideologies of slavery, and new forms of politics. If conflict existed before the Revolution, and conflict existed before the Civil War, where was the conflict located in between?

To answer these questions, “The American Reformation” develops a model to illustrate the relationship between Americans’ theoretical understandings of the revolutionary settlement, their visions about how to implement their ideological convictions, and the ways in which people experienced difference and acted upon their beliefs in their own communities. It considers religious liberty and religious toleration—concepts fundamental to the intellectual history of the American Revolution, and indeed central to the broader political history of the nineteenth, twentieth, and twenty-first centuries—on three distinct yet sometimes overlapping planes: policy, principle, and practice. Religious liberty as a concept dominates discussions of early America, in the early national period as well as today; yet I maintain that neither its meaning, nor its manifestation, were ever self-evident. Early Americans were self-consciously testing, and contesting how they would instantiate revolutionary principles into law and practice.¹⁵

¹⁵ Joseph Ellis identifies this paradox in his study of Thomas Jefferson. Calling Jefferson an “American Sphinx,” Ellis argues that it was common for early American political leaders, exemplified most strikingly in Thomas Jefferson, to substitute words for actions. Their lofty, and as Ellis maintains, genuinely held, rhetoric was only one part of the creation of a liberal society. He reminds us of the need to take their

On first glance, New York City and Charleston might seem like odd subjects for a study on religion and politics in early America. Pennsylvania was the bastion of religious freedom in colonial America. New England and Virginia have been the traditional sites where scholars have explored the intersections of civil and spiritual authority in colonial America. The evangelical revivals of the early nineteenth century in Kentucky, Tennessee, and other western regions, and the “burnt over district” in upstate New York have also received significant attention by scholars looking to understand lived religion and the relationship between civil and religious communities and social change. Furthermore, the comparison between New York City and Charleston might seem stolid or even contrived—a pairing of a northern city and a southern city in an effort to mark contrasts.

However, Charleston and New York are intriguing sites to discuss together when exploring politics and religious pluralism. Most simply, these two cities were the cosmopolitan centers of the colonial and early national United States. While the cities contained Protestant majorities, Protestantism was not monolithic. The divisions among and within Protestant societies were marked and meaningful to early Americans. Furthermore, along with its Protestant majorities, Charleston and New York had significant Jewish and Catholic populations. In fact, the two cities rivaled each other as home of the largest American Jewish population in the early national period. Charleston was the American birthplace of Reform Judaism, and its Catholic Bishop, John England, was a central figure in the movement to develop a Catholic republicanism in the United States. Both cities also were home to populations of both white and black Americans.

inspiring and radical words seriously, but to be aware of how those words were often disconnected from, or undermined, action. Joseph Ellis, *American Sphinx: The Character of Thomas Jefferson* (New York: Vintage Books, 1996), 25, 61.

Though Charleston was decidedly a slave society while New York was a society with slaves, the questions of slavery, racial inequality, and autonomy, were paramount in both regions. While these Atlantic port cities may not have been representative of the largely rural, largely agrarian populations in the early national United States, directing the lens toward Charleston and New York allows for a history of early American religion that is not exclusively about evangelical Protestantism and that emphasizes the nation's pluralist genesis.

Just as importantly, Charlestonians and New Yorkers developed identical approaches for adapting colonial religious institutions to republican religious institutions. Virtually every religious community in these urban centers participated in similar structures of government and patterns of competition. They also developed identical strategies of confronting religious difference and reconciling the reality of urban pluralism and their commitment to religious liberty with their desire for unity and uniformity. The dialectic of unity and diversity provides a compelling way to think about how unequal relationships of power sustain even, or especially, diverse environments. I suspect that the patterns that emerged in these two cities in half-century following the American Revolution would also come to shape other emerging pluralist centers in the nineteenth century.

My project has significant resonance, especially in the current national political climate where politicians and pundits across the political spectrum use the nation's legacy of religious liberty in the early national period to justify policies and prejudices about the role of religion in a democratic, pluralist society. My work destabilizes the notion that there was something essential or fixed about how early American religious communities

understood their relationship to civil government and argues that it is impossible to make definitive claims about how people in this generation intended to structure those relationships. Nearly every religious community in these urban centers participated in similar structures of government and patterns of competition. The diversity, conflict, and enmity that existed within congregations were as substantial as the divisions among denominations, making it impossible to mark a coherent “Christian” ethos in this period.

Furthermore, “The American Reformation” demonstrates how deeply concerned early Americans were with defining the appropriate boundaries between church and state. Many of the conversations about the relationship between religion and government took place within religious societies. Partisans within religious societies who were most committed to continual reform were not overly threatened by an overlap of church and state, believing that the religious and civil spheres shared a goal of creating good government. Yet factions devoted to halting reform were much more interested in constructing strictly defined boundaries, suspecting that while the state had to be a republican institution, churches were necessarily hierarchical and authoritarian. The discrepancies in the way people understood the relationship between religion and government then and now reminds us that while the separation of church and state is a bedrock of American democracy, its meaning has been connected to changing patterns of American politics.

While my work destabilizes older paradigms, I also see it as constructive. I seek to provide a new model through which contemporary Americans can view the contributions that participants in organized religion have made to the construction of liberal democracy. Early Americans were actively involved in conversations about how

to build communities—political, religious, social, and cultural—in a pluralist society. They remind us that evangelicalism and liberalism are not necessarily antithetical, and that churches have been important institutions where discussions about the nature of politics, legitimate authority, and good government have taken place.

The six-chapter dissertation charts the transformation of Charleston and New York's religious societies from colonial institutions into American institutions, and the consequences of those reforms. Chapter one explores the origins of the American reformation, rooted in the intersection of civil and religious politics in the colonial era. Revolutionary Charlestonians and New Yorkers institutionalized religious liberty by adopting policies guaranteeing the right for of all churches to incorporate. In the colonial era, the Anglican Church in both regions legally occupied privileged positions as the established church in both cities. Anglicans had maintained their dominance in large part by jealously guarding the right to incorporate, and therefore denying all non-Anglicans the attendant privileges, including the right to pen bylaws, to hold property in trust, to elect a board of trustees, and to sue and to be sued. Many colonial dissenters' motivation to support the Revolution grew out of their experience battling the Anglican establishment, specifically through rallying for corporate rights.

Significantly, when revolutionary New Yorkers and Charlestonians adopted incorporation policies into their new state governing documents, they set in motion a series of reforms that would change the way religious societies would function. Corporate churches had to write a charter and a set of bylaws that needed to be consistent with the laws of the state. Through these reforms, they established that religious societies

occupied an ambiguous space between public and private, and guaranteed that houses of worship needed to be in constant dialogue with the large political, social, and cultural changes taking place around them.

Chapter two argues that when religious societies incorporated, they had to fundamentally restructure their organizations. While all corporate churches had to write charters and bylaws, most also chose to write a constitution, in order to frame the governance of their communities in the new political environment. The struggle to secure and define civil and religious liberty, which had overlapped during the American Revolution, remained intertwined. Churches and synagogues were pioneers in both the theoretical and practical act developing constitutions. As a result, they were critical spaces where Americans experimented with and practiced American politics.

Chapter three brings into dialogue three distinct yet unexpectedly related New York City court cases. Different congregations—Episcopalian, Catholic, and Baptist—turned to the courts, seeking public solutions to resolve their internal conflicts, and in the process helped to substantiate and complicate the definition of religious liberty. By involving the courts in their internal crises, and through intertwining the processes, the tools, and the spaces, of civil and religious politics, churches substantiated and reinforced the boundaries of religious liberty, and elaborated ways various people or groups could be excluded from those privileges.

In chapter four, I argue that while churches and synagogues had to structurally and politically reform, after the war, most of them also had to rebuild and rebrand. Consequently, they developed new methods to encourage people to structure their social lives around their churches. In the early national United States, Americans were unsure

what role the government could or should play investing in social services. Religious societies took on this role, providing schools, music programs, mutual aid, and social activities. As these services became ubiquitous, and as the state took on more public responsibility, religious societies, churches limited them to their members, encouraging people to commit to a specific community. In marking these boundaries, religious societies signaled that by adapting their organizations to a changing world, they had also taken on the task of remaking the boundaries of religious difference in a voluntary church system.

Chapter five proposes that these organizational innovations did not solve the problem of how to balance urban diversity with the ubiquitous goal of creating a nation united by its beliefs. If anything, they reinforced that religious societies had to be even more vigilant about how they understood difference. To that end, print became the primary battleground for religious conflict. Reformed Protestant churches used denominational newspapers and magazines to give form to coherent communities that came into existence through the terms periodicals used to describe them. Furthermore, periodicals provided an optimistic alternative narrative to counter the reality of schism actually taking place within religious societies.

Finally, chapter six develops a series of case studies about Catholic newspapers, the alleged Denmark Vesey uprising, the formation of the Reformed Society of Israelites in Charleston, and a Protestant benevolent society called “The Society for Meliorating the Condition of the Jews.” It argues that while Protestants were jockeying to define which of their differences were substantial, and which were merely formal, Catholics, Jews, and Protestants from emerging sects, such as Methodists, also negotiated how to constitute

their churches and synagogues in a pluralist society. Throughout the first decades of the nineteenth century, culminating in the 1820s, Catholics, white and black Methodists, and Jews used the same strategies as their Protestant counterparts to carry out their reformations from colonial to American institutions: representative government, print culture, and liberal principles such as universalism. Still, just as Protestants were defining mainstream American religious culture, they were negotiating its margins. Catholics, Jews, and other Protestants finding themselves pushed to the margins of political and public life, constantly and self-consciously challenged Protestants' efforts to forge a religious culture, and a polity, that based its cohesion on keeping them out.

Chapter 1

Incorporation: Civil and Religious Liberty in Revolutionary

Charleston and New York

In 1776, the same year that American delegates to the Continental Congress signed the Declaration of Independence, the economist and moral philosopher Adam Smith published *The Wealth of Nations*. While outlining many of the principles of modern capitalism, he engaged in a critique of corporations. Smith was particularly skeptical of the risks involved in an economic system dominated by corporations. While he argued in *Wealth of Nations* that corporations provided a good model for managing risk, because they protected individual investors from the personal and social burden of failure, he suspected that in their security lay the root of their danger. Since corporations were a relatively safe form of investment, Smith presumed that they would encourage people to take foolish and irresponsible chances with their money. Multiple individuals ran a corporation as a board of directors, meaning that people with access to capital but little understanding of business could presumably direct a corporation. Trustees with no interest in an organization beyond turning a profit would only have to pay attention when, in Smith's words, "the spirit of faction" prevailed.

While Smith was wary of profit mongers, his main concern ran deeper. He was troubled that the principal flaw in the concept and application of corporations was that

they separated owners from managers. Smith maintained that, “the directors of such companies, however, being the managers rather of other people’s money than of their own” could not be expected to “watch over it with the same anxious vigilance” as they would “watch over their own [money].”¹⁶ This critique about the separation of owners and managers in corporations takes on a new and hitherto unappreciated significance when one considers how American religious societies—churches and synagogues—were at the forefront of interpreting the uses, structures, and jurisdictions of corporations during the colonial and Revolutionary eras. It was during the American Revolution, in fact, that several states adopted incorporation as their primary policy to institutionalize the principle of religious liberty. The 1777 South Carolina State Constitution, for example, declared that the state would facilitate the disestablishment of the Anglican Church by granting all churches the right to incorporate. Likewise, six years later in 1783, one of the first legislative acts the newly convened New York State assembly passed extended the right of incorporation to all religious societies.

Incorporation was so attractive to revolutionary religious societies because it gave churches and synagogues the right to pen constitutions and bylaws, to hold property in trust, to collect offerings and tithes, to elect a board of trustees, and to sue and to be sued. Even more, it could also significantly reshape the structure, government, and in some cases, even the forms of worship in churches and synagogues. First, corporate churches became economic units; they were authorized by law to manage capital and property. Second, they became political units; they provided a government for the organization. Third, they became moral units; they marked a boundary between the sacred and the

¹⁶ Adam Smith, *An inquiry into the nature and causes of the wealth of nations* Vol. 2 (Printed for Oliver D. Cooke, 1804) 193.

secular in order to create spaces for worship outside of the purview of the state, since the new American republic had to protect, and perhaps even promote, multiple systems of worship.

This chapter argues that colonial era conflicts over incorporation as an expression of religious freedom sparked a reformation in ecclesiastical governance when the issue merged with colonists' demands for political liberty from Imperial Britain. Incorporation was a right that was denied to many colonial churches in regions where there was an Anglican Church establishment. Anglican officials in Britain maintained the strength of their establishment in part by jealously guarding the privileges of incorporation. After 1770, colonists who were angered by this very specific restriction translated the movement for freedom from clerical dominance into a more generalized, and radical, demand of freedom from Britain entirely. In fact, the battle for corporate rights played a significant role politicizing non-Anglicans in the years leading up to the American Revolution.

When churches and synagogues were finally able to incorporate after securing independence, they were required to rethink their political, financial, and spiritual institutions. They had to self-consciously reassess the nature and purpose of their communities in a new and dynamic post-Revolutionary political, social, and cultural environment. Participants in organized religion reexamined how to worship in a new political system, but even more importantly, they reconceived the relationship between sacred and secular authority more broadly. The post-revolutionary extension of corporate rights guaranteed that religious liberty would remain an ambiguous and contradictory concept in the early national United States. New Yorkers and Charlestonians layered

their understandings of religious liberty based on their colonial experiences with their often competing and diverging visions for the future. Yet the revolution in church governance and the larger political Revolution were mutually constitutive: conflicts among minority churches against the predominant Anglicans provided a vocabulary of self-governance that was translated into demands for broader political liberty. At the same time, the Revolution itself enabled and enshrined in law the very freedoms which minority churches had demanded during the eighteenth century.

New Yorkers' and Charlestonians' decision to institutionalize religious liberty through the policy of church incorporation reflected a deep-rooted intersection of civil and religious politics, going back to the colonial era. Both cities had long hosted Anglican establishments and the Anglican Church had maintained its dominance by jealously restricting the right to incorporation. The colonial contest over the right of religious bodies to incorporate casts Adam Smith's discussion of corporations in a new light: what sort of institution was a corporate church in a British colony and then an American republic? Who were the owners and who were the managers: the congregation, elected lay leaders serving on the board of directors, God, or some combination of the three in a federal system of divided sovereignty?

These questions ensured that the reformation did not end once churches and synagogues incorporated and agreed upon new forms of government, new ways to organize their finances, and even new ways to worship. Negotiating a new revolutionary environment, New Yorkers and Charlestonians ensured that conversations about church government would be inextricably intertwined with conversations about civil life and civil government. Incorporation established that religious societies had to be dynamic

and flexible institutions, especially since the landscapes and populations of Charleston and New York were growing in ways for which the city, state, and national governments did not specifically prepare. Embracing the need to confront and adapt to a changing world, religious communities could not be static; they became an important space for political life.

II. No Popery

In March of 1775, a large group of New Yorkers gathered around the Liberty Pole in the city commons, located on the site of the present day City Hall, to hoist a revolutionary flag, a dramatic public gesture in defiance British rule. New York's Sons of Liberty had installed the pole ten years earlier to celebrate the repeal of the Stamp Act. Since then, the significance of the liberty pole continued to grow for New York's colonial agitators, especially after British officials instructed soldiers to remove it from the commons at least four times between 1766 and 1770. By 1770 the pole had become a critical and controversial point of tension between agents of the Crown and New Yorkers who supported greater political liberties. After a confrontation over its removal turned violent in 1770, the liberty pole became a fixture in the commons, and a symbol of resistance against the King and Parliament.

On that March day, a mere month before Paul Revere's fateful ride and the battles of Lexington and Concord would spark the opening scenes of the Revolutionary War, New Yorkers unfurled a new sign of opposition. They hoisted up the liberty pole the first flag to fly over the British colonial city not bearing the English colors. This new flag included the symbol of the British Union on a red background. The Union sign, later

known as the Union Jack, displayed the overlapping crosses of St. George, St. Andrew, and St. Patrick, the symbols of England, Scotland, and Ireland. The flag was meant to signify the colonists' demands for the same rights and liberties as other Britons. One side of the flag read, "George Rex, and the liberties of America." On the other side of the flag New Yorkers inscribed the single phrase, "No Popery."¹⁷

There are several different ways to understand this patriotic display, where New Yorkers framed their opposition to Britain and their intention to fight for greater political and religious liberties by denouncing popery. For New Yorkers on the verge of revolution, the phrase "No Popery" likely had three separate meanings. First, using the slogan, colonists protested the Quebec Act and the extension of Catholicism into British North America. The Quebec Act was one of the five measures labeled the "intolerable" or "coercive acts," that Parliament passed in 1775, punishing Bostonians for their Tea Party. While the extension of religious liberty to Catholics in the Quebec Act was a pragmatic measure designed to smoothly absorb the former French colony into the British Empire, many colonists viewed it as a threat. The Quebec Act was unrelated to the agitation in Boston, but its concurrent timing convinced many colonists that it was part of their punishment.¹⁸

¹⁷ New York Common Council, *Manual of the corporation of the city of New York* (New York, 1863) 837; Stephen Jenkins, *The Greatest Street in the World: The Story of Broadway, Old and New, from the Bowling Green to Albany* (New York and London: G.P. Putnam's Sons, 1911) 100; In her book, *Britons: Forging the Nation*, Linda Colley identifies the emergence of a "British" national identity among the people of England, Scotland, and Wales in the 18th century. She argues that this identity was tied to Protestantism, to wars with France, and with the acquisition of empire. In a century dominated by foreign wars, Britons "came to define themselves as a single people not because of any political or cultural consensus at home, but rather in reaction to the Other beyond their shores." Linda Colley, *Britons: Forging the Nation* (New Haven and London: Yale University Press, 1992) 6.

¹⁸ New Yorkers discussed the tyranny of the coercive acts on many occasions in their newspapers, especially the toleration of Catholicism, which they believed introduced "arbitrary forms of government" into North America. See, for example, *The New York Journal*, May 18, 1775. The protests against the coercive acts were the impetus for the meeting of the First Continental Congress.

Many colonists found the Quebec Act so offensive because English and colonial Protestants often associated Protestantism with liberty and Catholicism with slavery. They presumed that Protestantism was a religion of the book, and encouraged individuals to read the scriptures for themselves and to forge individual relationships with God. In this way, they believed that Protestantism cultivated good citizens, who were obedient to authority, but who were also independent-minded and loved liberty. On the other hand, Protestants often argued that Catholicism relied on ecclesiastics to communicate the word of God to worshippers, giving priests and bishops too much power over people's consciences. According to this line of thought, Catholics were dangerous citizens because they divided their loyalty between their civil government and their allegiance to Rome. Furthermore, Anglo-Protestants associated Catholicism with France, England's greatest rival for imperial dominance. Since the Reformation, they cast the contest for Atlantic empires as a battle for land, resources, and wealth, but also as a cosmic struggle. Following the 1689 Glorious Revolution, Anglo-Protestants juxtaposed a vision of absolutist, despotic, Catholic France with the constitutional monarchy of Protestant England. By including a measure to tolerate Catholicism in British North America with a package of legislation designed to increase England's power over Massachusetts, many colonists interpreted the move as tacit Parliamentary support for a multifaceted extension of tyrannical government in North America.¹⁹

¹⁹ For discussions about the relationship between Protestants and Catholics in early modern Europe, see Alexander Walsham, *Charitable Hatred: Tolerance and Intolerance in England, 1500-1700* (Manchester: Manchester University Press, 2006) 137, 303; Keith Luria, *Sacred Boundaries: Religious Coexistence and Conflict in Early Modern France* (Washington D.C.: The Catholic University Press, 2005) 1-10; Bertrand Van Ruymbeke, "Minority Survival: The Huguenot Paradigm in France and the Diaspora" in Bertrand Van Ruymbeke and Rand Sparks, eds., *Memory and Identity: Huguenots in France and the Atlantic Diaspora* (Columbia, S.C.: University of South Carolina Press, 2003) 1-25; Benjamin Kaplan, *Divided by Faith: Religious Conflict and the Practice of Toleration in Early Modern Europe* (Cambridge, MA, and London: The Belknap Press of Harvard University Press, 2007) 1-14; Brad Stephen Gregory, *Salvation at Stake:*

Second, the New Yorkers flying the new liberty pole flag were most likely dissenters, that is, Protestants who dissented from the Anglican Church. When they declared “no Popery,” they were protesting arbitrary ecclesiastical power, particularly the ecclesiastical power of the Anglican Church in the American colonies. The Anglican Church was the established church in New York, meaning it was the only legally recognized religious institution in the city and that all residents had to pay for its support. However, there was no American bishop. In the Anglican Church the bishop was supposed to maintain discipline, ordain ministers, confirm converts, and sanctify their houses of worship. In the middle of the eighteenth century some New York Anglicans began lobbying for their own bishop. While Anglicans dominated the city’s political elite, some felt that the lack of a local bishop meant that colonial Anglicans were not on equal footing with their counterparts in England. An American bishop would allow them to be truly orthodox, and also give them more local control over their churches rather than having to rely on a leader across the sea. The Archbishop of Canterbury expressed an interest in the possibility in 1763, but no plan emerged in the pre-Revolutionary era.

Real or not, the specter of an American bishopric was an enduring and frightening idea for many non-Anglicans, who felt threatened and marginalized by the colonial and the English branches of the church, often not seeing that the two often had different interests. Since the British monarch was also the head of the Anglican Church, the movement for an American bishop seemed like a threat to extend British authority deeper

Christian Martyrdom in Early Modern Europe (Cambridge, MA: Harvard University Press, 2001); Eamon Duffy, *The Stripping of the Altars: Traditional Religion in England, 1400-1589* (New Haven: Yale University Press, 2005) 379-423. For a discussion about how the English constructed their identity in opposition to France, see, Linda Colley, *Britons: Forging the Nation, 1707-1837* (New Haven: Yale University Press, 1992) 11-53.

into New York at a time when its residents were worried that agents in England were conspiring to usurp their liberties and becoming more politicized to resist.²⁰

Finally, New Yorkers used the term “Popery” to refer to *any* abusive system of political power. They branded those they perceived as enemies to liberty, “Papists,” believing that Catholicism signified a system of government as well as a faith. They accused Catholics of subscribing to a tyrannical system of government because, in their view, the pope could exercise absolute authority over his followers around the globe. In fact, colonial Protestants were more concerned with the form of government they associated with “Popery” rather than with individual Catholics per se. Accordingly, anyone who supported an abusive form of government, regardless of ones’ personal faith, could be considered a “Papist.” New York firebrands protested that members of Parliament were “Foes to American Liberty” for trying to establish “Despotism and Popery” in America, and rebuked Parliament for manifesting “a spirit of persecution against” them and giving “their sanction to popery and arbitrary power.”²¹

²⁰ For discussions on the American Bishop Crisis see Carl Bridenbaugh, *Mitre and Sceptre: Transatlantic Faiths, Ideas, Personalities, and Politics 1689-1775* (New York: Oxford University Press, 1962); Richard Pointer, *Protestant Pluralism and the New York Experience: A Study of Eighteenth-Century Religious Diversity* (Bloomington and Indianapolis: Indiana University Press, 1988) 27, 60-62; and Patricia Bonomi, *Under the Cope of Heaven: Religion, Society, and Politics in Colonial America Updated Edition* (Oxford and New York: Oxford University Press, 2003) 199-210. Bernard Bailyn first proposed the argument that colonists saw the policies of colonial reorganization as evidence of a massive ministerial conspiracy to assault their liberties in his book, *The Ideological Origins of the American Revolution*, (Cambridge, Massachusetts and London: The Belknap Press of Harvard University Press, 1967) 144-145. He argues that most colonists did not see the measures Parliament established in the colonies after the end of Seven Years War in 1763—including the Sugar Act, the Stamp Act, and the Navigation Acts—as part of a larger plan for imperial reorganization. They saw them as unmistakable evidence of a ministerial conspiracy—an evil plot designed to limit their freedom. Influenced by “country,” or “commonwealth” ideology rooted in the English Civil War, ideologues feared the corruption stemming from Parliament’s ministerial aggrandizement.

²¹ January 16, 1775, *New York Gazette*, New York; September 7, 1775, *The New York Journal*, New York, NY. Ruth Bloch discusses the connection colonists made between tyranny and popery in Ruth Bloch, *Visionary Republic: Millennial Themes in American Thought, 1756-1800* (Cambridge University Press: Cambridge, 1985) 43.

Through the flag, New Yorkers appealed to the King, asserting that certain fundamental rights were inalienable to all British subjects in a constitutional monarchy. At the same time, they announced that Catholics, or rather, the tyrannical government they associated with Catholicism, stood in the way of those rights. At the very onset of open hostilities, these New York revolutionaries set a precedent. Their popular political culture would include aggressive confrontations with religious, as well as civil government.

While there are a number of explanations why the slogan “No Popery” might have appealed to colonial protestors, New Yorkers’ expression of their resistance in terms that visually and discursively singled out a particular group of people and a particular set of beliefs points to the flag’s deeper and more enduring meanings. The “no popery” flag calls attention to the irony and complexity behind New Yorkers’ demonstrations of their resistance. The flag implied that the revolutionary movement contained within it impulses that were at once egalitarian and exclusive. New York Protestants gestured that religious freedom should be circumscribed in some cases. They asserted that they could only secure the rights they desired by sacrificing the rights of a rival community, in this case, Catholics. By voluntarily supporting tyrannical forms of government, they argued, Catholics gave up the privilege of equality under the law. Just as importantly, New Yorkers inextricably connected the struggles for civil and religious liberty. They asserted that tyrannical religious government was just as dangerous as tyrannical civil government and that they would approach the two as a related problem.

It is easy to dismiss these prejudices against Catholics as a product of their time that eventually dissolved; and in some cases it is accurate. Anti-Catholicism was

ubiquitous in early modern Anglo-America, even among people trying to chart a way out of the grisly and destructive violence of the wars of religion that had terrorized Europe and among people who were trying to imagine a world with more individual liberty, personal choice, possibility, and participation. For example, in his detailed study of early Enlightenment philosophers of toleration, historian John Marshall has pointed out that in many cases, even the most radical theorists of universal toleration believed that people did not have to tolerate the intolerant (“intolerant” usually standing in for Catholics and heretics). Even John Locke, whose writings on toleration have, for three centuries, influenced how scholars, public servants, and politicians approach and construct the concepts and institutions of the liberal state, maintained that a liberal society did not have to tolerate Catholics.²²

The same contradictions held true on the other side of the Atlantic. Despite holding on to deeply rooted anti-Catholic prejudices, revolutionary Americans theorized and institutionalized significant and radical innovations concerning who could and should exercise the rights of citizenship, what ways they could participate publicly, and which areas were private, beyond the purview of the state. They inscribed in their constitutions and other governing documents guarantees for religious freedom and religious liberty, all of which were eventually extended to Catholics. As historian Frank Lambert has explained, liberal-minded lawmakers created a government endorsing a separation of

²² For example, when discussing Pierre Bayle, Marshall explains, “In the *Philosophical Commentary* itself, Bayle immediately followed his general declaration of the denial of the right to toleration to the intolerant with identification of Catholics as thus intolerant.” John Marshall, *John Locke, Toleration and Early Enlightenment Culture: Religious Intolerance in Early Modern and ‘Early Enlightenment’ Europe* (Cambridge and New York: Cambridge University Press, 2006) 683; John Locke, “A Letter Concerning Toleration,” ed. James H. Tully (Indianapolis: Hackett Publishing Company, 1983) 50-51.

church and state, sanctioning a free marketplace of religion marked by competition and choice.²³

Following the Revolution, every state eventually abolished mandates supporting state-sanctioned religion and Americans came to worship in a “voluntary church system.” With no official state regulation of religion, Americans had an unprecedented amount of choice about how they would participate in what, if any, congregation or religious organization. In the early national United States connections based on religious affiliation played less of a role determining or limiting business relationships, political affiliations, civic cooperation, or intellectual collaboration. The United States held a legal and intellectual commitment to freedom of conscience. Historians largely agree that it was voluntarism that set the stage for the impressive growth of religious participation in the United States, especially compared to Western European countries where participation in organized worship stagnated, even given the perseverance of established religion.²⁴

²³ Frank Lambert, *The Founding Fathers and the Place of Religion in America* (Princeton, N.J.: Princeton University Press, 2003) 8.

²⁴ For discussions about the transition from a limited system of religious toleration to a more extensive system of religious liberty, see, Chris Beneke, *Beyond Toleration: The Religious Origins of American Pluralism* (New York: Oxford University Press, 2006) 3-14; Terry D. Bilhartz, *Urban Religion and the Second Great Awakening: Church and Society in Early National Baltimore* (Rutherford: Fairleigh Dickinson University Press, 1986) 5-18; William Lewis Burke and Walter B. Edgar, *The Dawn of Religious Freedom in South Carolina* (Columbia, S.C.: University of South Carolina Press, 2006) 1-57; For example, Beneke argues that two revolutions—a legal revolution and a cultural revolution—contributed to a pluralist tradition at the heart of religious liberty. On the one hand lawmakers in the 18th century dramatically extended the rights of dissenting groups to worship privately, to support their own ministers, and to participate in politics. Equally important, colonial Americans experienced a “rhetorical and ideological transformation,” shifting the discourse of religion to allow for the legitimacy of dissenting views, facilitating cooperation among different groups, and leading to an environment of mutual respect. Both of these trends, he insists, rendered the category of “dissenter” irrelevant; For the influences of voluntary principles on church growth see Nathan Hatch, *The Democratization of American Christianity* (New Haven: Yale University Press, 1989) 3-16, and Jon Butler, *Awash in a Sea of Faith*, (Cambridge: Harvard University Press, 1990) 1-5, 289-296.

Nevertheless, early American anti-Catholicism had consequences. The conflicts embedded within New Yorkers' clamoring for independence must be considered more deeply. While protesting against arbitrary government, the agitators on the New York Commons made an important point: religious liberty was an unstable concept that included multiple and shifting definitions, all of which involved contradictions and ambiguities. The symbols Americans publicly displayed to express their passionate convictions for civil and religious liberty demonstrated that historically, egalitarianism has been a contested concept. For example, the protestors flying the "No Popery" flag at the liberty pole demanded that they could exercise what they perceived to be their inalienable rights only if they excluded others from those rights. They reinforced the idea that early American pluralism should not be celebrated as an end in itself, without considering the conflicts and negotiations that sustained it.

Several historians have convincingly argued that American colonial society's diversity provided the seed for the practical and theoretical development of religious liberty. For example, Patricia Bonomi has argued that the conflicts spurred by religious differences were a "likely agent of radicalism" in early America.²⁵ According to

²⁵ Some scholars have theorized different uses for the terms, diversity and pluralism. See for example Douglas G. Jacobsen, *An Unprov'd Experiment: Religious Pluralism in Colonial New Jersey* (Brooklyn: Carlson Pub, 1991) 11. According to Jacobsen, in a diverse society, multiple groups share a space but overlap very little. In a pluralistic society, groups arrive at their understanding of their own beliefs and practices in relation to other groups.

I am using them interchangeably to describe heterogeneous populations, but generally prefer the term pluralism. In the context of contemporary politics, diversity is often recognized as an end in itself, and connotes an understanding that there is a positive social good when no-homogenous populations co-exist. Pluralism often works despite the best efforts of those practicing it. In his study of Lancaster Pennsylvania, Mark Häberlein discovered that there was very little conflict among the multiple religious communities. However, he proposes that this is because there was very little interaction among them. Internally, religious communities were rife with conflict. See Mark Häberlein, *The Practice of Pluralism: Congregational Life and Religious Diversity in Lancaster, Pennsylvania, 1730-1830* (University Park: Penn State Press, 2009); For studies on the diverse nature of colonial society, see Richard W. Pointer, *Protestant Pluralism and the New York Experience: A Study of Eighteenth-Century Religious Diversity* (Bloomington: Indiana University Press, 1988); Sally Schwartz, *A Mixed Multitude: The Struggle for*

Bonomi, the voluntary nature of religious organizations and the expansive and ever increasing range of worship options in colonial America allowed more laymen to participate in church leadership. The new emphasis on wider participation had institutional and organizational roots as well as ideological and theoretical ones. While she has acknowledged that American churches may have lacked doctrinal rigor in the 18th century, their loose institutional standards and internal competition powered innovation and vitality.

In fact, conflict bred innovation. As lay people reconceptualized the nature of participation in the wake of the First Great Awakening, intra- and inter-denominational discord intensified. This revitalization played a critical role in the formation of an American political tradition. It legitimized secession, separation, popular participation, and attacks on authority. When negotiating internal conflicts, adherents caucused, set up committees and created national communication networks. They rehearsed making political decisions and developed political infrastructure in churches, intricately entwining the world of religion with the world of politics.

Additionally, the movement spurred a discussion about minority rights. Bonomi has argued that the diversity of American religious life was the foundation for the growing commitment to civil values of private judgment and voluntarism. Evangelicals launched massive attacks at traditional church structures, but they also had to justify their divisive positions. They did so by constructing “a defense that stressed the rights of minorities against majorities, and of individuals against the whole, in matters of

Toleration in Colonial Pennsylvania (New York: NYU Press, 1989); John Wesley, Jr. Brinsfield, *Religion and Politics in Colonial South Carolina* (Easley, S.C.: Southern Historical Press, 1983); Patricia U Bonomi, *Under the Cope of Heaven: Religion, Society, and Politics in Colonial America* (New York: Oxford University Press, 1986).

conscience.”²⁶ While private conscience had the potential to divide the church infinitely, this risk was less pressing than the threat of the absolute power of a single majority. This broad based population of adherents challenged clerical authority and churches came to represent “popular attitudes and aspirations” and to serve as the “basic institution of provincial life.”²⁷ Scholars such as Bonomi have placed much significance on the creativity and innovation of colonial era religious institutions, not to mention the deep and unsettling conflicts barely contained below the surface of that creativity. Pluralism was critical to religious liberty, but it also contained within it the tools for opposition, dissent, and separation.

When protesters intertwined the symbols and statements of civil and religious liberty in episodes such as the “No Popery” flag, they signaled an important pattern. New Yorkers demonstrated that the tensions sparked by doctrinal and institutional religious competition that were so prevalent in the colonial era would not simply survive the American Revolution: they would offer Americans models to shape their political resistance. This would continue to be true into the early republic, a time when Americans witnessed an even greater surge of religious and ethnic diversity, and a time when Americans provoked profound changes and innovations to their political culture.

Furthermore, by entwining so tightly the struggles for civil and religious liberty, Americans resolved that if they were to reform their political institutions, they necessarily committed themselves to reforming their religious institutions. To complete the Revolution, participants in and observers of organized religion had to figure out how to adapt their churches and synagogues to a new political context, how to construct the

²⁶ Bonomi, *Under the Cope of Heaven*, 8, 82, 153-155.

²⁷ *Ibid.*

boundaries between the civil and religious spheres, who would participate and in what ways, and who would be excluded and for what reasons.

Thus, the “American reformation” was complicated by the fact that civil and religious liberty were neither fixed nor stable concepts for revolutionary Charlestonians and New Yorkers. Individuals and communities had to negotiate how to translate fundamental political, social, and cultural concepts, such as liberty in all its forms, from a principle to a policy to a practice.²⁸ For many Americans, the translation process was informed, in large part, by their colonial experience of conflict and accommodation. Ultimately, those conflicting ideas, beliefs, convictions about the relationship between religion and government shaped how many people participated in the revolutionary movement and approached its continual resolution.

III. Charter Rights, Diversity, and Established Religion

The contradictions and ambiguities characterizing religious liberty were particularly important in pluralist, or diverse settings such as Charleston and New York. Indeed, religious liberty was only necessary in pluralist environments. People only needed strategies to reconcile conflict and difference where conflict and difference existed in the first place. In the colonial era, Charleston and New York were both characterized by a dialectic of diversity and unity. The colonial cities had diverse populations and they were renowned as bastions of religious freedom. In fact, Charleston and New York, being two of the most ethnically and religiously diverse cities in the

²⁸ Jean Christophe Agnew’s work has helped me think about the way concepts that seem concrete and self explanatory function on multiple levels. Agnew describes the market as existing on three overlapping planes: a place, a process, and a principle. See, Jean Christophe Agnew, *Worlds Apart: the Market and the Theater in Anglo-American Thought, 1550-1750* (Cambridge: Cambridge University Press, 1986) 17.

British North America colonies, had a vast and ever growing population of dissenters. People who worshipped outside of the Church of England continually sparred for influence and challenged orthodoxy, making homogeneity impossible. Yet, both cities had Anglican Church establishments, meaning that the Anglican Church was the only legally recognized church and all residents were required to support it financially. When congregational and civil leaders interpreted what a political system guaranteeing religious liberty would look like and which specific rights and privileges were involved, they based their claims and conceptions on their experiences battling the Anglican establishment.

The founders of South Carolina deliberately cast a wide net in their mission to populate their new venture. South Carolina was one of the last of the original thirteen British North American colonies to be settled. In 1663, King Charles II granted the land to eight English noblemen, or Lord Proprietors, led informally by Anthony Ashley Cooper, the first Earl of Shaftsbury. When the proprietors opened the colony for settlement in 1680, attracting laborers and capital was no easy task. Europeans found the climate dangerous and insalubrious. Though the winters were mild, the swampy landscape, so perfect for cultivating rice, spawned mosquitoes. Yellow fever, malaria, and other “Agues and Fevers” tormented European settlers, servants, and African slaves through the eighteenth century. Travelers migrating from Europe had little incentive to choose South Carolina as a destination over regions with more established infrastructures and healthier living conditions, such as Virginia, the Middle Colonies, or New England.²⁹

²⁹ Both the French and the Spanish had attempted to colonize South Carolina in the 16th century. The first Spanish settlement, near present day Georgetown, lasted less than one year and ended in of the first slave revolts in South Carolina in 1526. The African slaves the Spanish brought with them allied with native Carolinians and rose up against the Spanish, wiping out three-fourths of the settlers. In 1540 Hernando de Soto’s expedition through the South passed through South Carolina. In 1562, France attempted a settlement in South Carolina. The French settlers started raiding Indian villages when their food became scarce, leading to all out war, which ended the settlement. Indians in South Carolina consistently had the

Attacking the problem directly, the Proprietors portrayed their colony as a bastion for nonconformists. They also appealed directly to English dissenters and members of other sects who were the targets of persecution in Europe such as French Huguenots, who had been exiled from France in 1685 after Louis XIV revoked the Edict of Nantes. They also welcomed a Baptist community who were denied the freedom to worship by the Congregationalist establishment in New England to find refuge in South Carolina.³⁰

South Carolina's connection with Barbados contributed to the region's diverse population as well. In many ways South Carolina was an informal colony of Barbados. Given that Barbados planters had little room to aggrandize or expand on the small island, a number of the islands' inhabitants left to develop large plantations in the Carolina low country. The Barbadian influence in South Carolina had a number of effects on South Carolina's economic and social life. First, its economic power came to rest in a plantation system and Anglican planters came to dominate its social life. Second, Barbadian planters brought African slaves with them, making South Carolina a slave colony, as its original charter sanctioned slave labor.³¹ Third, historians believe it is likely that, given the Barbadian connection, Jews were among the colony's earliest settlers. In 1680, 54 out of 404 households in Bridgetown, Barbados' largest city, were Jewish. Jewish settlers definitively lived in the colony by the 1690s, and in the

upper hand. They successfully repelled French and Spanish attempts to dominate the territory in the 16th and 17th centuries. However, the French and the Spanish introduced diseases such as typhus fever, which ultimately killed many native Carolinians. By the time the English began their settlements in the 1680s, indigenous communities on the coast had been decimated by disease, though Native Americans lived in inland regions. Jack Bass and W. Scott Poole describe the settlement of South Carolina in their book *The Palmetto State: The Making of Modern South Carolina* (Columbia, S.C.: University of South Carolina Press, 2009) 2-3; Walter Edgar, *South Carolina: A History* (Columbia, SC: University of South Carolina Press, 1998) 157.

³⁰ Edgars, *South Carolina, a History*, 47-62.

³¹ In all of the other colonies, slavery was introduced after their original founding. Edgars, *South Carolina, a History*, 35-46, 63-81.

eighteenth century, Charleston was a popular American destination for Sephardic Jews emigrating from London. In fact, Charleston was home to the largest American Jewish population through until 1820s.³²

New York had a similar story of population diversity. The Dutch West India Company organized the first European colony, initially called New Amsterdam, on the spot that would eventually become the great metropolis in 1625. The company was eager to attract immigrants to the colony, and welcomed non-Dutch and non Dutch-Reformed settlers. Huguenots, Lutherans, Anglicans, Quakers, Sabbitarians, and Anabaptists fortified the settler population. Company officials even reluctantly permitted Jews fleeing the Portuguese reconquest of Brazil to settle in the city in 1654. When the English took the colony from the Dutch in 1664, the new rulers did not have an immigration policy. Nevertheless, the political and commercial opportunities the port city offered were attractive to settlers and New York continued to draw heterogeneous populations. As historian Joyce Goodfriend has argued, pluralism was self-perpetuating. In the late seventeenth and early eighteenth centuries, Non-English and non-Anglican immigrants were drawn to New York because their compatriots and co-religionists had already carved out multi-ethnic communities there. By the Revolution, both cities—Charleston and New York—possessed diverse religious and ethnic populations.³³

Partly out of principle, partly out of expediency, the imperial agents who founded or originally sponsored the two colonies supported some degree of religious toleration.

³² James William Hagg, *This Happy Land: The Jews of Colonial and Antebellum Charleston* (Tuscaloosa and London: The University of Alabama Press 1993) 5-11.

³³ Patricia Bonimi, *A Factious People: Politics and Society in Colonial New York* (New York and London: Columbia University Press, 1971) 25; Joyce Goodfriend, *Before the Melting Pot: Society and Culture in Colonial New York City, 1664-1730* (Princeton University Press, 1992) 17, 41. For an account of Jews in Brazil, see Arnold Wiznitzer, *Jews in Colonial Brazil* (New York, 1960).

South Carolina's *Fundamental Constitution*, most likely penned by John Locke in 1669, extended civil and political rights to dissenters. King James II supported some degree of liberty of conscience as well, though it was largely meant to protect Catholics, not Protestant dissenters. He issued a declaration of indulgences in 1687, which ended punishments for not attending services in the Church of England. Subsequently, William and Mary simultaneously continued and reversed James' declaration, promising "liberty of conscience to all persons (except Papists)," in the colony.³⁴

Though New York and Charleston were renowned for their policies of toleration and their diverse populations, their reputation for openness was limited because both were part of an official Anglican Church establishment. In 1693 the Colonial Council of New York approved the Ministry Act, declaring Anglicanism the official religion of New York City. In Charleston, the Governor and Colonial Council passed "An Act for the Establishment of Religious Worship in this Province, according to the Church of England" in 1706. Charleston and New York operated within a strange tension of diversity and unity, governed by policies that simultaneously encouraged outsiders to bring their resources, talents, and labor to the region, yet continued to reject the legitimacy of a pluralist community.³⁵

Significantly, Anglicans preserved their privileged position, frustrating non-Anglicans' political aspirations for equal standing by restricting their competitors' access to charters. Churches zealously lobbied for royal charters because these charters allowed organizations to incorporate. In the Anglo-American legal system, only corporate bodies

³⁴ Edgars, *South Carolina, a History*, 43; Jason Duncan, *Citizens or Papists: The Politics of Anti-Catholicism in New York, 1685-1821* (New York, Fordham University Press, 2005) 2.

³⁵ Bridenbaugh, *Mitre and Sceptre*, 116-118; Brinsfield, *Religion and Politics in Colonial South Carolina*, 31.

could hold property in trust, form legislative or governing boards, write bylaws, sue and be sued, and collect charitable donations.³⁶

In Europe, corporations had served many different legal functions. Corporations derived from Roman law, but their use organizing cities, guilds, and parishes in medieval Europe was associated with increasing challenges to feudal systems. European towns and parishes incorporated when they were granted a borough charter. In general, the town and the Crown both benefited from a borough charter. When a town incorporated, it received some degree of political and economic autonomy. A corporate city or town was able to elect a board of alderman and a mayor, and the town, not the Crown, became responsible for looking after its inhabitants, including regulating commerce and providing aid and relief for the poor and disabled. By incorporating, a town also had legal grounds to petition or challenge state policies. In return for autonomy and self-rule, the corporation paid taxes, and had the responsibility to contribute to the protection and general welfare of the kingdom. Over time, the specific rights of incorporation evolved, and new ventures—including churches, mutual aid societies, and joint stock companies—adopted the structures and privileges of incorporation.³⁷

Of course, charters were not necessary for a group of people to come together and worship. However, a charter materially affected the structure of the religious community and the services it was able to provide parishioners. The corporate church became an organization separate and apart, something that continued to exist even if certain members moved away or stopped participating. In a corporate church, contributors did

³⁶ New York (State). State Historian et al., *Ecclesiastical records, state of New York* (J. B. Lyon, state printer, 1901), 1136; King William III granted Trinity Church, New York's first Anglican Church, its founding charter in 1696

³⁷ Brian Nelson, *The Making of the Modern State: A Theoretical Evolution* (New York: Palgrave MacMillan, 2006) 55-56.

not have to worry about an unscrupulous leader running off with their donations. Since the property and monies belonged to the corporation, not to any specific individual, the congregation would have legal grounds to seek redress in the event of fraud or theft. With the assets held in trust, the congregation could invest its resources in property or other strategies for long-term growth, securing its future stability.

Bolstered by a church establishment and the privileges of incorporation, members of the Anglican Church dominated the political and cultural institutions of the two cities. The boards of trustees of Trinity Church in New York and St. Philip's Church in Charleston became major property owners and managers in their respective cities. Trinity Church was able to support and guide the founding of King's College, later Columbia University, offering its own property to house the institution. Anglicans held six of the nine seats on the original board of trustees. Trinity Church also became a cultural center, sponsoring grand musical performances. St. Philip's Church, as well as the second Anglican Church in Charleston, St. Michael's, were responsible for poor relief and were in charge of organizing elections.³⁸

³⁸ Bridenbaugh, *Mitre and Sceptre*, 144, 158; Virginia Larkin Redway, "Handel in Colonial and Post Colonial America (to 1820)," *The Musical Quarterly*, Vol. 21, No. 2. (Apr., 1935) 190-207; For example, October 13, 1766; December 7, 1766; December 15, 1766; January 2, 1769, *The Vestry Journals*, St. Philip's Church, 1761-1795, SCL; Richard Hutson, a member of Circular Church, explained in his personal papers about the Anglican Churches managing poverty relief and elections. January 18, 1777, Richard Hutson to Isaac Hayne, Hutson, Richard, 1747-1795. Richard Hutson letter book, 1765-1777. (34/559) SCHS; Only one non-Anglican church received a charter in colonial New York: the Dutch Reformed Church. When the Dutch handed the colony over to the English in 1664, Richard Nicoll, the first English governor of New York, promised the remaining Dutch settlers "the preservation of all their due Rights and Privileges." The subsequent governor gave the Dutch Reformed Church even greater assurances, instructing that the "Reformed Christian Religion... shall be maintained, without suffering any other Sects attempting any thing contrary thereto." Consequently, the Dutch Reformed Church petitioned for a charter and an act of incorporation, which they received in 1695. With their fate secured, the Dutch Reformed Church supported the Anglicans of Trinity Church in their pursuit of their own charter and their fight for establishment. See *The Colonial Laws of New York from the Years 1664 to the Revolution* (Albany, 1894), I:100, 1:102; *Ecclesiastical Records of the State of New York*, Hugh Hastings, ed. (Albany:1901-1916), II:1127-1128, II:1136; Morgan Dix, *A History of the Parish of Trinity Church in the City of New York* volume 1 (New York: The Knickerbocker Press, 1898), 94; Additionally, the French Reformed Church received charter privileges, though not an actual charter. In 1703, the New York

Since an act of incorporation gave churches significant organizational advantages, Anglicans maintained their status in both cities by anxiously and jealously proscribing non-Anglicans' access to charters. Not surprisingly, Anglicans' strict control over charters and church incorporation exacerbated political antagonisms with other congregations. In New York, Presbyterians were the Anglicans' main rivals. Presbyterians dominated the Colonial Assembly, an elected body that advocated the rights of New Yorkers. On multiple occasions Presbyterians passionately, though unsuccessfully, lobbied the governor and the Colonial Council to grant their church a charter.

As long as Anglicans controlled the legal channels to incorporation, Presbyterian leaders were unable to have full control over their churches. Without a charter, New York Presbyterian churches were unable even to claim ownership of land to build sanctuaries. Their land had to be held by an individual member, or entrusted to a different organization. Samuel Miller, an influential early national New York

Colonial Council passed a measure granting the French Protestant Huguenot Church the privileges of incorporation: the right to have a vestry board; the right to have bylaws; the right to buy, own, and sell property as an individual; and the right to collect contributions and keep a treasury. England had a policy of support for Huguenots who had fled France in 1685 after Louis VIX revoked the Edict of Nantes and ended France's policy of toleration toward Protestants. King William III specifically favored Huguenots and he owed many Huguenots a personal debt. Several of his top commanders leading the expedition to invade England and depose James II in 1689 were exiled French Protestants. Despite the policy of support, some Anglicans were concerned that Huguenots would side with Presbyterians and other Reformed or Calvinist congregations in matters of confessional politics. They suspected that English dissenters and Huguenots were natural allies because of their shared Calvinism and worried about the possibility of a Huguenot-Dissenter alliance. It is possible that New York Anglicans shared these concerns, and granted French Protestants charter privileges to circumvent any political alliances between Huguenots and Presbyterians, especially given the sizable Huguenot population in the city. At the beginning of the eighteenth century, Huguenots made up about fifteen percent of the population, though they quickly assimilated into the general population. See *The Colonial Laws*, I:527; Robin Gwynn, *Huguenot Heritage: The History and Contribution of the Huguenots in Britain*, second edition (Brighton and Portland: Sussex Academic Press, 1985, 2001) 48-51, 145; Jon Butler, *The Huguenots in America: A Refuge in New World Society* (Cambridge, MA: Harvard University Press, 1983) 34-35; John Maynard, *The Huguenot Church of New York: A History of the French Church of Saint Esprit* (New York. 1938) 69.

Presbyterian minister described the conflict in his memoir of his revolutionary era predecessor, John Rodgers:

After repeated attempts, for several years, to obtain an act of incorporation, without success; the congregation, feeling that the tenure by which they held their property was insecure; and fearing that the same religious sect which had opposed the granting of their request, would watch for an opportunity to give them a more fatal blow, determined to take decisive measures to secure themselves.

Taking the “decisive measures” Miller described, Wall Street Presbyterian Church secured their building rights by convincing the General Assembly of the Church of Scotland to take responsibility of the title and hold it in trust for their use.³⁹

South Carolina dissenters also despised what they viewed as iniquitous charter laws. In 1777, Independent, or Congregationalist minister William Tennent berated the reputedly tolerant government of South Carolina, explaining:

The law, by incorporating the one Church, enables it to hold estates, and to sue for rights; the law does not enable the other to hold any religious property, not even the pittances which are bestowed by the hand of charity for their support. No dissenting Church can hold or sue for their own property at common law. They are obliged therefore to deposit it in the Hands of Trustees, to be held by them as their own private property, and to lie at their mercy. The consequence of this is, that too often their funds for the support of religious worship, get into bad hands, and become either alienated from their proper use, or must be recovered at the expense of a suit in chancery.⁴⁰

The Anglican establishment that existed in South Carolina throughout the colonial era was comprehensive. The Church Act of 1706 modified an earlier act to establish the Anglican Church that originally passed in 1704. That act refused to recognize any form of worship other than the liturgy of the Book of Common Prayer. It denied the validity of marriages officiated by non-Anglican clergy. Most egregiously, the 1704 Church Act proscribed dissenters from holding offices in the Colonial Assembly. Dissenters

³⁹ Samuel Miller, *Memoirs of the Rev. John Rodgers, D.D.: late pastor of the Wall-Street and Brick churches in the City of New York* (New York: Whiting and Watson, 1813) 140-141.

⁴⁰ William Tennent, *Mr. Tennent's Speech, on the Dissenting Petition, Delivered in the House of Assembly, Charles-town, South Carolina, Jan 11, 1777* (Charlestown, printed by Peter Timothy, 1777) 9.

successfully lobbied for its repeal, but they were only partially successful. The 1706 Church Act ended dissenters' proscription from South Carolina's House of Commons but it preserved the Anglican establishment, introduced a program of Anglican Church building funded out of the general tax, and maintained the hated though poorly enforced marriage clause.⁴¹

Dissenters were not the only ones to revile the Church Act. Even Charleston Anglicans had complicated feelings, appreciating the privileges it gave them, but criticizing the strict oversight from England and from the colonial governor who interfered with internal decision-making. By mid-century, Anglicans who supported greater local autonomy from England won a victory when South Carolina's House of Commons wrested significant control over appointing ministers, salaries, and church patronage away from the governor. Generally, the laissez faire attitude Charleston Anglicans had about their churches, valuing local control over English control, contributed to an environment of tacit tolerance. Locally, colonial Anglicans did not actively discourage dissenters from worshipping where and how they chose.⁴²

Still, dissenters never lost sight of the structural inequalities, such as charter, or corporate, rights that kept their religious societies subordinate to Anglican churches. Despite the tacit tolerance, they had to contribute to Anglican church building, to fund Anglican ministers, and to accept the oversight of Anglican church wardens monitoring

⁴¹ Brinsfield, *Religion and Politics in Colonial South Carolina*, 23-24, 31.

⁴² *Ibid.*, 36-37, 46.

elections.⁴³ They had to call their houses of worship “meeting houses” instead of churches because only Anglican houses of worship were “churches.”⁴⁴

Contention over the church establishment grew as South Carolina experienced a substantial population growth after 1760. Most of the migrants were Presbyterians and Baptists from the Pennsylvania and North Carolina backcountry, radicalized by the revivals of the Great Awakening. In response, militant backcountry Presbyterians and North Carolina transplants started their own version of the Regulator movement. They protested against insufficient access to circuit courts and the requirements that they finance the Anglican Church while receiving no political or economic support for their own churches. As the dissenting population grew, non-Anglicans took more seats in the Common House, and were occasionally able to block legislation that would have extended Anglicans’ influence in the colony.⁴⁵

Yet, the situation was not a simple and straightforward conflict between a coercive, tyrannical Anglican church and a diverse community coming together to fight selflessly for liberty and equality. Anglicans were by no means a monolithic group. The Anglican Church was comprehensive enough to contain traditions as broad as Puritanism and Methodism as well as High Church monarchism. Furthermore, while dissenting churches repeatedly and aggressively challenged the established church, their own structures and disciplines were also hierarchical. Their doctrines hinted at theocracy, specifically in requiring submission to civil authority. They demanded strict obedience to

⁴³ Ibid, 45.

⁴⁴ Meeting Street in downtown Charleston got its name because Dissenters built most of their meetinghouses there, just outside of the original city walls.

⁴⁵ Anglican minister, Charles Woodmason, described the religious tension he observed on his travels through the Carolina backcountry. Charles Woodmason, *The Carolina Backcountry on the Eve of the Revolution*, ed. by Richard Hooker (Chapel Hill: The University of North Carolina Press, 1953) xxiv, 80; Brinsford, *Religion and Politics in Colonial South Carolina*, 51, 54. Edgars, *South Carolina, a History*, 213-216.

lay leaders, clergy, and the civil magistrates. Most of the Protestant Churches in New York and Charleston—Presbyterian, Congregationalist, Dutch Reformed, French Reformed, German Reformed, Baptist, Quaker, Lutheran, and Anglican—organized themselves according to confessions of faith written in the late sixteenth or seventeenth centuries. These documents contained very rigid rules over religious and governing practices. For example, the Westminster Confession, the Presbyterian confession of faith from 1647, and the 1689 Baptist Confession both gave specific powers to civil magistrates. Anglican critics of Presbyterians’ campaigns for charter rights in New York were convinced that Presbyterians had no opposition to established religion on principle; they simply wanted their own church to have the same privileges.⁴⁶

On the eve of the Revolutionary war, Charlestonians and New Yorkers possessed long-held beliefs about the complex relationship between civil and religious liberties and the boundaries between church and state. Their practical experiences fighting against the limitations on public worship connected overreaching ecclesiastical authority and tyrannical civil authority. As Charlestonians and New Yorkers launched their

⁴⁶ Presbyterian Church in America, “Westminster Confession of Faith,” http://www.pcanet.org/general/cof_contents.htm; Baptist Confession of Faith, <http://www.creeds.net/baptists/1689/kerkham/1689.htm>; See, for example, an exchange between Anglican Jeremiah Learning and Presbyterian Noah Welles. Both men argued that their church was the true church and that their church was divinely ordained while all other churches were manmade. They both contended that their church dated to the time of the Apostles, while all others were “superstition,” “Popery” and “enthusiasm,” meaning that all other churches were frauds. Ultimately, each argued that their church should be the established church. Jeremiah Learning, “Second Defence of the Episcopal Government of the Church, containing Remarks on the Objections by Mr. Noah Welles against the Church of England,” (New York: Printed by John Holt, 1770); Noah Welles, “The Divine Right of Presbyterian Ordination Asserted, and the Ministerial Authority, claimed and Exercised in the Established Church of New England, Vindicated and Proved,” (New York: Published by John Holt, 1763); Another Anglican commenter explained, “While other Denominations have contended themselves, with the free Exercise of their Religion, and an equal Share in the offices of Government, this restless Sect [Presbyterians] has in every Colony either attempted, or actually seized all Power, and shewn an equal Disposition to *tyrannize* over all others; to *root out not only* the established Religion, but every other Denomination from these Colonies.” “Mr. Printer,” April 25, 1768, *The New-York Gazette and the Weekly Mercury*, NY, NY.

Revolution, their conceptions of civil and religious liberty were both legalistic and procedural *and* personal and chaotic. They responded particularly to the colonial conflicts between Anglican and dissenting churches, and they were rooted in medieval understandings of corporate rights as well as liberal, individual rights.

IV. Disestablishment and the American Revolution

The colonial battles over church incorporation and against the Anglican establishment were critical refrains in the revolutionary turmoil in Charleston and New York. For dissenters in those two cities, the Revolution was as much about home rule as it was a battle over imperial reorganization. Though dissenters could worship publicly and hold offices, they resented the legal structures that prevented them from having the same privileges and the same influence as the Anglican Church. One of New Yorkers' major grievances leading up to the Revolution was what they perceived to be the tyranny of the Anglican establishment. Presbyterian and Lutheran dissenters lobbied futilely for the extension of charter rights, and the colonial authorities repeatedly rejected their request. Not only were non-Anglicans forced to pay to support the established Anglican Church, they could not have full control over their own churches. For many, the fight for political independence was inextricably connected to the struggle for religious freedom.⁴⁷

The situation escalated after 1766 when Anglicans proposed the plan to extend their influence by appointing an American bishop to New York. Presbyterian ministers and lay representatives from churches across the colonies responded by forming a convention to oppose to an American Anglican bishopric. Beginning in 1766 Presbyterian minister John Rodgers joined forces with Dutch Reformed ministers Laidlie

⁴⁷ Brindenbaugh, *Mitre and Sceptre*, 209.

and Mason, and three prominent lawyers, William Livingston, William Smith, and John Morrin Scott, to launch a pamphlet campaign against the plan. Their major concern was that the bishop would hold too much civil power. As the committee explained in a letter they sent to England:

We oppose not, therefore, the introduction of diocesan bishops in *America*, from any apprehension that we have any exclusive privileges about others, or from any right we have to endeavor to prevent them from enjoying the same liberty with any other denomination of Christians in the colonies. We oppose the scheme from very different motives and principles. Our fears would not be so much alarmed, could any rational method be devised for sending over bishops among us, stripped of every degree of civil power, and confined in the exercise of their ecclesiastical functions to their own society...⁴⁸

If the plan went through, a bishop would have the right to set up ecclesiastical courts that allowed trials without juries, and he would not be answerable to common law. The convention continued meeting until 1775 when many of the members of the convention joined the Continental Congress when it started to mobilize resistance to the English crown.⁴⁹ Until 1775, however, this alliance was the primary body organizing opposition to Great Britain. In New York, the movement for political independence was intimately tied to the movement to overthrow the Anglican establishment.

While there were many exceptions, Anglicans in New York generally remained loyal to Britain while Presbyterians and other non-Anglicans supported the Revolution. When British troops occupied the city from 1776 to 1783, they commandeered a number of the city's non-Anglican churches for military use. Soldiers converted one Dutch Reformed church, Middle Church, into a riding school and another, North Church, into a

⁴⁸ Quoted in Miller, *Memoirs of John Rodgers*, 190.

⁴⁹ Miller, *Memoirs of John Rodgers*, 185-193. William Livingston would go on to be the Governor of New York, and Smith and Scott both had long careers in law after the Revolution. Miller is quick to acknowledge that Anglicans did not uniformly support extending the American Episcopate. He explains, "The opposition to an American Episcopate was not confined to non-Episcopalians. Some zealous members of the Episcopal church, and even some ministers of that denomination had the wisdom to perceive, and the magnanimity to acknowledge, the dangers like to arise from this measure," 185.

prison. The Wall Street Presbyterian Church became a barracks and the Beekman Street Presbyterian Church passed through the war years as a hospital. By the end of the war, troops had defaced both Presbyterian churches, stripped their interiors, and left them in ruins. John Rodgers was convinced that soldiers deliberately targeted Presbyterian Churches for destruction. He suspected that soldiers viewed them with a “special vengeance” because so many Presbyterians supported the movement for independence.⁵⁰

The Revolutionary connection between political independence and religious freedom was evident in South Carolina as well. However, unlike in New York, South Carolina’s Anglicans rather than its dissenters escalated the movement. Merchants, moneylenders, plantation owners, and slave traders felt that British efforts to reorganize trade and raise revenue, particularly the Stamp Act, were personal assaults to their property, businesses, and social status. In the 1760s, Charleston’s elite made up around five percent of the white population. The colony had strict and extensive property qualifications, limiting who could stand for office and who could vote. Nearly every man who qualified, on the basis of wealth, to participate in formal politics, attended and was a member of St. Philip’s or St. Michael’s Anglican Church. The same men who served on the vestry boards as lay leaders for the congregation, dominated the colony’s political and economic elite.⁵¹

Christopher Gadsden, Charles Cotesworth Pinckney, Arthur Middleton, Edward Rutledge, and William Henry Drayton, all members of St. Philip’s and St. Michael’s

⁵⁰ Pointer, *Protestant Pluralism and the New York Experience*, 80-81; Rev. Alexander Gunn, *Memoirs of the Rev. John Henry Livingston, D.D. First Professor of Theology in the Reformed Protestant Dutch Church in North-America* (New York: Board of Publication of the Reformed Protestant Dutch Church: 1856) 164; Miller, *Memoirs of John Rodgers*, 234.

⁵¹ Walter Fraser, *Charleston! Charleston!: The History of a Southern City* (Columbia, SC: University of South Carolina Press, 1989) 107-108, 112.

Anglican Church, were among the first Charlestonians to openly and actively engage in public acts of resistance. Christopher Gadsden organized a group of radicals called the Liberty Tree Party, or the “Liberty Boys.” In April 1775, Charles Cotesworth Pinckney and William Henry Drayton led a raid on government magazines around the city, stealing all of the ammunition, preventing the governor from arming the British.⁵²

The vestry board of St. Michael’s Church even censured their minister, John Bullman after he preached a loyalist sermon before the congregation in August 1774. Bullman urged his parishioners to be obedient and insisted that preserving unity in the church was far more pressing than civil politics. The congregation found his tone, as well as the substance of his message, particularly condescending. Bullman had berated his congregation, calling them “silly clown[s]” and “illiterate Mechanic[s],” distressed that any of his congregants would take it upon himself:

...to censure the conduct of his Prince or Governor, and contribute as much as in him lies to create and foment those Misunderstandings, which being brooded by Discontent and Diffused through great Multitudes, come at last to end in Schisms in the Church, and sedition and Rebellion in the state; so great a matter doth a little Fire kindle; There is no greater Instrument or Ornament of Peace than for every Man to keep his own Rank, and to do his Duty in his own, station, without usurping an undue Authority over his Neighbour, or pretending to censure his Superiors in Matter wherein he is not himself immediately aggrieved.

Parishioners sitting in the pews complained that the sermon had caused “great offence” and many “threatened a Desertion of, and Indignities to the Church.” The vestry board organized a petition and eventually forced Bullman to resign.⁵³

⁵² Brinsfield, *Religion and Politics in Colonial South Carolina*, 69-71; Marvin Zahniser, *Charles Cotesworth Pinckney: Founding Father* (Chapel Hill: The University of North Carolina Press, 1967) 36-37; see also, George C Rogers, *Charleston in the Age of the Pinckneys* (Columbia, SC, University of South Carolina Press, 1980) 123.

⁵³ August 15, 1774, Minute Book, St. Michael’s Church, 1759-1824, SCL, 97, 98-113.

The Revolution and the struggle for independence in South Carolina was as much a domestic crisis as an imperial crisis. Dissenters, particularly backcountry Presbyterians and Baptists, were reluctant to support Charleston's Anglican aristocrats. Many Charleston Anglicans had little interest in dismantling the rigid colonial social hierarchy; rather they hoped to retain or move into elite positions. Bullman's harangue did indeed express their views, except for many Charleston Anglicans, their backcountry rivals were the "silly clowns" and "illiterate mechanics."

Unsurprisingly, backcountry dissenters viewed the Anglican Church as a powerful symbol of illegitimate government. They received meager political support from Charleston in confronting the lawlessness that disrupted their lives but were forced to pay for its churches. In the late 1760s settlers along the Saluda River violently responded, attacking an Anglican church. The Anglican establishment was more of a symbol of tyrannical aristocracy than the distant British Empire.⁵⁴

At the same time, a cohort of dissenting clergymen, led by William Tennent and the Baptist Minister Oliver Hart, saw real potential for dissenters in the Revolution. They came to believe that the only way to end the Anglican establishment was to dissolve ties with England and to use the opportunity to shape and reform a new political culture that would guarantee religious freedom. Hart and Tennent believed that if dissenters refused to play an active role in the Revolution, they would miss the opportunity to participate in the process of creating a new government. Tennent, who was elected to the Provincial Congress, lobbied tirelessly to frame the Revolution as a contest to secure religious

⁵⁴ Brinsfield, *Religion and Politics in Colonial South Carolina*, 69.

liberty as well as civil liberty, and to include measures to ensure religious freedom in the new state constitution.⁵⁵

Tennent was not afraid to take advantage of the domestic tensions fissuring the region. He exploited the underlying threats of civil war within South Carolina to make his case. “Can you imagine,” Tennent cautioned the Provincial Congress:

...that the numerous Dissenters who venture their all in support of American Freedom, would be fond of shedding their blood in this cause if they did not with confidence expect, that they should have justice done them, and that they should stand upon the same footing with their brethren? Can you imagine that a refusal of justice would not damp their ardour, if not utterly disarm them?⁵⁶

Hart echoed Tennent’s warnings, although he was less optimistic than Tennent. He worried that backcountry Baptists would face retribution for their original opposition, and expressed concern that “Baptists on the Frontier [would] be deemed unfriendly to government.”⁵⁷ Accompanied by William Henry Drayton, Tennent and Hart traveled through the South Carolina countryside in 1775, encouraging backcountry dissenters to support the Revolution, or at least not to actively support the British.⁵⁸

In 1775, Tennent, Hart, and a group of Baptist, Presbyterian, and Congregationalist ministers met together at the High Hills of Santee, near Charleston, to choose representatives to attend the Continental Association where they would lobby the convention to end the Anglican establishment and to ensure that the new state constitution contained clauses for religious freedom.⁵⁹ Tennent succeeded in convincing Christopher Gadsden, the founder of the Liberty Boys, to introduce their “Dissenters’

⁵⁵ Tennent, “Mr. Tennent’s Speech on the Dissenting Petition,” 22-23.

⁵⁶ *Ibid*, 17.

⁵⁷ Oliver Hart to Richard Furman, February 12, 1777, Richard Furman Papers, microfilm available at the South Caroliniana Library, University of South Carolina, Columbia, SC.

⁵⁸ Hart and Tennent described their journeys in their journals. See Oliver Hart Papers, SCL; and Travel Journal and Album of Collected Papers of William Tennent (1740-1777) Columbia, S.C.: University of South Carolina, Thomas Cooper Library, Digital Collections Dept., 2008.

⁵⁹ James Rogers, *Richard Furman: Life and Legacy* (Mercer University Press, 1985) 32-37.

Petition,” which he did in January 1777. In the main thrust of the petition, the High Hills dissenters introduced language for a bold new form of civil and religious organization:

That there never shall be an establishment of any one denomination or sect of Protestants by way of preference to another, in this State. That no Protestant inhabitant of this State shall, by law, be obliged to pay towards the maintenance and support of a religious worship that he does not freely join in or has not voluntarily engaged to support; nor be denied the enjoyment of any civil right merely on account of his religious principles; but that all Protestants, demeaning themselves peaceably under the government established by the Constitution, shall enjoy free and equal privileges, both religious and civil.⁶⁰

In short, they wanted to disestablish the Anglican Church and in its place institutionalize a system that gave all Protestants equal civil and religious rights.

Richard Hutson, a Charleston-based lawyer and politician, and the son of a Congregationalist minister, attended the meeting. He observed that the convention delegates engaged in “long and warm debates of the subject.” Hutson chronicled that several Anglicans, passionate participants in the movement for independence, including Mr. Lowndes and Charles Pinckney, “threw off the Masque” to reveal their true faces by heatedly demanding to preserve Anglican Church’s dominance. While the majority of the convention agreed with the dissenters’ clause—that no one should be forced to support a house of worship that they did not attend—many members had difficulty envisioning the logistics of a new political culture without an established church. South Carolinians were not yet certain how extensive their state government would, or should, be, and how far the executive and legislative branches should extend. The Anglican Church had always been responsible for a number of civil functions, from overseeing elections to managing poor relief. Its supporters insisted that South Carolina needed to preserve at least some scaffolding of the establishment, “on account of the Provision for the Poor and the Management of Elections,” which were “interwoven with the law.”

⁶⁰ Quoted in Richard Hutson to Isaac Hayne, January 18, 1777, Richard Hutson Letterbook, SCHS.

They could not imagine which body would take on these responsibilities in a republic with a voluntary church system.⁶¹

Ultimately, the delegates at the convention compromised. They ended the Anglican establishment and replaced it with a measure to establish the Protestant Christian religion in general. David Ramsay, a vestryman at the Independent, or Congregational Church, and noted chronicler of the Revolution, justified the compromise, explaining that it “was more generous to raise the low to a proper common level, than to depress the high.”⁶² The 1777 state constitution ended the practice requiring all South Carolinians to pay for the support of the Anglican Church, though it allowed the Church to retain all of its property. The Anglican Church would continue to support the poor and oversee elections until “laws shall be provided to adjust those matters in the most equitable ways.” The constitution also restricted the right to hold public office to Protestants and it granted all Protestant churches the rights previously reserved for the Anglican Church—the right to incorporate and hold a charter.⁶³

Dissenting ministers extolled their victory, with little concern over the fact that the Constitution specifically excluded Jews and Catholics, and barred them from holding public office. The measure particularly offended members of Charleston’s Jewish congregation, Beth Elohim. Jews had participated in the South Carolina General Assembly, and fought in the Revolution. So many of Charleston’s Jews had volunteered

⁶¹ Richard Hutson to Isaac Hayne, January 18, 1777, Richard Hutson Letterbook, SCHS. Charles Pinckney was the cousin of Charles Cotesworth Pinckney, who led the raid on the magazine. Charles Cotesworth Pinckney was a great ally of the dissenters and was one of the first Anglican revolutionaries to accept the plan to connect Dissenters’ fight for religious liberty with the fight for civil liberties in South Carolina. I have not yet been able to ascertain if the Mr. Lowndes in question is William Lowndes or Rawlin Lowndes.

⁶² David Ramsay, *The History of the Independent or Congregational Church in Charleston, South Carolina, from its origin till the year 1814* (Philadelphia: Printed for the author by J. Maxwell, 1815) 33.

⁶³ The Constitution of South Carolina, March 19, 1777 <http://www.nhinet.org/ccs/docs/sc-1778.htm>. Article 38 outlined the new general Protestant establishment.

for the state militia that they formed their own regiment and served in a number of mixed divisions.⁶⁴ Still, Protestants such as Oliver Hart viewed the compromise as a major triumph. He wrote to his brother in Philadelphia proclaiming, “with Pleasure I can inform you, that Religion is set free here.”⁶⁵ Hart, Tennent, and Ramsay were not celebrating an amorphous spirit of freedom and liberty. They had won a very specific victory—the right to be recognized as a corporate body under the law.⁶⁶

New York dissenters experienced the same victory. One of the New York State Assembly’s first measures was a 1784 act providing for universal church incorporation.

The act stated:

Whereas many of the churches, congregations and religious societies in this state; (while it was a colony) have been put to great difficulties to support the public worship of God by reason of the illiberal and partial distribution of charters of incorporation to religious societies, whereby many charitable and well disposed persons have been prevented from contributing to the support of religion, for want of proper persons authorized by law to take charge of their pious donations; and many estates purchased and given for the support of religious societies now vest in private hands, to the great insecurity of the society, for whose benefit they were purchased or given, and to the no less disquiet of many of the good people of this State.⁶⁷

In order to counteract the illiberal restrictions that had been placed upon religious societies in the colonial era, the New York State Assembly legislated new measures for religious freedom. The law institutionalized religious liberty in the state. However, it did so by promising equality under the law for corporations, not for individuals. Both the South Carolina and New York state assemblies defined religious liberty in terms of

⁶⁴ James William Hagg, *This Happy Land: The Jews of Colonial and Antebellum Charleston* (Tuscaloosa and London: The University of Alabama Press 1993) 114-116; Francis Salvador was a delegate to the Provincial Council from 1774 until his death in 1776. He was the first American Jew to die in the American Revolution. Additionally, Jewish merchants from the Dutch Caribbean Island of St. Eustatius were among the most active suppliers of arms to the Continental Army, regularly breaking through the British blockade.

⁶⁵ Oliver Hart to Joseph Hart, March 24, 1778, Oliver Hart Papers, SCL.

⁶⁶ Oliver Hart to Richard Furman, February 12, 1777, Richard Furman Papers, SCL.

⁶⁷ *Laws of the State of New York Passed at the Sessions of the Legislature* (Albany: Weed, Parson and Company, 1887) I:613.

eighteenth-century corporate rights, motivated by their particular power struggle with the Anglican Church in the colonial era.

V. Changing Landscapes

New York City and Charleston changed rapidly in the years following the Revolution. By 1790, New York had grown into the busiest port on the eastern seaboard and the center of U.S. shipping and commerce. By 1805, in slightly over a decade, it was the largest city in the nation. This dramatic expansion of merchant capitalism created new opportunities for employment in banking, credit, insurance, and securities, as well as manual labor on the waterfront and domestic service. New York also hosted a burgeoning manufacturing sector, creating myriad new opportunities for laborers, particularly artisans and craftsmen.⁶⁸

The ethnic, religious, and political pluralism that had characterized the city in the colonial era continued to deepen in the nineteenth century. Early national New York attracted rural migrants, republican exiles from the failed Irish rebellion of 1798, English radicals, and San Domingue plantation owners fleeing the Haitian Revolution. The city was also home to a large free black population. The broad new population agitated for the extension of political rights, and the state adopted a new constitution in 1821 eliminating property qualifications for voting and instituting a policy of universal suffrage for white men.

⁶⁸ Sean Wilentz, *Chants Democratic: New York City & the Rise of the American Working Class, 1788-1850* (New York and Oxford: Oxford University Press, 1984) 24-27. Christine Stansell explains that domestic service was the common employment for women, black and white. Women also made a living as hucksters and peddlers. Christine Stansell, *City of Women: Sex and Class in New York, 1789-1860* (New York and Toronto: Alfred A. Knopf, 1982, 1986) 12-13.

The increasing diversity and the development of a pluralist state were not an unqualified success. Unequal relationships of power undergirded the diverse environment. The amazing growth also led to increasing discrepancies between rich and poor. By the 1820s, four per cent of the population held fifty percent of the city's wealth, contributing to massive unemployment, overcrowding, and crippling poverty for men and women alike. Over 15,000 people, out of a population of roughly 123,000 took advantage of charity relief and public assistance, when they could not survive, in the words of Sean Wilentz, as "rag pickers, hucksters, street sweepers, wood-chip collectors, seamstresses, and prostitutes."⁶⁹ Even given the diversifying employment opportunities and the growing labor force, the city also continued to be the center of the largest urban slave population outside the South. While the state legislature passed an act for gradual emancipation in 1799, New York did not formally abolish slavery until 1827. New York African Americans, some of whom had exercised the right to vote in the 1790s, faced increasing pressure to remove themselves from public spaces in the first decades of the nineteenth century. The same 1821 constitution that broke down the barriers to suffrage for white men disenfranchised virtually all black men. While women had more opportunities to participate in committees and hold leadership roles in church-affiliated organizations, their public status did not change. One thing that had changed, however, was the need for new justifications for women's continued exclusive association with domesticity and to address why the Revolutionary discourse of equal rights did not extend to women.⁷⁰

⁶⁹ Wilentz, *Chants Democratic*, 24-27; for population statistics see Ira Rosenwaike, *A Population History of New York* (Syracuse, NY: Syracuse University Press, 1972) 16.

⁷⁰ Leslie Harris, *In the Shadow of Slavery, African Americans in New York City, 1626-1863* (London: University of Chicago Press, 2003) 4-6; Linda Kerber explores the ideology of Republican Motherhood and

The social changes taking place in Charleston were different from New York but no less momentous. While Charleston remained second only to New York as a commercial center, the city's cosmopolitan nature was waning. As one contemporary observer noted, Charleston had begun a transition from an "open city" to a "closed city." Entry into the political and economic elite, which had been relatively fluid before the Revolution, became much more circumscribed afterward as the self-appointed genteel merchant-planter class required status symbols for credentials, such as common ancestry and inherited wealth. The stories of young men of obscure origins arriving in the colonial city and earning fame and fortune and siring powerful dynasties were becoming legacies of the past.⁷¹

Unlike New York, which became a hub for artisans and mechanics, Charlestonians did not invest in a manufacturing base, and employment opportunities stagnated. Consequently, Charleston also languished as an immigration port. With the exception of many Irish, most migrants who entered the city traveled overland or arrived from northern ports rather than from abroad. The end of the Atlantic slave trade in 1808 caused the price of slaves to skyrocket. Charleston's elites, in search of a cheap labor force for dangerous construction jobs such as canal building, which many deemed too risky for slave labor, began to employ Irish workers. However, migrants who did not arrive with a contract in hand had a hard time finding jobs. They had to compete for other forms of manual labor with slaves and free blacks, many of whom were better

its opportunities and limitations in her book, Linda Kerber, *Women of the Republic: Intellect and Ideology in Revolutionary America* (Chapel Hill: The University of North Carolina Press, 1980) 230-231.

⁷¹ The statistic about Charleston's second place commercial ranking comes from Jack Bass and W. Scott Poole, *The Palmetto State: The Making of Modern South Carolina* (Columbia SC: The University of South Carolina Press, 2009) 23; Quoted from Maurie D. McInnis, *The Politics of Taste in Antebellum Charleston* (Chapel Hill and London: The University of North Carolina Press, 2005) 8.

skilled than the Irish newcomers. While the number of Irish immigrants was not overwhelming, at its highest point no more than 2,000 a year, they did contribute to the growth of an Irish community and the Catholic population. At the same time, slavery and the divisions between blacks and whites became even more entrenched in Charleston. For many white Charlestonians in the early nineteenth century, race and ethnicity were becoming more meaningful categories of difference than religion. Slavery thus played an important role in diminishing some of the friction among Charleston's religious societies.⁷²

While the port may have stagnated as a point of international immigration, the city's pluralist roots ensured that Charleston continued to host a vibrant and diverse religious culture. In fact, in 1790, when South Carolinians adopted a new Constitution, they abolished the general Protestant Church establishment, guaranteeing all South Carolinians the right to worship freely and openly. The new Constitution also specifically extended religious liberty, as well as the right to incorporate, to Jews and Catholics. In the first decades of the nineteenth century, Charlestonians witnessed the growth of a number of new religious communities, including Methodists, Unitarians, and African Methodist Episcopalians (AME). In the 1820s Charleston Catholics built a cathedral, and Charleston Jews sparked the first American movement for reform Judaism.

In many ways, religious societies lent consistency to the changing face of urban life, providing social services and worship communities that spanned the revolutionary

⁷² Donald Williams, *Shamrocks and Pluff Mud: A Glimpse of the Irish in the Southern City of Charleston, South Carolina* (Booksurge Publishing, 2005) 11-15; Bass and Poole, *The Palmetto State*, 30. This dynamic is perhaps most visible in the responses of religious societies to Denmark Vessey's attempted slave uprising in 1822. Religious communities, which had never received elite or mainstream support, particularly the Methodists and Baptists, in no small part due to the denominations' general anti-slavery sentiment, were quick to condemn the rebellion. However, this was not universally true. Competition and conflict among religious societies remained ever present, but usually in indirect ways, as I will discuss in chapter 4.

era. In other ways, religious societies signaled a rupture. Many churches and synagogues were damaged or destroyed in the Revolutionary war, and many others burnt down in generation following the war. Clergy and lay leaders committed themselves to restoring and to rebuilding their meetinghouses, larger and grander than before, and to surveying their cities to identify new populations and new needs. Religious societies occupied a key site, on the cusp of old and new, in the changing urban landscape.

VI. Conclusion

When religious societies incorporated, they had to develop and to submit a charter and a set of bylaws to the state. This meant that in order to accept the right that many had fought so long to secure, clergy and lay leaders were required to survey self-consciously the nature, purpose, and structure of their communities. Furthermore, even though revolutionary Charlestonians and New Yorkers successfully institutionalized religious liberty, they did not fix or solidify its definition. The multiple roles available for corporate churches—economic, political, and moral—meant that they occupied an ambiguous zone between public and private. When a religious society incorporated, the organization essentially entered into a contract with the state. Religious societies had to make sure that their government, structure, and doctrines were consistent with civil government. Having entwined so tightly civil and religious liberty in the Revolution, when they reformed their churches, religious leaders had to be actively engaged in the process of interpreting the scope and limits of civil government. When Charlestonians and New Yorkers successfully institutionalized religious liberty in policies of incorporation, their work had only just begun.

Chapter 2

Constitutionalizing God

In the spring and summer of 1788, New Yorkers passionately debated the ratification of the United States Constitution. Eight states had already ratified the Constitution, but many proponents believed that the support of big states, such as New York and Virginia, were necessary if the new government were to work. In person and in print—in publications such as the *Federalist Papers* and *Cato's Letters*—New Yorkers sparred over critical political questions. They were roused over conflicting views about sovereignty, representation, local versus national power, popular participation, and the best way to prevent tyranny. Despite fierce opposition, the New York convention narrowly ratified the Constitution in July of 1788.

At the same time, and in the midst of these debates, New York Presbyterians approved their own constitution, “The Constitution of the Presbyterian Church in the United States.” Throughout the spring of 1788, Presbyterians from New York joined their Pennsylvania counterparts in Philadelphia to outline the new government, as well as the doctrines and disciplines, for the future of their church in the new nation. American Presbyterians had powerful motivations to critically examine their organization. The Presbyterian Confession of Faith—the Westminster Confession of 1647—granted civil officers the divine authority to administer church discipline and punish heresy. For

citizens who championed the rights of religious liberty, these old edicts were outdated, if not illegal.

When Presbyterians revised the Westminster Confession in their new constitution, they specified that the only duty for the civil magistrate in their worship was “to protect the Church of our common Lord, without giving preference to one denomination of Christians above the rest, in such a manner that all ecclesiastical persons whatever shall enjoy the full, free, and unquestioned liberty of discharging every part of their sacred functions, without violence or danger.” The constitution also eliminated explicit references to the Catholic pope as the “Antichrist,” “man of sin,” and “son of perdition,” making the document more juridical and less polemical. Finally, the Presbyterian convention used the constitution to deliberately distinguish itself from the Church of Scotland, naming its governing board the “General Council” rather than the “General Assembly.”

Ultimately, the American Presbyterian Church organized itself on a model akin to federalism. The highest body, the General Council, was a national organization. Additionally, each state had its own synod, with its own councils or assemblies. Next, each synod was composed of a series of regional presbyteries. Finally, each congregation had its own representative council and its own freedom to legislate all matters not specifically defined by the national assembly.⁷³

In fact, as this chapter argues, in early national New York and Charleston, virtually every religious society—Protestants, Jews, and Catholics alike—penned

⁷³ E.H. Gillett, *History of the Presbyterian Church in the United States of America, Vol. 1* (Philadelphia: Presbyterian Board of Publications, 1864) 204-205; Orthodox Presbyterian Church, “American Revisions to the Westminster Confession of Faith,” http://www.opc.org/documents/WCF_orig.html; For an extended discussion Presbyterian constitutions see, Charles Hodge, *The Constitutional History of the Presbyterian Church in the United States of America, Vol. 2, 1741-1788* (Philadelphia: William S. Marten, 1840).

constitutions and bylaws, self-consciously reflecting on how they should structure and govern their communities in a new political environment. While New Yorkers and Charlestonians established that religious liberty was a fundamental right and decided to legislate religious liberty through the extension of corporate rights, the American Revolution had not resolved the ambiguities and contradictions contained within Americans' understandings and definitions of religious liberty. At a time when people were seriously rethinking the legitimacy of authoritarian power, and the nature of authority more generally, it was not clear what sort of institution was a church in a republic.

Charlestonians and New Yorkers remained suspicious that churches and religious leaders had just as much potential to act tyrannically as the state. Therefore, the struggle to secure and define civil and religious liberty, which had overlapped during the American Revolution, remained intertwined. In most cases, the same people providing lay leadership for their congregations by serving as wardens and trustees in the city's myriad churches and synagogues, were either leaders of or active participants in formal political movements—contributing to constitutional conventions, serving as state and national representatives, judges, mayors, or district attorneys, and by publishing periodicals or spurring pamphlet wars. In the post-revolutionary milieu, lay leaders maintained that while churches were centers for worship, they were also organizations where men exercised power over other men, and therefore they had the responsibility to provide good government.

In essence, corporate, constitutional churches became political communities on a small scale. When religious societies incorporated, the law permitted, and indeed

required, them to write a charter enumerating their forms of government and their rights and privileges. With a charter recognized by the state, religious societies could write bylaws, hold property and assets in trust, elect a governing, or vestry board, and sue and be sued. Churches and synagogues became vital arenas where lots of different people had the opportunity to participate informally, as well as in formal political processes by voting, holding offices, serving on committees, and writing and disseminating pamphlets and other commentaries. Practical politics took place every week in religious societies, not just once a year, or every four years on Election Day, making them important sites to illuminate the mechanics, culture, and lived experience of early national politics.

Of course, church government was not unique to the early national United States. Colonial and European churches also wrote charters and other governing documents. However, these new forms of government were different for two reasons. First, in many cases, congregations and denominations specifically titled their new governing documents “constitutions,” making a break from the past and suggesting that they were aware that they were specifically engaged in a reformation of their organizations that was constitutive of the political, social, and cultural changes taking place around them. Second, the constitutions had a new legal significance. The state recognized corporate religious societies as separate legal entities, and acknowledged their right to manage their own affairs as private enterprises. In return, their charters, constitutions, and bylaws had to be consistent with the laws of the state. Consequently, as congregational leaders across multiple denominations participated in negotiations over how to structure and govern their organizations, they had to be engaged in conversations about what constituted good government.

Early national religious societies were political communities on a small scale where participants tested forms of government, representation, and constitutions. At the same time, religious societies were political communities on a cosmic scale. Their primary function was to worship God, and their primary concern was souls. By aiming to provide good government and guaranteeing the rights and privileges of church members and the rights and privileges of churches from the encroachment of the state, congregational leaders blurred the boundaries between the civil and the religious sphere. No one questioned that authority came from God, but they did question who was responsible for representing God's authority in their congregations. How, they wondered, does a society constitutionalize God? The form and function of republican churches, the source of religious authority and the appropriate boundaries and overlaps between the civil and religious spheres were very much an open question.⁷⁴

II. Writing Constitutions

The struggle against the Anglican establishment in both Charleston and New York had helped give form to the popular protest against Britain, and even after the

⁷⁴ The term "republican" is multifaceted and laden with meaning in the field of early American history. I use it here in its most literal sense: pertaining to a republic. See for example, Gordon Wood, *The Creation of the American Republic 1776-1787* (Chapel Hill and London: Published for the Omohundro Institute of Early American History and Culture at Williamsburg, Virginia, by The University of North Carolina Press, 1969, 1998) 46-90. Scholars have identified "republicanism" as a dominant ideology of the Revolution. According to Wood, republicanism was an ideal, espoused by Radical Whigs, urging the sacrifice of individual interests to the greater good, calling for public virtue, equality of rights, distrust of monarchy, and insisting that all people had a share in government. However, there is still a lot of debate about how to define republicanism and what role republicanism actually played. David Wootton describes some of these debates in the introduction to his book, *Republicanism, Liberty, and a Commercial Society, 1649-1776*, (Palo Alto: Stanford University Press, 1994) 1-41; In his farewell address, George Washington outlined the view that morality and an unspecific religion were necessary features for a stable society. He mused, "of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports." For the text of George Washington's speech, see The Avalon Project, Lillian Goldman Law Library, Yale University, "Washington's Farewell Address 1796," last modified 2008, http://avalon.law.yale.edu/18th_century/washing.asp

Revolution the specter of religious persecution continued to loom large. In order to protect communities against any potential future persecution, lawmakers in both cities institutionalized religious liberty in a very specific way—by creating legislation establishing that the incorporation of religious societies was a universal right. However, incorporation was a double-edged sword for churches. It presented them with certain guaranteed rights and clearly protected their freedom to worship. However, in order to accept the written contract that defined their rights, and which also made them distinct and private entities, they had to open themselves up regulation from the state. Church corporations had to submit their books to the state for audit every three years. They also had to accept that their confessions of faith and their government and structures, which were a fundamental part of how to worship and how to be a part of God’s holy order, must be consistent with the laws of the state.⁷⁵

Charleston’s Baptist churches were divided over whether or not they should incorporate. Edmund Botsford, a Baptist minister who worked outside the city but who participated in the Charleston Baptist Association, suspected that incorporation was unlawful, that it defied both the laws of God and the laws of man. Botsford had two central concerns. On the one side, he suspected that church corporations infringed on civil law by giving the state power to regulate churches. On the other side, he presumed that experimenting with church government was not biblically sound. Corporations had

⁷⁵ The consistory of the Reformed Protestant Dutch Church acknowledges the law in their proceedings. August 3, 1797, Liber H 1795-1807, Minutes of the Consistory of the Reformed Protestant Dutch Church in the City of New York, CCC.

no groundings in scripture; instead they required churches to conform to a particular structure dictated by the profane world.⁷⁶

Nevertheless, many participants in organized religion in Charleston and New York embraced the opportunity to reform their structures and governments. Lay leaders in churches and synagogues were particularly enthusiastic about the task because many of them were also involved in some form of civil government or politics. In New York, three of the four signers of the Declaration of Independence served on church vestry boards. Philip Livingston was an elder and a deacon at the Dutch Reformed Church, and Lewis Morris and Francis Lewis would go on to hold seats on the Trinity Church board of Trustees.⁷⁷ Looking through the lists of men providing lay leadership to Protestant churches is like looking through a list of influential state politicians: the Jays, DeLancys, Livingstons, Burrs, Bleekers, Tompkins, Kings, Schuylers, Van Renssaelers, Rutgers, to name a few. The Spanish ambassador to the U.S., Don Diego de Gardoqui, and the famous French observer of American character, John Hector St. John de Crèvecoeur, contributed to the initial funding for St. Peter's Catholic Church. Lay leaders in Jewish synagogues also held bureaucratic offices. Jewish merchants, with experience in shipping, and with extensive networks of contacts in ports throughout the world, were invaluable to the new government. National, state, and city governments readily commissioned Jews into positions such as port officers, navy officers, Indian agents, consular agents, and diplomats.⁷⁸

⁷⁶ August 31, 1789, Edmund Botsford to Richard Furman, Edmund Botsford Family Papers, South Carolina Baptist Historical Collection, Furman University, Greenville, South Carolina. Botsford's warnings went unheeded and the Charleston Baptist Association incorporated in 1792.

⁷⁷ The fourth signer, William Floyd, was a Presbyterian, though I am uncertain if he served on a vestry board.

⁷⁸ "The First Jews in American Politics," in *The Jews of the United States 1790-1840: A Documentary History*, Vol. 2, eds. Joseph Blau and Salo Baron (New York and London: Columbia University Press,

In Charleston, the same families whose names topped the ballots and appeared over editorial bylines stood for election to serve in their church governments. Peter Freneau, a radical Democratic-Republican newspaper editor and enthusiastic Jeffersonian was a vestryman for St. Michael's. John Rutledge, Charles Pinckney, and Charles Cotesworth Pinckney, three of the four delegates to the U.S. Constitutional Convention from South Carolina were also Episcopal lay leaders. In fact, most of the men representing the parishes of St. Michael's and St. Phillips in civil government were officials in those churches: the Pinckneys, the Rutledges, William Drayton, John Julius Pringle, Thomas Grimké, Francis Kinloch, John Moultrie, and Gabriel Manigault, to name a few.⁷⁹

In the aristocratic, socially stratified city of Charleston, Episcopalians usually held the highest state and national offices. Nevertheless, a number of lay leaders in formerly dissenting churches—Congregationalists, Presbyterians, Baptists, and Lutherans—also managed to win influential civil positions and participated in constitutional conventions. Congregationalist David Ramsay was a delegate to the Continental Congress and was president of the South Carolina Senate for seven years. Ramsay's coreligionist, Richard Hutson, was the first mayor of Charleston after the war. Charleston dissenters, who dominated the ranks of middling professions, such as lawyers and merchants, often held positions in national, state and city bureaucracies.⁸⁰

1963) 306-307. Also, in the early decades of the nineteenth century, Jewish printers and newspaper editors—most notably Naphtali Philips and Mordecai Noah of New York, Isaac Harby of Charleston, and Isaac Leaser of Philadelphia—contributed to and sparked political debates through the press.

⁷⁹ Walter Frasier, *Charleston! Charleston! A History of a Southern City* (Columbia, SC: University of South Carolina Press, 1991) 112.

⁸⁰ The XIII clause of the 1778 state constitution preserved the tradition of organizing election jurisdictions around the Anglican parishes, and holding elections in Anglican churches; The Charleston City Council Records list members elected to city offices. Several of the men listed as City officers in the City Council Records were officials in the Circular Congregationalist Church, including Morton Warring, John

Even ministers had political credentials. Presbyterian minister John Rodgers participated in the convention to draft the New York State Constitution. John Gano, minister of the First Baptist Church, was a chaplain for George Washington during the war. Samuel Provoost, the first Episcopal Bishop of the Dioceses of New York was nearly fired as an assistant minister at Trinity Church in 1769 for his Whig leanings and his early support for independence.⁸¹ In Charleston, Congregationalist William Tennent and Baptist Oliver Hart spearheaded the movement to include statutes for religious freedom in the state constitution. The two men traveled through the Carolina backcountry during the war soliciting support for independence. Baptist ministers Richard Furman and Evan Pugh served as delegates to the South Carolina's state constitutional convention. Furman was also good friends with the Virginia firebrand, Patrick Henry. He lived in one of Henry's houses during the Revolutionary War after he fled the state when it fell to the British in 1780.⁸²

Throughout the 1780s, 1790s, and 1800s clergy and lay leaders embraced the project of writing constitutions and bylaws for their individual congregations and denominational associations. When congregations crafted constitutions and bylaws, they outlined the responsibilities of the different branches of government, they asserted their rights vis-à-vis the state, and they critically examined their rites and disciplines, making necessary changes to their confessions of faith. As the Constitution of the Reformed

Christopher Faber, Richard Hutson, and William Roach. Alexander Edwards, *Ordinance of the City Council of Charleston, in the state of South-Carolina, passed since the incorporation of the city* (Charleston: W.P. Young, 1802), Charleston County Public Library, Charleston, SC.

⁸¹ Samuel Miller, *Memoirs of John Rodgers, D.D.: Late Pastor of the Wall-Street and Brick Churches in the City of New York* (New York: Published by Whiting and Watson, 1813) 216; John Gano, *Biographical Memoirs of the Late Rev. John Gano, of Frankfort (Kentucky): formerly of the city of New York* (Printed by Southwick and Hardcastle, 1806) 93; Charles Tiffany, *A History of the Protestant Episcopal Church in the United States of America* (New York: Charles Scribner's Sons, 1895) 184.

⁸² James Rogers, *Richard Furman: Life and Legacy* (Macon: Mercer University Press, 2001) 41.

Dutch Church in the United States stated, “the Constitution of a Church appertains its Doctrines, mode of Worship, and Government.” These documents intermixed the spiritual and the temporal, delineating the rights and responsibilities of ministers, lay leaders, and parishioners, the ways members would be disciplined, who was eligible for Holy Communion.⁸³

Several congregations were explicit about working through how a church in a republic differed from a church in a monarchy or a theocracy. For example, according to the rules governing Charleston’s St. Michael’s Protestant Episcopal Church, before elected officials took office they had to swear an oath to “faithfully conform to and Strictly observe the Laws of South Carolina and Acts of Assembly as established by the Constitution.”⁸⁴ After Charleston’s Second Presbyterian Church was founded in 1809, they confronted the issue of legitimate authority directly in the preamble to their bylaws. The constitution boldly stated that any “association or union of Men, either for civil or religious purposes must of necessity be governed by certain known and established rules.” While the framers of the constitution acknowledged that their government was based on the indisputable word of God, they suspected that there was enough doubt among the congregation about the specifics of how God’s law applied to the corporation to require elaboration.⁸⁵

The Congregationalist Church in Charleston adopted a constitution in September of 1787, which they titled, “The Constitution or form of Government of the Independent

⁸³ A charter was a requirement of incorporation, but a constitution was not; *The Constitution of the Reformed Dutch Church in the United States of America* (Printed and Sold by William Durell: New York, 1793)

⁸⁴ February 27, 1803, Minute Book 1759-1824, St. Michael’s Church, SCL, 148-149.

⁸⁵ *The By-Laws of the Second Presbyterian Church of the City and Suburbs of Charleston*, Second Presbyterian Church records, 1809-1981, SCHS.

or Congregational Church Worshipping in Meeting and Archdale Street in Charleston South Carolina.” The document detailed why the congregation was compelled to develop a constitution, adopting the language of “unalienable rights” employed in the declaration of independence. They explained, “In matters of Church Government, we hold it to be an unalienable right, as a Christian Church, to govern ourselves in such manner, as to us appears most expedient, and best suited to our circumstances...”

The Congregationalist constitution was mostly procedural. It defined who was eligible to vote in matters concerning the temporal affairs of the church: “all male white persons, of the age of twenty-one years, or upward,” who attended the church regularly, took communion, paid rent on a pew, and followed the rules. It explained the roles of different elected officials: the deacons, treasurers, and wardens and it established the procedures of the vestry board. The constitution also outlined the steps new members would have to take to join the church. First, they would have to “privately satisfy the pastor...of the sincerity of their profession,” and then all of the members, not just the white men over twenty one, would vote whether or not to accept the applicant. Notably, the constitution specifically laid out some important features about the relationship between the minister and the congregation. For example, it explained that the congregation was open to inviting ministers from “any one denomination of Protestant Christians,” to serve the church, not exclusively ministers trained as Congregationalists. They acknowledged that a minister had every right to hold “different opinions of church government, from what we hold,” and that a minister was at “full liberty to follow his own judgment, in all matters which concern himself.” Nevertheless, the constitution

prohibited a minister holding different views about church government from attempting to impose them on the congregation.⁸⁶

St. John's German Lutheran Church in Charleston adopted bylaws in 1786, which they revised in 1810, making them much more extensive. The new bylaws chronicled their procedures—elections, the role of the vestry, pew rents, membership requirements—and the protected rights of the congregation from the potential infringement of the minister. It also explored finer details, such as who was eligible for charity, what language the congregation would use for hymns, and how often the organist would play.⁸⁷

In 1796, the Society of United Christian Friends, or the Universalist Church in New York also adopted a detailed constitution. The constitution explicitly commanded that members had to abstain from “disobedience to the Holy law of God.” The constitution expounded on how members would be admitted and expelled as well as how Elders would be elected and precisely delineated their responsibilities. It listed the ceremonies and celebrations that members had to participate in to fulfill the mission of the church, and the specific measures that the congregation had to carry out. They had to participate in Holy Communion, avoid drunkenness, quarrelling, fighting, and “excess.” Notably, the constitution made a point out of avoiding clauses or measures that were dogmatic or polemical. It specifically refrained from developing measures on baptism. The Christian Friends accepted that baptism was an “ordinance of the Gospel” but they

⁸⁶ September 1787, “Constitution or form of Government of the Independent or Congregational Church worshipping in Meeting and Archdale Streets in Charleston, South Carolina.” Record Book of the Independent or Congregational Church, 1730-1796, SCL, 235-238.

⁸⁷ August 3, 1810, “Standing and Governing Rules,” Rules of the Lutheran Church of German Protestants, Charleston, 1784-1810, SCL, 1-13.

did not want to take a position on how it should be administered, not wanting to legally alienate potential members from their fledgling congregation.⁸⁸

Non-Protestant congregations also incorporated, organized trustee or vestry boards, wrote constitutions, and worked deliberately to innovate their governments. In 1790, the South Carolina legislature jettisoned the 1778 state constitution, adopting a new one ending the general Protestant establishment and extending religious freedom to Jews and Catholics. Charleston's St. Mary's Catholic Church petitioned for, and received, an act of incorporation in 1791. Against the fierce objections of the bishop of the United States Catholic Church based in Baltimore, St. Mary's organized a vestry board and developed bylaws. In fact, in 1800, lay leaders made a radical statement against the ecclesiastical hierarchy by asserting that a priest was not a member of the vestry, he was simply an employee of the congregation.⁸⁹

New York's Jewish Synagogue, Shearith Israel, incorporated in 1784 and ratified its constitution in 1790. Historian Jonathan Sarna has observed that Shearith Israel was the first religious society to include a bill of rights in its constitution. Echoing the language of the preamble of the U.S. Constitution, the congregation opened their document proclaiming, "We the members of K.K. Shearith Israel." They continued:

Whereas in free states all power originates and is derived from the people, who always retain every right necessary for their well being individually, and for the better ascertaining those rights with more precision...form a declaration or bill of those rights. In a like manner the individuals of ever society in such state are entitled to and retain their several rights, which ought to be preserved inviolate.

⁸⁸ Constitution, 1796. Society of the United Christian Friends in New York, Records. BV New York City Churches, NYHS, 1-18.

⁸⁹ Richard Madden, *Catholics in South Carolina: a Record* (Lanham, New York, and London: University Press of America, 1984) 21-25; For St. Mary's struggle for local control and the Dioceses objections to it, see Mary Lucinda Morgan ed., *The Vestry Records of St. Mary's Roman Catholic Church, Charleston, South Carolina, 1806-1823*. Thesis, University of South Carolina, 1982. Morgan's thesis is a transcription of the vestry records.

Similar to other Protestant congregations, the synagogue used their constitution as an opportunity to reflect on what it meant to be a religious society in a republic, and also how their status as a corporate church gave them the autonomy to preserve their distinct traditions.⁹⁰

While New York Protestants also developed forms of government for their particular congregations in charters, bylaws, and constitutions, many were more focused on developing constitutions for their state or national denominational associations, which were more extensive because they would affect and structure multiple congregations.⁹¹ In 1793, John Henry Livingston, the senior minister at the Collegiate, or Dutch Reformed Churches in New York, presided over the convention to update the text of the 1619 synod of Dort, which had outlined the discipline of the Dutch Reformed Church for almost two hundred years. The resulting document, “The Constitution of the Reformed Dutch Church in the United States of America” acknowledged that, “The Church is a Society, wholly distinct in its principles, laws and end, from any which men have ever instituted for civil purposes.” Still, it recognized that, “In America, since the late happy revolution, the Churches of different denominations have found it necessary to organize themselves, agreeably to the present state in which the good providence of God hath placed them...” and therefore it consciously omitted every paragraph of their previous documents relating

⁹⁰ Quoted in Jonathan Sarna, *American Judaism: A History* (New Haven: Yale University Press, 2004) 42. For Jewish Constitutional Documents see Daniel Elazar, et. al., *A Double Bond: The Constitutional Documents of American Jewry* (Lanham and London: University Press of America, 1992); and Joseph Leon Blau and Salo Wittmayer Baron, *The Jews of the United States, 1790-1840: a Documentary History, Volume II* (New York: Columbia University Press, 1963).

⁹¹ I have been unable to locate the text of the Constitution of the Collegiate Dutch Church in New York, but the consistory records make multiple references to its existence: May 4, 1797; August 24, 1797; May 2, 1800; November 7, 1811; November 6, 1834, Minutes of the Consistory of the Reformed Protestant Dutch Church in the City of New York, Collegiate Church Corporation, New York, NY. 4th Presbyterian, also know as “The Benevolent Society of the Associate Congregation of New York City,” ratified its constitution on January 31, 1806, Records of the Benevolent Society of the Association Congregation of New York City (1795-1888), NYHS.

“to the immediate authority and interposition of the magistrate in the government of the Church, and which is introduced more or less, into all the national establishments in Europe.”⁹²

Anglicans had the most pressing need to update their structure and government, since the King of England was the head of the Anglican Church. Anglicans created a new denomination in the wake of American Independence: the Protestant Episcopal Church of the United States. Many Episcopalians were just as committed as their Reformed colleagues to the project of creating governments for their churches that guaranteed certain civil rights and that were consistent with civil laws. Cadwallader Colden, the son-in-law of Episcopal Bishop Samuel Provoost, described the transition in this way:

No sooner had the country established its political independence, than the members of the Church thought not only of freeing it from all foreign ecclesiastical jurisdiction, but of establishing for it, as far as circumstances would permit, a republican government; that is, an elective and representative government; in the formation of which the members of the Church seem also to have had in mind as a model, the federative constitution of the country: the State convention would be in the place of the State legislature, and the general convention would be the Church Congress.⁹³

In 1784, clergy and lay leaders from the Protestant Episcopal Church gathered in Philadelphia to draft a denominational constitution and amend their prayer books and liturgy, removing references to the King of England and to a church establishment.⁹⁴

The vestry board of Trinity Church in New York declared that their society foreswore and abrogated every act passed by their colonial precursors that interfered with

⁹² Reformed Church in American, “The Constitution of the Reformed Dutch Church,” iii-viii.

⁹³ Cadwallader Colden, “Memoir of Bishop Provoost,” in Joseph Salkeld, James Mackay, and William H. Onderdonk, *The Evergreen* (Evergreen, 1844) 196.

⁹⁴ *Journals of the General Convention of the Protestant Episcopal Church in the United States of America: From the Year 1784, to the Year 1814, Inclusive, Also, First Appendix, Containing The Constitution and Canons and Second Appendix Containing Three Pastoral Letters* (Philadelphia: Published by John Bioren, 1817) 5-16.

“the free Exercise and Enjoyment of religious Profession and Worship” in the state.⁹⁵

The diplomat and jurist, John Jay—who was also a vestryman at Trinity Church—passionately lobbied Trinity’s vestry board to pass a resolution requiring that the congregation’s delegation to the 1789 constitutional convention of the Protestant Episcopal Church of the United States oppose any draft that did not insist on the equality of the clergy and the laity in all legislative matters.⁹⁶

Delegates at a convention of the Protestant Episcopal Church of South Carolina agreed to maintain the doctrines and gospels of the Church of England, but they declared that the church was now, “independent of all foreign authority, Ecclesiastical or Civil.” The constitution of the Protestant Episcopal Church of South Carolina was procedural and juridical, but it also emphasized that it was a confession of faith as well as a governing document. It asserted that Protestant Episcopal Churches must worship according to the Liturgy, and that they could make no alterations to it other than those “made necessary” by the American Revolution. While the constitution required all laws of the church to be consistent with the laws of the state, it also declared that, once ratified, the constitution could never be changed or altered. The confession of faith may be eternal, but the laws of the state were not. The constitution, ratified in 1786, had no provisions for what would happen if the state ever adopted a new constitution, which it did four years later in 1790.⁹⁷

⁹⁵ “An Act for Making such Alterations in the Charter of the Corporation of Trinity Church, as to render it more conformable to the Constitution of the State,” April 17, 1784. Reprinted in a pamphlet titled “The Charter of Trinity Church in the City of New York,” 28, TCA.

⁹⁶ October 19, 1789, Minutes of the Vestry, the Corporation of Trinity Church, vol. 1, 521, TCA.

⁹⁷ Journal of the Convention of the Protestant Episcopal Church in the State of South Carolina of 1786, reprinted in Frederick Dalcho, *An Historical Account of the Protestant Episcopal Church in South Carolina* (Charleston, 1820) 469, 473.

When religious societies structured themselves as corporate, constitutional entities, they provided further leadership opportunities for the social and economic elite. At the same time, they also became training grounds where people disqualified from voting or holding public office on the basis of race, class, and gender participated in self-governance. For example, by the early decades of the nineteenth century, African Americans in New York had established three independent black churches: African Methodist Episcopal, (1796), Abyssian Baptist Church (1808), and St. Philip's Episcopal Church (1818). African Americans formed their own worship communities within all of Charleston's churches. After a dispute over the burial ground at Charleston's Methodist church in 1816, a group of black members broke off to form their own, self-governing religious society, affiliated with the African Methodist Episcopal Church.⁹⁸

Clergy and lay leaders in black churches were major contributors to discussions and critiques about the nature of freedom and liberty in the United States. These churches were sites where challenges to slavery and the exclusion of people from the rights of citizenship based on race were taking place. For example, Denmark Vesey, who allegedly instigated the plans for a major slave rebellion in Charleston in 1822, was a lay leader in the AME church. Contemporaries argued that much of the support for the rebellion came from the congregation, implying that in black congregations as well as mixed congregations and white congregations, churches were important sites for conversations about good government and civil rights. The same held true in New York. Representatives from the AME church in New York organized to insist on the right to

⁹⁸ Historians have often observed how religious communities created autonomous spaces for slaves and free blacks. For example, Sylvia Frey and Betty Wood argued that Christianity gave blacks a collected identity that bridged ethnic divisions and helped to form a coherent community. Sylvia Frey and Betty Wood, *Come Shouting to Zion: African American Protestantism in the American South and British Caribbean to 1830* (Chapel Hill and London: The University of North Carolina Press, 1998).

ordain their own ministers and develop their own confessions of faith and books of doctrine.⁹⁹

More information exists on black churches in Philadelphia than in either New York or Charleston, in large part because Philadelphia was the home to the first independent black congregation. In 1787, Methodist preachers Richard Allen and Absalom Jones left Philadelphia's St. George's Methodist Church to establish their own denomination. Allen and Jones grew increasingly disillusioned when white leaders at St. George's insisted on greater segregation, even as the church continued to attract more black members. Historian Richard Newman has argued that in his new congregation, Richard Allen vigilantly fought for autonomy for his church and for its members. Allen was convinced that democracy led to autonomy and he made a point to govern the church on the principle of an electoral mandate. Allen was influential in the founding of Charleston's AME church as well. When 4,000 black Methodists withdrew from the city's churches in 1817, Allen sent a delegation to the southern city to help them organize their new congregation. Morris Brown, the minister of Charleston's AME church, spent time with Allen in Philadelphia at the AME convention in 1818. It is likely, given the

⁹⁹ Francis Asbury Mood, *Methodism in Charleston: a narrative of the chief events relating to the rise and progress of the Methodist Episcopal Church in Charleston, S.C., with brief notices of the early ministers who labored in that city* (Published by E. Stevenson and J.E. Evans, for the Methodist Episcopal Church, South, 1856) 132-133; Edward A. Pearson, *Design Against Charleston: The Trial Record of the Denmark Vesey Slave Conspiracy of 1822* (Chapel Hill and London: The University of North Carolina Press, 1999) 49-51; J. Gordon Melton, *A Will to Choose: The Origins of African American Methodist* (Lanham: Rowman & Littlefield Publishers, 2007) 108-119. While the Denmark Vesey conspiracy significantly affected the public imagination in the nineteenth century, contemporary scholars have cast doubt on whether there actually was a conspiracy, how big it was, and what role Denmark Vesey played. For example, Michael Johnson has argued that the testimonies of slaves revealing the rebellion were tainted by whites who wanted to see the end of AME Zion. See Michael P. Johnson, "Denmark Vesey and His Co-Conspirators," *William and Mary Quarterly*, 3d ser., 58, no 4 (October 2001): 915-976.

connection between the two communities, that the Charleston church would also have adopted the mantra that “black democracy abetted black autonomy.”¹⁰⁰

The constitutional, procedural organization of post-revolutionary churches, and the innovations in church government simultaneously opened and precluded opportunities for female participation. The legalistic, constitutional modes of church government specifically excluded women, but women found others methods to influence church policy, subvert male leadership, and to assert the centrality of their participation. In the late eighteenth and early nineteenth century, more than 100 women preached nationwide in both official and unofficial settings.¹⁰¹ Female membership in early national churches far outstripped male membership and in urban areas and established communities, women dissatisfied with their worship experience or the opportunities available to them could leave their church and join another one with little difficulty. While women did not vote in vestry elections or hold offices in church government, women were active in charitable organizations often, though not always, associated with their churches. Female charitable societies raised money for schools, public works, relieving the distress of the poor, orphan asylums, and countless other causes. Many of these benevolent societies incorporated, and women served on their boards of trustees and drafted constitutions for their organizations.¹⁰²

¹⁰⁰ Richard Newman, *Freedom's Prophet: Bishop Richard Allen, the AME Church, and the Black Founding Fathers*, (New York: New York University Press, 2008) 135, 245.

¹⁰¹ Catherine Brekus, *Strangers and Pilgrims: Female Preaching in America: 1740-1845* (Chapel Hill: University of North Carolina Press, 1998) 3.

¹⁰² Ann Boylan, *The Origins of Women's Activism: New York and Boston 1797-1840* (Chapel Hill and London: The University of North Carolina Press, 2002). For an example of constitutions for female charitable societies see, “The Constitution of the Ladies’ Benevolent Society of Charleston and the Regulations for the Visiting Committees,” (Charleston: Printed by A.E. Miller, 1852); Susan Juster has argued that the exclusion of women from leadership roles in church government in some churches, particularly the Baptist Church, was a consequence of the Revolution. Juster argues that in the Baptist Church, women participated widely in church leadership in the middle decades of the eighteenth century.

Early proponents of women's rights embraced the idea that churches should reflect the social order, and used it for their own ends. They argued that if men and women took on roles of equal importance in the household, then men and women should both take on roles in the institutions organizing public life. Conversely, some argued that by privileging office holding in their churches, men had put earthly projects ahead of God's projects, implying that women should be more involved in directing the activities of churches. When Elizabeth Cady Stanton and Elizabeth McClintock defended the Seneca Falls convention and their demands for equal rights, they did so largely on the basis of religious liberty, urging women to unbind their fettered spirits. Stanton and McClintock were outraged that men, particularly Protestant ministers, would not engage with them in conversations about women's rights, but would preach against them from the pulpit on Sundays. They suspected that ministers confined their views to sermons rather than debates so they could lecture without having to answer questions.¹⁰³

Charlestonians and New Yorkers struggling to realize and institutionalize what constituted legitimate authority and how government should work in a republic, brought the same questions and concerns to their complex and extensive churches and synagogues. Clergy and lay leaders embraced the opportunity to incorporate and to write constitutions and bylaws. In the process, they came no closer to fixing a stable or concise definition of religious liberty—the concept that, more than any other, underwrote the

Inspired by the revivalism of the Awakening in the 1740s, evangelicalism was gendered female. Baptists associated themselves with the margins of society and privileged the heart over the head. However, during the Revolution, in order to participate as patriots, Baptists began to conform to the religious establishment by showing a new, male, enthusiasm for the more abstract, legalist mode of authoritarian relations promoted by revolutionary political discourse. Politics and the nation were gendered male, and women were excluded from participating in leadership roles. See Susan Juster, *Disorderly Women: Sexual Politics and Evangelicalism in Revolutionary New England* (Ithaca: Cornell University Press, 1994).

¹⁰³ Nancy Isenberg, "Pillars in the Same Temple and Priests of the Same Worship': Woman's Rights and the Politics of Church and State in Antebellum America," *The Journal of American History* 85:1(1998): 98-100.

project. They intertwined the structures of civil government and an urge to locate sovereignty and legitimate sources of authority with their forms of worship. The religious and civil arenas contained separate institutions, but those institutions developed in tandem, and many of the same people were involved in constructing them both. Furthermore, they imbricated their colonial commitment to corporate rights with new innovations and ideas about liberal, representative government. One thing was certain; churches were important sites where discussions about the nature of politics and government were taking place.

III. Critics

When clergy and lay leaders approached the task of reorganizing their churches and synagogues following the American Revolution, many were explicitly concerned that churches should be free organizations. They were acutely aware that they had to remain vigilant against specious authority in all its forms. The overlapping goals of civil and religious institutions were not necessarily problematic for those who supported innovations in church government. As long as the two spheres were working in common cause, and organizations had the proper safeguards in place, there was little need for strict boundaries.

At the same time, innovations, particularly innovations that specifically aimed to make religious government compatible with civil government, had their critics. Proponents of more traditional interpretations of religious authority were more cautious about blurring the boundaries of the civil and religious spheres. Traditionalists protested that religious organizations were necessarily hierarchical; God ordained obedience.

Therefore, religious leaders needed to make every effort to keep churches separated from the civil and the secular arena. Critics suspected that reforms inspired by political innovations had no place in religion. While churches had to function in a federal republican context, they were specifically not republican institutions. Most churches contained both factions—innovators and traditionalists.

John Bowden, an Episcopalian commentator from New York, expressed these traditionalist concerns. He circulated a pamphlet, addressed to “Members of the Protestant Episcopal Church in the United States of America,” challenging the idea that religious societies had to update their constitutions. “It is to be feared,” Bowden protested, “that absurd notion of conforming the government of the church to that of the state, prevails too much amongst us.” Bowden insisted that church government and civil government were fundamentally different and distinct and that innovators were foolish and ignorant to think that they could determine the nature of church government by using the principles of “political science” or other “mode[s] of reasoning which prevail in determining the governments of this world.” The “kingdom of God” did not refer to a physical kingdom ruled by a physical king. Christ was King of a spiritual kingdom. The constitution of the primitive church—that is, the Christian Church in the years immediately following the death of Jesus Christ—was the only basis for church government. That was the case, according to Bowden, because the age of the primitive church was the only period where the church was free from the influence of worldly politics. Church government was hierarchical, authoritarian, and unchanging.¹⁰⁴

¹⁰⁴ An Episcopalian [John Bowden], *An Address to the Members of the Protestant Episcopal Church in the United States of America* (New York, 1792) 3, 6, 12.

Alexander Miller, a New York Presbyterian, agreed that Christ's kingdom was separate and distinct from the physical world. However, his objections were less absolute than Bowden's. He acknowledged that, "every community must have some form of government," but he feared that innovators were taking radical notions too far in their church governments. Miller contended that the principal theme in the writings of the apostles was the distinction between the rulers and the ruled. The Bible designated certain bodies or households to rule and others to obey. Updating church government became dangerous when congregations constituted themselves on too broad a base of popular participation. Miller maintained that, "the government of the church is lodged not in the body of the people, or the brotherhood, but in rulers invested with authority derived from the great head of the church." Allowing an "indiscriminate multitude" the right to participate in matters of government and discipline would only lead to chaos, which would pave the way to the tyranny and authoritarianism they were hoping to prevent in the first place.¹⁰⁵

A Charleston writer, dubbing himself "A Liberal Presbyterian" was also skeptical of church constitutions, but his critiques sprang from a radically different source. He was suspicious that they gave too much power to a central governing board and undermined the basic autonomy of the people in the congregation. "A Liberal Presbyterian's" principal concern was over jurisdiction. The constitution of the Presbytery of Charleston did not specify any means through which congregations could oppose the General Assembly. It did not give congregations the option to remain independent from the synod, or outline any appellate process. He mused that extensive, rigid governing

¹⁰⁵ Alexander Miller, *An Essay on Church Government*, (Albany: Whiting and Leavenworth, 1801) 11-13, 21.

documents were the tool of excessive, centralized power and that they promoted exclusive or potentially aristocratic forms representation. They invested too much power in the executive branch, institutionalizing the tyranny they had hoped to circumvent. Instead, he promoted a system of church government that was more democratic and that encouraged more local forms of participation. Strong constitutions were the problem, not the solution.¹⁰⁶

Bowden and Miller claimed that their goals were strictly apolitical—to endorse a system of church government free from the corruptions of civil politics by preserving the structures and disciplines from apostolic times. However, both men’s writings were essentially another version of the federalist/antifederalist debates over the U.S. Constitution. Their writings demonstrate how difficult it was, even for opponents of innovations in church government, to separate their motivations from civil politics, since the conversations were rooted in a shared culture of inquiry into good government, sovereignty, legitimate authority, and political participation. For example, Bowden’s views on the hierarchical, authoritarian, nature of the primitive church mirrored two contemporary debates. First, his remarks forwarded a “high church” interpretation of the Protestant Episcopal Church. Second, they supported a Conservative Federalist interpretation of government and society.

When the Protestant Episcopal Church broke from the Church of England, their challenge, as the Bishop of Philadelphia, William White, explained, was to balance “apostolic usage, and a regard to the duties which becomes us as citizens of one

¹⁰⁶ August 8, 1799, A Liberal Presbyterian, City Gazette, Charleston, South Carolina.

confederate republic.”¹⁰⁷ Conservative, or “high church” Episcopalians were reluctant to give up their tradition of hierarchical government in favor of more inclusive structures. They preferred a system where a series of Bishops held the supreme authority, and where their discipline insisted on strict obedience to social superiors. In contrast, “low church” Episcopalians supported a broader base of participation and preferred that congregations had more individual autonomy rather than rely solely on the authority of the bishop. When deciding on their new form after the Revolution, Episcopalians compromised. They retained the ecclesiastical hierarchy, but they gave laity and lower clergy the right to vote on legislation, as John Jay insisted.¹⁰⁸

Despite the enthusiasm for representative government among Jay and many of his colleagues, conservative Episcopalians found that the argument for the separation of church and state—the argument that their hierarchical church government existed outside the civil sphere—was very useful when attempting to justify their stratified, undemocratic tendencies. Samuel Seabury, the Bishop of Connecticut explained, “The government of the Church by Bishops, we hold to have been established by the Apostles, acting under the commission of Christ, and the direction of the Holy Ghost; and therefore is not to be altered by any power on earth, nor indeed by an angel from heaven.”¹⁰⁹ Church government could not be revised, extended, or democratized, without sacrificing its *raison d’être*. Since the physical and spiritual polities were distinct, the church could operate outside of the realm of civil politics and it should be free from the interference of the state. Also, by focusing on the primeval nature of their government, they could retain

¹⁰⁷ Quoted in Nancy Rhoden, *Revolutionary Anglicanism: The Colonial Church of England Clergy During the American Revolution* (New York: New York University Press, 1999) 41.

¹⁰⁸ John Frederick Woolverton, *Colonial Anglicanism in North America* (Detroit: Wayne State University Press, 1984) 235.

¹⁰⁹ Quoted in Rhoden, *Revolutionary Anglicanism*, 139.

their theological conservatism and at the same time absolve themselves of any historical, or embarrassing, connections to England.

Whether he admitted it or not, Bowden's pamphlet was also a statement on the structure of society. The American Revolution slackened medieval and early modern conceptions that society was naturally and unrelentingly hierarchical and based on deferential bonds. Nevertheless, deferential attitudes persisted among conservative Americans. Early modern traditionalists maintained that social advancement was impossible and status was preordained. Some men were born to govern, and some men were born to labor. Many English colonists paying attention to imperial politics in the 1760s and 1770s held on to their allegiance to the king until the eleventh hour. They blamed the tax increases and invasive policies on Parliament, believing that ministers had bad or misinformed information, or that they acted without the King's knowledge or consent. During the war, 15 to 20 percent of the population remained Loyalists. Though many loyalists fled the United States for England, Canada, and the British West Indies after the war, most remained and reintegrated into their communities. Bowden's comments mingled strains of enduring monarchism in the United States, with conservative Episcopalian theology.¹¹⁰

¹¹⁰ Pauline Maier, *From Resistance to Revolution: Colonial Radicals and the Development of American Opposition to Britain, 1765-1776* (New York: Norton, 1972) 198-227; Gordon Wood, *The Radicalism of the American Revolution* (New York: Vintage Books, 1991) 86-87; For a discussion on enduring monarchism in the United States, see Brendan McConville, *The King's Three Faces: The Rise and Fall of Royal America, 1688-1776* (Chapel Hill: The University of North Carolina Press, 2007). McConville argues that historians have exaggerated the extent to which liberal ideas of freedom motivated the American Revolution. He proposes that American colonists were deeply monarchical. However, they had a different conception of monarchy than their confederates in England largely stemming from differing interpretations of the Glorious Revolution. Britons developed a commitment to the sovereignty of Parliament and a limited monarchy, while colonists focused on the "benevolent royalism" of the King-in-Parliament. McConville proposes that the anger and resentment colonists directed against Britain and against King George—anger and resentment grand enough to fuel a war for independence—stemmed from Parliament's imposition of their view of monarchy as parliamentary supremacy in the 1760s. McConville maintains that colonists rejected the King in the American Revolution because he betrayed them, but that

Miller's writing was also a statement on the body politic. His pamphlet was simultaneously a sales pitch for the Presbyterian Church, as well as an expression of proto-partisanship. He presented a model for society common among American Federalists. In general, Federalists envisaged that the nation would retain vestiges of an aristocracy, but a natural, or open aristocracy, where men of talent, regardless of their birth, could rise to the top. While Bowden looked to the primitive church to justify Episcopal government, Miller believed that the primitive church evidenced the supremacy of the Presbyterian government. In his pamphlet, Miller was explicitly criticizing the Congregational Church. Congregational Churches had the same basic Reformed traditions and confession of faith as the Presbyterian Church, but the sister churches had distinct structures. Individual Presbyterian congregations were connected together in networks called synods. Congregationalist churches rejected extensive associations, preferring the unfettered autonomy of the congregation.¹¹¹

Miller did not just argue that his readers should prefer the Presbyterian form of government. He went one step further, proposing that the Congregational form of government was dangerous and potentially corrupt. The absence of a synod or a

did not mean that they abandoned a monarchical political tradition. He insists, "much of empire's epistemological and behavioral norms remained, shorn of their ritualistic expressions and iconography" through the Jacksonian period.

¹¹¹ For a good explanation of Federalism, see Stanley Elkins and Eric McKittrick, *The Age of Federalism* (New York and Oxford: Oxford University Press, 1993). Elkins and McKittrick argue that the Federalists were the rational party, while the Republicans were the idealists. They suggest that the Federalists had an alternative vision to the intensely localist political system that eventually prevailed. However, the nation paid a big price as a result of the Federalist defeat in 1800. Still, Elkins and McKittrick concede that the defeat was warranted. After 1796 it was clear that it was the Republicans, not the Federalists, who were more in touch with the realities of their world. While Elkins and McKittrick explore the ideological, court v. country, differences between the parties, they propose that the political polarization of the 1790s was more practical than intellectual. It was a function of the differences over domestic and foreign policy issues growing out of Alexander Hamilton's financial plan and the French Revolution; The term "Presbyterian" even referred to a system of government. A Presbyterian government was a representative government wherein members elected "elders" to administer the church and to enforce doctrine and discipline. Additionally, the Presbyterian Church was organized synodally. Presbyterian Churches entered into "synods," or regional associations of Churches.

governing association made it too popular and its democratic tendencies damaged American society. Miller reinforced the Federalist party line, which was skeptical of the “masses” and continued to advocate a separation between “ruler” and “ruled.” His arguments echoed a strain of Aristotelian, or “Real Whig” philosophy that proposed that there were three types of governments: Monarchy, Aristocracy and Democracy. All three types, on their own, had the potential to become tyrannical. Monarchy would dissolve into authoritarian despotism, aristocracy would dissolve into oligarchy, and democracy would dissolve into anarchy. Therefore, the best government was a republican government that balanced the three. Government should be composed of elected bodies but the men who represented the public should be far enough removed from the masses that they would not be influenced by popularity, prejudice, or self-interest.¹¹²

Presbyterians regularly described their structure in terms of civil government, even if individuals might believe that the secular and spiritual spheres were unique and distinct. Arguing that the Presbyterian Church came the closest to the model outlined in the New Testament, Samuel Miller, the minister of the Wall Street Presbyterian Church in New York City proposed the following schema:

There are four distinct forms of Church order, each of which claims a Scriptural warrant:-
-the Papal, or spiritual *monarchy*,--the Episcopal, or spiritual *prelacy*,--Independency, or
spiritual *democracy*,--and Presbyterianism, or spiritual *republicanism*.

The Presbyterian form, according to Samuel Miller, was not only the form of government closest to that of the primitive church, it was the form of church government closest to the American civil government. In fact, Samuel Miller surmised, Presbyterians had, from

¹¹² For discussions of “Real Whig” Ideology see Bailyn, *Radicalism of the American Revolution*; Bernard Bailyn, *Origins of American Politics* (New York: Vintage, 1970); and Gordon Wood, *The Creation of the American Republic 1776-1787* (Chapel Hill and London: Published for the Omohundro Institute of Early American History and Culture at Williamsburg, Virginia, by The University of North Carolina Press, 1969, 1998).

their inception, governed themselves in a representative polity, meaning that the United States government was actually based on Presbyterian government. The Presbyterian Church, according to Samuel Miller, was able to balance a broad base of participation, the freedom of local and regional assemblies, and all the while, “bind the whole body together as one Church.” By connecting representative government so inextricably to their church government, Presbyterians could rhetorically root themselves as the natural and essential national community.¹¹³

By casting his thoughts on church government in terms that simulated so perfectly Whig and Federalist positions, Alexander Miller accomplished three things. First, he comprehensively condemned the Congregationalist Church—it was a model of bad government, an anarchical institution. Second, he projected that the Federalist ideas of government had resonance in several spheres: political, social and religious. His vision of church government overlapped and reinforced this popular but embattled vision of civil government. Finally, he naturalized the government of Presbyterian Church. Again, the reference to the primitive church was useful. Miller could reject the notion that churches were open to innovation, or that they needed safeguards against tyranny vested in constitutions and bylaws. The primitive church *was* a Federalist government. If the primitive church, at its conception, was based on representative government, guided by an elite electorate free from democratic chaos, then orthodox Presbyterians could preserve a strict, conservative discipline and portray themselves as the quintessentially “American” church.

¹¹³ Samuel Miller, “Presbyterianism the Truly Primitive and Apostolic Constitution of the Church of Christ,” in *Manual of Presbytery*. (Edinburgh and London, 1842) 23.

“A Liberal Presbyterian” articulated his engagement in civil politics when he submitted his article to the *City Gazette*. “A Liberal Presbyterian” addressed his critique directly to the editors of the paper: Peter Freneau and Seth Paine. *The City Gazette* was a staunchly Democratic-Republican publication. Peter Freneau was the brother of Philip Freneau whose Philadelphia newspaper *The National Gazette* was a mouth piece for Thomas Jefferson and James Madison’s assaults of Federalism. The editors viewed their paper as a channel to South Carolina Republicans, informing them about news from Columbia and the capitol, and communicating information about meetings or any other Republican activities. “A Liberal Presbyterian” underscored his Democratic-Republican sympathies as much through his appeal to Freneau and Paine as his attacks on centralized government. When critics analyzed church government they artfully blended political sympathies, social critiques, and doctrinal preferences, even when they claimed to be free from the pollution of secular politics.¹¹⁴

In their writings on church government, polemicists such as Bowden, Miller, and “A Liberal Presbyterian” projected particular visions of what American government and society should look like in the new republic. Bowden hoped it would not look very different from colonial, or English society. Miller thought American society should still be governed by an aristocracy, but by an open aristocracy of ability where men of talent could rise to the top. “A Liberal Presbyterian” proposed that Americans should trust local and individual autonomy, not a powerful central government.

The nascent and uncoordinated partisanship emerging in the United States in the last two decades of the eighteenth century, roused by conflicting views about sovereignty,

¹¹⁴ See Richard B. Davis and Milledge B. Seigler, “Peter Freneau, Carolina Republican” *The Journal of Southern History*, Vol. 13, No. 3 (Aug., 1947) 395-405.

representation, local versus national power, and popular participation, spurred innovation and opposition to new forms of church government as well. Critics' views on civil government and views on church government did not always correspond. For example, while New York Presbyterian minister Samuel Miller staunchly supported religious orthodoxy, a position usually associated with Federalism, he had strong Democratic-Republican sympathies and was a loyal supporter of Thomas Jefferson.¹¹⁵ Nevertheless, observers of and participants in church government were actively involved in conversations about the nature of government and social organization in a constitutional society. Since church governments were generally small and local, yet contained sophisticated governing mechanisms, political commentators were able to witness what they perceived to be the limits and overreaches of constitutions, and hone their specific critiques of representative government. This is not to say that they applied civil political values to their churches, but rather, that their conceptions of legitimate government, factionalism, and sovereignty were shaped in some part through their experience with church politics. Consequently, lots of people with competing interests and beliefs, tried to both locate and fix, or blur and obscure, the messy and complex boundaries within the religious and civil spheres.

IV. Living Documents?

Balancing the physical and spiritual with the legal and political demands of reconstituting themselves in a federal republic, religious societies entered a critical and contentious minefield. They had to confront whether church constitutions were living

¹¹⁵ Samuel Miller Jr., *The Life of Samuel Miller* (Philadelphia: Claxton, Remsen, and Haffelfinger, 1869) 112.

documents that must grow and adapt with the times, or if they were literally sacred documents that could never be altered because they enshrined the churches fundamental doctrines. A number of congregations specified in their constitutions that the documents were unalterable, and also asserted that their government must be consistent with the laws of state, making no accommodations for what would happen if the laws of the state changed.¹¹⁶

While constitutions and bylaws laid out how religious organizations intended to modify their doctrines and disciplines to a new political environment, they unearthed a new set of problems. Blending the sacred and the secular in these constitutions had unintended consequences. Church government was essentially sacralized. As a result, it was difficult to amend, as orthodox, or “strict constructionist” religious leaders could insist that any proposed innovation, or popular reinterpretation of structure or government was heresy or that it did irreparable damage to the cause of religion. Others came to believe that opaque boundaries between religion and government were freeing rather than dangerous. Drafting constitutions and bylaws was one thing, but communities still had to figure out how to use them, especially when new issues and conflicts inevitably emerged that the documents had not anticipated.

The New York Collegiate Dutch Reformed Churches faced this problem—reconciling their government with the dynamic political environment—in 1801. That winter, a “committee of citizens” from the Collegiate Dutch Reformed Churches in New York City organized a petition, which they submitted to the vestry board on February 28. The committee, emboldened by the support of the petitioners among the members of the

¹¹⁶ Two notable examples are the Congregationalist constitution and the Constitution of the Protestant Episcopal Church in South Carolina.

congregation, requested that the consistory, the Dutch Reform equivalent to a vestry board, authorize the church to publicly celebrate the inauguration of Thomas Jefferson. They wanted the church to ring its bells during the festivities, which were to take place the following week. The church had rung the bells to commemorate George Washington's inauguration in 1789, though they had not renewed the practice for John Adams seven years later.

The vestry board took a vote and the petition narrowly lost. In fact, the vestrymen split evenly on the issue. Eight men agreed with the proposal to publicly celebrate Jefferson's inauguration. Eight men rejected the proposal. The opponents argued that while the church had rung the bells for Washington, those were special circumstances—Washington's inauguration marked “the momentous event of the adoption of our present Constitution”—and the congregation should not view it as a precedent. Since the vote ended in a tie, in accordance with the congregation's constitution, the minister presiding over the vestry meeting that day cast the deciding vote. The presiding minister voted in the negative, resolving that the Dutch Reformed Church would not formally acknowledged Jefferson's instatement.¹¹⁷

The “committee of citizens” refused to accept the decision. They continued to organize their ranks in the congregation to object the results of the vestry board's election. The committee rallied so much resistance that they forced the vestry board to acknowledge the “great uneasiness and discontents” provoked by their unpopular ruling. Following three days of protests, when the petitioners managed to “disturb the peace and harmony” of the church, the vestry gave in to the popular demands. New Yorkers could

¹¹⁷ February 28, 1801, Liber H 1795-1807, Minutes of the Consistory of the Reformed Protestant Dutch Church in the City of New York, Collegiate Church Corporation.

hear the bells ringing throughout the city on the day Thomas Jefferson was sworn in as the third president of the United States.¹¹⁸

Even though the Dutch Reformed Church resolved the conflict over the bells, they continued to struggle to find a good solution to reconcile the public use of sacred space. Three years later, a committee, calling itself a deputation from the “Commonwealth of Arrangements in the City of New York for the Acquisition of Louisiana to the United States,” requested permission to use the bells to announce the Louisiana Purchase. The vestry board considered the request, and though the board was largely composed of new members, again the votes were equally split. The presiding minister, Dr. Abel, cast the deciding vote, rejecting the proposal, and consequently rejecting the Dutch Reformed Church’s role in the public proclamation of the purchase of Louisiana.¹¹⁹

The winning side took the opportunity of their victory to try to make a definitive policy about the sorts of public statements the church would make in the future. They resolved that their church bells would not ring for any occasion marking a civil celebration. The board made two exceptions: they would ring the bells on Independence Day, and for any occasion when the City of New York specifically requested their participation.¹²⁰

The vestrymen who voted in support of the Louisiana Purchase celebration, and their allies in the congregation, were outraged both by the results of the election and by the new policy. In particular, they objected to the fact that ministers had a disproportionate influence determining the outcome of popular measures that had more to do with the material affairs of the community and the property than the spiritual concerns

¹¹⁸ Ibid., March 3, 1801, Liber H 1795-1807.

¹¹⁹ Ibid., May 11, 1804, Liber H 1795-1807.

¹²⁰ Ibid., June 7, 1804, Liber H 1795-1807.

of the church. After careful consideration, the faction expressed their conviction that Dr. Abel's ability to reject the proposal from the delegation was unconstitutional. On a close reading of the charter, the committee agreed that, "none of the ministers," were "to be considered Members of the Consistory" and therefore had "no right to vote." They insisted that in the future, ministers should be excluded from voting with the consistory, or the vestry board, on any temporal business not specifically related to the spiritual concerns of the congregation. The vestry narrowly defeated this proposal, eight members voting with the committee, and ten members siding with the privileges of the ministers.¹²¹

Nevertheless, the tenuous alliance between the ministers and the faction of lay leaders positioning itself against the policy of using the church as a forum for civil politics quickly crumbled. Just weeks later, the church received an application from the Society of the Cincinnati. The Society requested the use of one of their sanctuaries for an oration to pay homage to Alexander Hamilton, who had recently died in his duel with Aaron Burr. All previous requests for secular uses of sacred space had come from Democratic-Republican causes. Since this petition came from an organization supporting a Federalist cause, the vestry had to confront whether their position was really about the public political displays on church property, or if it was actually about civil partisanship. They had to take into account whether their church should not made public displays of support for Thomas Jefferson, whether they should not make public political statements at all, or whether the authority of the clergy to decide the matter made their preference a moot point. Tellingly, the vestry board voted unanimously to open up the space for the

¹²¹ They did acknowledged that the "president" had the right to make the casting vote. This likely meant that of the several ministers who served the church, only one at a time, when serving in a primary administrative role, could have anything to do with elections. They could not unite as their own faction; Ibid., July 5, 1804, Liber H 1795-1807.

Society of the Cincinnati. They also reevaluated the committee's report and unanimously agreed to strip ministers of their vote in issues involving temporal affairs.¹²²

There are a number of reasons why the vestry board eventually reached a consensus about how to use their space for public, civil events. It is likely that the two factions were driven, in some part, by partisan sympathies, and that the faction that opposed ringing the bells for Democratic-Republican causes such as the inauguration of Thomas Jefferson and the Louisiana Purchase, softened when given the opportunity to use the space to promote a Federalist project.

It is also possible that the partisan issue emerged because it elicited conversations about sovereignty. While vestry members vowed to uphold the authority of the ministers in spiritual matters, their actions suggested that they believed that their church was a complex organization, involving multiple roles, each having different sources of authority. They demonstrated that their church was composed of various estates—clergy, or an executive, lay leaders, or elected representatives, and congregations, or the people—all who had claims to be the rightful body to guide the spiritual and temporal affairs of the church.

One of the major factors at stake was the balance of popular participation and representation. Eligible members of the congregation had elected the vestry board to manage the financial, disciplinary, juridical, and legislative affairs of the church. The vestry appointed the minister, in consultation with the congregation. The minister was ordained by a representative in the larger church organization—the synod or diocese—and he was bolstered both by his training and his commitment to give his life to the service of God. Ultimately, the clergy and the vestry board had competing claims to the

¹²² Ibid., July 23, 1804, Liber H 1795-1807.

authority to serve the spiritual and material needs of the congregation. The congregation had its own claim, that the minister and vestry board were merely representatives serving the community. All of the parties involved had different ideas about which branch was sovereign.

The conflict over the public use of sacred space in the Dutch Reformed Church reveals some of the challenges corporate religious societies confronted when they reformed their organizations after the American Revolution. In particular, the scene illustrates three patterns that repeatedly surfaced in congregations in New York and in Charleston. First, religious politics mirrored and mapped onto civil politics. Second, congregations were divided over how to limit and express the relationships and boundaries between the civil and religious spheres. Third, when religious societies incorporated, developed constitutions and bylaws, consciously considered what a church should look like in a federal republic, and reflected on what constituted government in a sacred space, they started to function as microcosms of civil societies. If “formal politics” is a term that specifically describes voting and holding office in civil government, then religious societies were informal publics. No other institution in the early national United States offered the same opportunities for a broad range of people to take an active part in structured discussion and debate. While each religious society held a distinct doctrine, they contained diverse opinions and they required members to collaboratively develop strategies to manage opposition and dissent.

Though religious societies were spaces for active participation as well as for cooperative and mutual deliberation and argument, their missions were divided. They were simultaneously internal and external. Religious societies had to serve material

and spiritual needs, they had to worry about this life and the next, and they needed to care equally about the people committed to the community and the ones they had yet to reach. Religious societies were not just microcosms; they were *microcosmic*.¹²³

Observers in New York watched with interest as a case in Philadelphia unfolded in 1786 over the extent to which church constitutions and charters could be altered once they were implemented. The Associate Reformed Church in that city had built a new meetinghouse in 1771. The deed to the new building included a clause recognizing that the congregation was subordinate to the Associate Synod of Edinburgh, in Scotland. When the Philadelphia Associate Reformed Church incorporated in 1779, the charter upheld the deed, stating that all lands were vested in the church, “according to their original use and intention.” A group of members had serious concerns about the language in the charter. They worried that the charter still technically subordinated the church to the synod in Scotland, and that the synod in Scotland would legally be able to claim ownership of their meetinghouse. The group petitioned to modify their charter.

Another group of members resolutely opposed the petitioners. The opponents argued that the petitioners’ fears were groundless. The constitution of the state of Pennsylvania protected them from all foreign interference. The connection with the synod of Scotland was purely informal. Maintaining the connection meant that the Synod could help the Philadelphia church find ministers, and the Philadelphia church could be a bastion for co-religionists who immigrated to the state from Scotland. They argued that

¹²³ Jürgen Habermass has dubbed the active process of deliberative argument in public, “communicative action.” Considering Habermass’s theory of communicative action within religious societies raises some interesting questions, because the way power works within churches is complex and contested. Within religious societies people have to constantly confront whether the authority for their positions comes from rationality, from their role representing different factions in the community, or from a higher source. Jürgen Habermass, *The Theory of Communicative Action: Reason and the Rationalization of Society*, trans. Thomas McCarthy (Boston: Beacon Press, 1984).

safeguards were already in place to make sure no power infringed on the rights of the church and that further intervention was excessive and unnecessarily bureaucratic.

More importantly, the opponents worried that revising the charter would set a dangerous precedent. Members could try to change the fundamental articles of the church anytime they disagreed with doctrine or discipline. While the petitioners were trying to address potentially problematic language to help them articulate their rights more clearly, the opponents suggested that their efforts would have the opposite effect—they would establish that members could argue that any measure not specifically articulated was unconstitutional. Furthermore, allowing petitioners to make changes to the charter would forge too strong a connection between the church and the state. The state granted charters in specific acts of the legislature. If a church wanted to modify its charter, the state had to sanction it in a new act of the legislature. Members should avoid as much as possible bringing the state into their internal affairs.¹²⁴

Tensions continued to mount once churches confronted problems that their constitutions did not provide measures to address. The Society of United Christian Friends went without a preacher for years because it could not reconcile a minister's terms of service with its constitution. Their constitution dictated that the position of preacher must be a voluntary, elected position, not a professional, paid position. The Christian Friends elected members of the congregation to lead worship services and deliver sermons. However, they quickly learned that serving a congregation was a fulltime job. The elected speakers, who had their own careers in order to support their

¹²⁴ March 22, 1786, *Pennsylvania Packet*, Philadelphia, PA. The *New York Packet* followed the story. *New York Packet*, September 14, 1786. The *New York Packet* reported that the Pennsylvania Assembly ultimately passed an act to change the charter to ensure that the church was not subject to any foreign jurisdiction. *New York Packet*, October 9, 1786, NY, NY.

families, could hardly devote the time the job required and few members volunteered for the position. The one gifted speaker, Edward Mitchell, who wanted the job left the congregation when a church in Boston offered him a permanent position. The United Christians Friends could do nothing to change the situation until they changed their constitution, after ten years of debate.¹²⁵

In New York's Jewish synagogue, Shearith Israel, the congregation found itself in a bitter dispute over who was eligible to participate in elections. In 1811, Benjamin Judah was elected Parnass, or president of the board of trustees. Four vestrymen, Naphtali Judah, Isaac Moses, M.L. Moses, and Seixas Nathan argued that his election was unconstitutional because unqualified electors had participated in the election. The synagogue's charter stated that all electors must contribute financially to the congregation and the constitution upheld the resolution. Nevertheless, several members cast ballots who were delinquent with their tithes. Two other vestrymen, Isaac Gomez and Joseph Andrews, faulted the constitution, not the results of the election. Articles disenfranchising members for arbitrary reasons were contrary to the civil laws, as well as the laws of Judaism. As Gomez and Andrews put it, "disenfranchis[ing] a member of his rights...is contrary to the law of the land, and in contravention of the laws of Judaism." They proposed an amendment to the congregation's bylaws to end the restrictive practice.

Naphtali Judah, Isaac Moses, M.L. Moses and Nathan resigned in protest. Moses regretted vacating his seat on the board of trustees, which, as he explained, he had held "for several years since the adoption and ratification of the New Constitution and laws in 1805 and most of my life before." He revealed to the congregation:

¹²⁵ The difficulty settling Mitchell as a permanent minister is a regular topic in the church minutes. For example, January 12, 1800; February 10, 1803; February 17, 1803; June 13, 1803; Proceedings. Society of United Christian Friends in New York, Records. BV New York City Churches, NYHS.

I would not now abandon my post did I not with great pain and anxiety discover a combination tending to destroy the peace and happiness of the congregation by opposing and forcing men away who have unremittingly and honestly labored to promote their prosperity and choosing others for their guardians who have been steadily hostile to the present constitution and laws which were voluntarily adopted and solemnly ratified by the great body of the Congregation...

Outraged, the four men objected that Gomez and Andrews relied on the unjust tyranny of the majority in their move to amend the bylaws. When Gomez and Andrew claimed they represented the will of the majority, they trod all over the constitution, which had been adopted and ratified voluntarily by the congregation, and which had been put in place to safeguard against arbitrary and popular prejudices. Even more, those members Gomez and Andrews claimed to represent had refused to carry out their end of the contract and support the congregation by paying their dues. Ultimately, the vestry board succeeded in passing a resolution declaring unquestionably that any elector who had not paid his dues in over twelve months could definitively be barred from elections.¹²⁶

Charlestonians witnessed similar problems about how to interpret their congregations' constitutions and the extent to which they could continue to innovate. A conflict erupted within Charleston's Episcopalian Churches, St. Phillips and St. Michael's, in 1816. That year, the vestry boards of both churches unanimously approved a resolution from a group of petitioners exploring the possibility of modifying the worship services. The petitioners argued that the services were "tedious" and "fatiguing" and they were doing more harm than good to the cause of religion. They urged that the congregation rise above "that dread of innovation in religion, which seems to have

¹²⁶ December 2, 1811; November 20, 1811; December 15, 1811; April 29, 1812; Minutes of the Trustees of the Congregation Shearith Israel in the City of New York, December 23, 1810 to March 25, 1820, Vol. 3, pp 72, 68-70, 78-79, 109-110. The trustee minutes are held by the Congregation Shearith Israel, New York, New York. See also, "The Constitution of Congregation Shearith Israel" in Daniel Elazar, et. al., *A Double Bond: The Constitutional Documents of American Jewry* (Lanham and London: University Press of America, 1992) 103-111.

become the panic of the ages,” ardently believing that they could shorten the liturgy without undermining its essence. In fact, modifying the service would encourage piety by making the service more accessible and more appealing to “the many.”¹²⁷

The St. Michael’s and St. Phillips clergy unilaterally rejected the proposal. Yet they justified their opposition by invoking the constitution. Pointing specifically to the seventh and eighth clauses of the constitution, Thomas Frost and Christopher Gadsden, the two ministers at St. Phillips, acknowledged that the church had modified the liturgy when it had adopted a new form of church government after the Revolution. In fact, they admitted that the changes were an improvement, agreeing that, “this Liturgy is more perfect than most human productions.”

The ministers were certain, though, that once they had adopted those changes, the liturgy was fixed. The new words had been infused with sacred authority, because words and faith were intimately connected. They berated the vestry for their presumption, lecturing, “Ceremonies, equally with the words of our Liturgy, are a part of Divine Worship, and that by varying them, the unity of the faith, so intimately connected a form of worship, would probably soon be lost.” The church could not change the words without affecting the nature of faith. Changing the words any further was heretical. Frost and Gadsden insisted that they still believed, “that innovation is peculiarly dangerous in matters of religion.”¹²⁸ At St. Michael, the rector Theodore Dehon, advised the congregation to let the matter go, because “it is better to endure Some Small defects in a good System, than to endanger the System by attempting alterations.” He lamented that,

¹²⁷ August 11, 1816, The Vestry Journals, St. Philip’s Church, 1812-1822, Book VI, SCL, 61-63; August 2, 1816, Minute Book, St. Michael’s Church, 1759-1824, SCL, 380-384.

¹²⁸ August 11, 1816, The Vestry Journals, St. Philip’s Church, 1812-1822, Book VI, SCL, 69-71, 75.

“it is impossible by any arrangement to Satisfy all men,” and if the vestry continued to press the subject, “who can Say where it shall end when you begin to change.”¹²⁹

The vestry based its continued challenge on a rival conception of good government and the lay leaders also appealed to their constitutional convention:

Not only did the General Convention of 1786 advocate the right of altering, abridging & otherwise amending the book of Common Prayer, they even adduced authorities to shew that as rites & ceremonies are and always have been varient, they might not only be changed, but exploded. On this assumption, they prudently guarded against too much easiness in the admission of occasional Variations, & too much stiffness in their rejection.

The vestry maintained that the country was founded on the basis of free inquiry. The nation’s founders had not created an ahistorical political entity. They reformed old texts and convictions and integrated them with the practical reality. The vestry questioned why the same should not be true in religious societies.¹³⁰

The clergy continued to hold their ground and garner support for their position. They circulated their own petition, and collected over 300 signatures of people who purportedly also objected to innovation. The 300 signers gave the clergy a very specific type of ammunition. Nine out of ten of the signers were women. They clergy pointed out the hypocrisy that the vestry claimed to speak on behalf of “the many,” yet they had summarily excluded the opinion of the women of the church.

When making this argument, the clergy were not suggesting that they were, in fact, influenced by female congregants. They professed to represent tradition and orthodoxy and had no intention of posing as the voice of the people. By pointing to the exclusion of women, the clergy implicitly called out the vestry for not being the democratic champions they claimed. Or rather, they insinuated that democratic

¹²⁹ August 2, 1816, Minute Book, St. Michael’s Church, 1759-1824, SCL, 383.

¹³⁰ October 24, 1816, The Vestry Journal, St. Philip’s Church, SCL, 68-78.

challenges to orthodoxy were hypocritical and irrational because they still restricted democratic rights to the few.

The clergy pushed the vestry into a compromise. Rather than change the text of the service, they would modify the space, enlarging the area where communion was served and employing more ministers to take part in the ceremony. In that way, the clergy addressed the form of the vestry's concerns but not the substance. They shortened the services but they did not give way on point of principle and change the liturgy or the constitution.¹³¹

The questions about innovation and reform were particularly important for American Catholics. After states gradually ended the restrictions on Catholic public worship, Catholics had to figure out how to balance congregational autonomy while still remaining part of the world-wide Catholic Church. The struggle over Catholic congregational sovereignty was particularly dramatic in Charleston in the first two decades of the nineteenth century. Three successive archbishops tried to unseat Felix Simon Gallagher, Charleston's popular Catholic priest. Gallagher, a scholar and a republican, was widely respected in Charleston among Catholics and Protestants alike. He was responsible for bringing together Charleston Catholics in the 1790s and forming the first congregation. He was also a founder of the College of Charleston and one of the first faculty members. However, Gallagher was a notorious drunkard and he became increasingly iconoclastic toward Roman hierarchy. When Archbishops John Carroll, Leonard Neale, and Ambrose Maréchal sent replacements for Gallagher in 1805 and 1814, the congregation responded violently, refusing to receive the new priests and

¹³¹ August 11, 1816, 61-63; November 10, 1816, 78-79; February 25, 1819, 103-104, The Vestry Journals, St. Philip's Church, SCL.

excluding them from their meetings. The congregation zealously resented that the Archbishop forbade them to choose their own priests, especially since they paid his salary and owned the building.

Catholic laymen and women in Charleston found few moments of common cause with the Bishops in Baltimore. Charleston's embattled and embittered priest, J.P. de Clorvière, noted in an open letter he published as a pamphlet that Catholic laypeople and their clergymen often had very different ideas about how to characterize and realize religious liberty for American Catholics. Though priests and laypeople were not universally working against each other, de Clorvière's observations were evocative. He proposed that the St. Mary's vestrymen were the tyrants, not the priests, because they tried to claim authority that was not rightfully theirs. For example, "they extend their temporal care to a control over the priest, refusing him the church, the altar, the pulpit, and any maintenance, if he is not fortunate enough to please them."

De Clorvière continued to explain that, like many of their Protestant neighbors, some Catholics held fast to the notion that ecclesiastical tyranny was a pressing issue and that they needed to vigilantly protect their rights guaranteed by the laws of the state, such as the right to representative government, and the right to control their property. However, as de Clorvière put it, others who were more knowledgeable and who had the best interest of American Catholicism at heart, namely priests and bishops, were concerned that the promise of religious liberty for Catholics in the United States was tenuous. He insisted that, "it was Rome which protected the *religious liberties* of the Catholics against the tyranny of some sovereigns; and not these sovereigns that protected their subjects against Rome." The long history of Catholic-Protestant enmity and

violence did not just disappear after the Revolution. He suggested that American Catholics needed the leverage and support of the extensive Roman Catholic infrastructure, and had to trust in the ecclesiastical hierarchy to ensure that the state honored their right to worship freely and equally.¹³²

At the same time, Charleston Catholics' objections to the Baltimore priests involved more than a public-spirited fight for democratic rights. They paired their political agitations with an aggressive nativist attitude. All of the Baltimore priests had been French, and exiles from the French Revolution. Members of Charleston's Catholic community resisted the French exile priests, concerned that their royalist sympathies would drive republican Catholics toward Protestantism. Yet their opposition ran even deeper. They had little interest in welcoming, in the words of the St. Mary's vestry, "these avaricious foreigners, retreating in crowds to our shores from starvation and insignificance in their own country, of possessing and controlling the temporalities of our church." Echoing the discourse of states rights becoming increasingly prevalent in nineteenth-century South Carolina and also intimately connected to racial and ethnic politics, they insisted that they were not anarchic, but they refused to be ruled by a distant government in Baltimore that seemed set on depriving them of their local rights and interfering with the nature of their population. Therefore, they would only submit to regional authorities. They would only abide by the church's hierarchy if they had their

¹³² Charleston Catholic Priest J.P. de Clovière outlined these two positions in a pamphlet responding to the St. Mary's Vestry Board. J.P. De Clorvière, "Further Documents Showing the Causes of the Distressed State of the Roman Catholic Congregation in the City of Charleston," (Charleston: Printed by J. Hoff, 1818) 25, 28-29, SCL.

own, local dioceses and their own Bishop. The Congregation broke away in open schism until Archbishop Maréchal agreed to create a South Carolina diocese in 1820.¹³³

V. Transitions

In the years following the Revolution, Americans in Charleston and New York were conflicted about how their churches should be organized. Clergy and lay leaders were motivated by the need to update European models of church government to be consistent with a new political context, and they were inspired by Revolutionary struggles to reinterpret authority. Just as importantly, they had to figure out what a church founded on the principle of religious liberty would look like. For the most part, Charlestonians and New Yorkers agreed that they would organize their churches and synagogues as corporate, constitutional societies that would include some form of divided sovereignty, where clergy, trustees, and congregants would all contend for a role in deciphering how to transfer God's authority from heaven to earth. Given that a wide variety of communities—Jews, Catholics, and Protestants, evangelical and non-evangelical alike—followed similar models, there was nothing essentially or exclusively Protestant about representational or innovative forms of government in religious polities.

In the early decades of the nineteenth century, Americans began to agitate for democratic reforms, political factions and machines became instrumental in channeling and directing opposition, and they were faced with new problems that their governing documents were not specifically designed to resolve. Churches faced these problems as

¹³³ “Documents Relative to the Present Distressed State of the Roman Catholic Church in the City of Charleston,” (Charleston, J. Hoff, 1818) 22, 24; *The Catholic church in the United States of America: undertaken to celebrate the golden jubilee of His Holiness, Pope Pius X*, vol. 3 (The Catholic editing company, 1914) 131-132; Peter Guilday, *The life and times of John Carroll: Archbishop of Baltimore, 1735-1815* (Encyclopedia Press, 1922) 738.

well, spurring new forms of competition and factionalism. As a result, they empowered different branches to vie for the right to guide their congregations as they worked to balance the spiritual and material needs of their microcosmic communities.

In early national Charleston and New York, religious societies confronted the timeframe of their post-revolutionary reformation. Were they taking part in a perpetual reformation, in which their churches and synagogues had to continually adapt to the shifting political, social, and cultural environments, or was the reformation a single moment that ended once the congregation or denomination agreed on a charter, bylaws, or a constitution. Continuing to link civil and religious liberty, churches and synagogues established that as long as there were conflicts over the function of civil politics, there would be conflicts over the function of religious politics. The path from colonial institutions to republican institutions was neither straightforward nor self-evident.

Chapter 3

Religious Liberty on Trial

In the spring of 1813, Father Anthony Kohlmann, a priest at New York's St. Peters Catholic Church, resignedly took the witness stand in the New York Court of General Sessions. Richard Riker, one of the city's District Attorneys, called Kohlmann as a witness in the case, *The People v. Phillips*. Several weeks earlier, Daniel Phillips, a parishioner at St. Peters, confessed to his priest that he had participated in a burglary. Phillips and his wife had stolen some jewelry from James Keating, a fellow St. Peters parishioner. Kohlmann accepted Phillips' confession and gave him absolution, but he also insisted that Phillips give back the stolen goods. Agreeing to act as intermediary, Kohlmann returned the jewelry to Keating on Phillip's behalf.

Keating had already reported the robbery to the police, but with his property restored and the assurances from his priest, he declined to pursue any further retribution. The police, however, hearing about the restitution, tracked down Keating, suspicious of his mysterious retraction. The police interrogated Keating, but he was reluctant to implicate anyone in an affair that had been resolved to his satisfaction. They ultimately threatened to imprison him, and Keating finally admitted that Kohlmann had mediated the return of his property.¹³⁴

¹³⁴ William Sampson, "The Catholic Question in America: Whether a Roman Catholic Clergyman Being in Any Case Compellable to Disclose the Secrets of Auricular Confession" (New York: Printed by Edward Gillsepy, 1813) 5-6.

The police next turned their gaze upon Kohlmann. Since he had learned about the burglary in the confessional, Kohlmann refused to tell the police anything he knew about the crime. After their own deeper investigations the police discovered Phillip's participation. Indicting Phillips, the police subpoenaed Kohlmann to testify and implicate his parishioner. Once again, this time on the witness stand, Kohlmann refused. He pleaded with the court to excuse him from the charge, explaining that he had made a vow to uphold the canons of the Catholic Church, which dictated that he could not disclose any information acquired while administering the sacrament of confessions.

Even more disheartening to Kohlmann, the court was asking him to commit a mortal sin. For Kohlmann, the consequences of not testifying were far greater than the consequences of breaking his vows. If he refused to speak out against Phillips, he would go to jail. If he violated the sanctity of the confessional, he would go to Hell. He had no desire to flaunt the laws of the land, but if he did not, he lamented, "I should become a traitor to my church, to my ministry and to my God. In fine, I should tender myself guilty of eternal damnation." Kohlmann would rather suffer "instantaneous death" than break his vows.¹³⁵

The trial was nearly terminated after Kohlmann gave his impassioned plea, begging the court not to make him choose between his civic duties and his sacred vows. Richard Riker, the District Attorney, was ready to give up the case. He had no interest in putting Kohlmann through an ordeal that seemed cruel to him. While the law on the point of confessional privilege was ill defined, Riker was happy to let it remain vague rather than take on the enormous task of deliberately trying to explicate the freedom and boundaries of American Catholicism. While Riker hedged, members of the St. Peters

¹³⁵ Ibid, 8-9.

vestry board approached the district attorney and requested that he try the case anyway, on their behalf. Consequently, the point of the case was no longer to assess Daniel Phillip's innocence or guilt. It was to determine, in the words of the court, "whether a Roman catholic priest can in any case be justifiable in revealing the secrets of the sacramental confession?" The jury ruled in favor of Kohlman, agreeing that he did not have to testify.¹³⁶

The People v. Phillips became one of the first test cases in the United States attempting to reconcile and clarify the relationship between church and state and the case remains an important touchstone in the American legal tradition. In fact, the case established the right of confessional privilege in the United States. It guaranteed that Catholic priests would, under no circumstances, be required to reveal any information imparted to them during confessions. Confessional privilege even became part of the New York State Constitution in 1821. Moreover nineteenth, twentieth, and twenty-first-century lawyers and civil rights activists have paid attention to the case. For nearly two hundred years, scholars and lawyers have used the case to argue that the state has to accommodate and make exceptions for diverse religious beliefs.¹³⁷

Despite the attention legal scholars and political philosophers have paid to the Kohlmann affair, moments of the trial remain perplexing. In particular, the willingness of the church to entrust the sanctity of the confessional to the courts warrants deeper

¹³⁶ Ibid, 7-13.

¹³⁷ For an excellent discussion of the legal impact of the case, see Martha Nussbaum, "The Struggle over Accommodation," in *Liberty of Conscience: In Defense of America's Tradition of Religious Equality* (New York: Basic Books, 2008), 115-174; Nussbaum explains that lawyers for both sides articulated two positions that continue to inform how Americans understand religious toleration in a multicultural state. Kohlmann's lawyers advanced an argument that has become known as "accommodation," which maintains that the laws have to make exceptions for matters of private conscience. The district attorneys proposed an explanation that twentieth and twenty-first-century lawyers have used to challenge accommodation, namely that laws do not, and cannot, forbid individuals from exercising their religious freedom, but that people need to distinguish between private conscience and public order.

consideration. Though it ultimately worked in their favor, it is still surprising that the members of St. Peters would willingly instigate a project that would potentially undermine the ability of American Catholics to practice their religion in the ways they understood to be necessary and appropriate, especially when the public officials responsible for prosecuting the case indicated that the Catholics were probably in the right. The ambiguity of the law was likely the critical point for the St. Peters crowd. If the definition of religious liberty, religious freedom, and free exercise as realized in the United States accommodated Catholics' potential to faithfully practice their religion and faithfully adhere to civil law, then here was an opportunity to make that understanding explicit.

In fact, the St. Peters vestry's decision to open their practices up to public scrutiny makes more sense within the broader context of religious politics in the second decade of the nineteenth century. *The People v. Phillips* was one of a number of instances in these years where individuals and institutions turned to the civil courts seeking public solutions to resolve internal, congregational conflicts. Congregations regularly relied on the judgment of the courts as they attempted to focus, resolve, and sometimes obscure the boundaries between civil and religious institutions.

Cases such as *The People v. Phillips* illustrate some of the consequence New Yorkers faced in the first two decades of the nineteenth century when they adapted their churches and synagogues to a new political and social landscape. After the Revolution, churches organized themselves as corporate, constitutional societies, in many cases modeling themselves after federal republican government. Religious societies were structured communities with sophisticated, representational governing apparatuses, which

created spaces for conflict about the franchise, about elite versus democratic leadership, about minority and majority rights, and about the extent to which those apparatuses were open to innovation. As microcosms of civil society, churches were concrete spaces where political experimentation and limitation, emerging partisanship, and social integration and stratification were visible. Clergymen and laymen and women were constantly integrating these challenges and resolving these tensions

After forming themselves as political communities in the 1780s and 1790s, the definitions of politics and political participation, and the structure of society continued to evolve. Though most religious societies' post-revolutionary reforms included adopting constitutions and bylaws, they were unprepared to address issues that their governing documents had not anticipated. Many suspected that if churches shared the same goals as civil societies, then they could share, or even embrace, civil political tools, such as the courts, to resolve these issues. However, that meant, as *The People v. Phillips* illustrates, that churches willingly handed civil officials—who in many case had no relation to the church, but strong personal opinions about the proceedings—the power not only to adjudicate the conflict, but also the power to shape its public representation and use.

This chapter focuses exclusively on New York in order to bring into dialogue three distinct, yet unexpectedly related, New York cases where individuals turned to the civil courts to address concerns about church government and discipline, and where congregations appealed to civil officials to clarify their status within the pluralist state. In the first case, *Cave Jones v. the People and Inhabitants of New York in Communion with the Protestant Episcopal Church* (1813), an Episcopal priest at New York's Trinity Church sued the Trinity vestry board for wrongful termination after they fired him for

publishing a pamphlet criticizing the new bishop, John Henry Hobart. The case, which began as a simple matter of a breach of contract, ignited a citywide spectacle and a media frenzy as the lawyers involved used it to confront deep personal enmities. The congregation connected it to broad and enduring conflicts over the franchise and the distribution of resources. Second, I return to *The People v. Phillips* (1813) to explore some of the ways in which Catholics worked to integrate their efforts to develop more representational, autonomous forms of church government with their fidelity to Roman Catholic sacraments and disciplines. The case highlights that New Yorkers were still working out how to institutionalize tolerance. The third case, *Eliza Wintringham v. William Parkinson*, (1811) involved a sex scandal in New York's First Baptist Church. Eliza Wintringham accused Baptist minister William Parkinson of assault and battery after a series of unwanted advances. Parkinson's congregation had already exonerated him after it conducted its own trial. One subtext for the case was whether or not the ruling of an ecclesiastical court had any bearing in a court of law.

More importantly, *Wintringham v. Parkinson* revealed the intertwined partisan and cultural threads tying together conflicts over religious authority. For example, as church government grew more procedural and juridical, the different roles for men and women became stark. More women than men tended to join churches and technically, the central privilege of membership was the permission to take communion. Nevertheless, the comprehensive privileges of associating with a particular church—voting, holding office and deliberating—were reserved for men. Women were able to do these things unofficially in benevolent societies, but they still occupied an uneasy place in their churches as congregants but not as full members. In the hotly factional environment

of religious politics, formal exclusion of women gave partisans new strategies to attack their opponents. The way men handled their social relationships demonstrated their capacity as leaders.

In all of the cases, the judges and juries confronted the unstable, contradictory, and ambiguous definitions of religious liberty. First, when churches claimed to be political communities, they unwittingly allowed the state to determine which of their activities could be regulated and which could not. Furthermore, the cases point to a pattern. At the urging of dissenting churches, after the Revolution the New York State Assembly had legislated religious liberty as a corporate right, not as an individual right. In these moments, the courts reconsidered this question in different terms. They considered whether religious liberty was a civil liberty connected to public participation, or whether it referred inwardly to personal belief and private conscience, not to corporate bodies.

While there were scores of cases involving church factionalism, and even more disputes that never went to court, these cases stand out because they were all media extravaganzas. The people actively involved escalated the publicity because many of them had professional and personal agendas beyond the particular scope of the case. All of the cases inspired pamphlets and newspaper commentaries elaborating and perpetuating the conflicts. For example the Cave Jones case generated at least twenty publications.¹³⁸ In each instance, when the trial ended, the court recorders compiled the

¹³⁸ Charles Thorley Bridgeman and Clifford P. Morehouse, *A History of the Parish of Trinity Church in the City of New York: To the close of the rectorship of Dr. Moore, A.D. 1816* (Putnam, 1901), 320-323.

trial transcripts and records and submitted them for publication as pamphlets, all of which sold widely, ensuring that intimate details of the disputes remained in public memory.¹³⁹

The conversations taking place in print were not separate from conversations taking place among people. Publications about the cases and the conflicts that provoked them were not philosophical treatises or theoretical political tracts. While a few observers published commentaries on the cases anonymously under pseudonyms, most of the pamphlets were addressed to and written for people who the writers encountered on a regular basis. They were reprints of personal letters, reports and commentaries on conversations that had already occurred, and compilations of meeting minutes. The pamphlets were meant to include the general public in conversations and conflicts that were taking place among people who knew each other and worked together. In this way, these localized moments of congregational conflict mapped onto larger partisan contests that involved people across the borders of particular communities. For early national Americans, these cases elaborating the definitions of religious liberty and the boundaries between civil and religious institutions were less important for the legal precedent they established than for the conversations they prompted, the relationships and alliances they forged and dissolved, and the immediate changes they provoked to the structure of religious organizations.

Historians of American print culture have argued that the rise of the penny press in the 1830s and 1840s, the muckraking reporting by and about Jacksonian politicians, and the sensationalist literature surrounding public scandals, most significantly, the

¹³⁹ I do not have quantitative evidence about the number of trial pamphlets that were printed, purchased, and read, but I have strong anecdotal evidence that people purchased reports of these three trials. The city newspapers published advertisements for these pamphlets in the week leading up to their release, listing how many copies were available and which vendors were selling them.

murder of Helen Jewett in 1836, revolutionized American journalism.¹⁴⁰ The popularity of these three early national cases, and the way they captivated public imagination suggests that well before the great age of journalism, newspapers and pamphlets were sharpening the tools of the trade. Sex certainly sold—as Eliza Wintringham demonstrated—but readers devoured tales of church politics the same way they consumed other sensationalist and controversial literature. These cases are revealing because they confirm that the tensions, conflicts, and uncertainties surrounding the reformation of religious societies deeply concerned and captivated early national Americans.

II. Cave Jones v. The Rector and Inhabitants of the City of New York in Communion of the Protestant Episcopal Church in the State of New York (1813)

On May 15, 1813, Rev. Cave Jones stood with his lawyers before the New York State Supreme Court. One of Jones's lawyers, Thomas Addis Emmet, read the court a brief, outlining the conflict that had brought them all to court that day. Jones was suing his former employer, the congregation and vestry board of New York's Trinity Episcopal Church, for wrongful termination. A few months earlier the vestry board had fired Jones, who had been an assistant minister at the church, after he published a series of pamphlets criticizing the new assistant bishop, John Henry Hobart. The vestry board believed that Jones's critiques had undermined the peace and unity of their church and had done

¹⁴⁰ Andi Tucher discusses the penny press and the role the Helen Jewett scandal played in transforming journalism in, Andi Tucher, "Newspapers and Periodicals," *A History of the Book in America: An Extensive Republic, Print, Culture, and Society in the New Nation, 1790-1840* ed. by Robert Gross and Mary Kelley (Chapel Hill: The University of North Carolina Press, 2010) 410-408. See also, Patricia Cline Cohen, *The Murder of Helen Jewett* (New York: Vintage Books, 1998); and Timothy Gilfoyle, *City of Eros: New York City, Prostitution, and the Commercialization of Class, 1790-1920* (New York: W.W. Norton and Company, 1992) 92-101.

irreparable damage to the reputation of religious institutions in the city. Since Jones could no longer be an effective servant of the church, and therefore was unable to fulfill the requirements of his contract, they believed they had no choice but to end the relationship, compensating him with \$2,500—a priestly sum in those days.

Jones was fortunate to have Emmet at his side. Emmet was a fierce advocate. Exiled from Ireland, he was forced to leave his homeland as punishment for his participation in the Irish Rebellion of 1798. Emmet had also recently finished a term as New York’s attorney general, and he was a protégé of DeWitt Clinton, a former senator and the current mayor of New York City. In fact, Emmet had approached Jones when he heard about Jones’s situation, even though the lawyer, in his own words, had “no personal intimacy or intercourse” with the fallen minister. Emmet offered to represent Jones if he wished to take on Trinity Church. As he explained to the court, Emmet believed that Trinity Church had acted “with a species of intolerance, inconsistent with the genius of our government, and hostile to the virtues of charity and forbearance.” For Emmet, the case was about more than one man’s job. It was about a man’s civil rights. It was about the Protestant Episcopal Church, a rich and powerful body, trying to enforce its own extralegal view of justice on a citizen, against the will of the people.¹⁴¹ With Emmet’s help, Cave Jones’ dispute with Trinity Church ended up in the state supreme court and catalyzed a public scandal that surged beyond the margins of the congregation.

The contest began in 1811 when Jones published a pamphlet entitled, “A Solemn Appeal to the Church: Being a Plain Statement of Facts in the Matters Pending Between

¹⁴¹ Matthew Davis, “Report of the Case Between Rev. Cave Jones and the Rector and Inhabitants of the City of New York in Communion of the Protestant Episcopal Church in the State of New-York,” (New York: Printed by Matthew Davis, 1813) vii, 1-2.

Dr. Hobart with Others, and the Author.”¹⁴² The Episcopal Diocese of New York was about to hold elections for a new assistant bishop, and the stakes were high. The current bishop, Benjamin Moore, was nearly incapacitated by illness. Therefore, the new assistant bishop would be “assistant” in name only. He would be the de facto leader of the diocese, and the next in the line of succession. The front-runner for the job was John Henry Hobart. Jones strongly opposed Hobart’s promotion. He intended his pamphlet to be a warning to the congregation and the city, airing his suspicions that John Henry Hobart was a tyrant and a hypocrite.

Jones acknowledged in his pamphlet that his aversion for Hobart dated to an 1804 disagreement over the intersection of civil and religious politics, specifically, an argument about the public use of sacred space. Jones was concerned about the way one local newspaper, *The Commercial Advertiser*, covered the response to the death of Alexander Hamilton in his duel with Aaron Burr. In order to commemorate Hamilton’s death, friends planned to construct a monument in the Trinity Churchyard. *The Commercial Advertiser* gave a “wrong representation” of the “melancholy event,” and questioned the propriety of building a public monument in a church, countering that the monument should be erected at the site of the new city hall. Jones brought a proposition to his associates at Trinity Church. He intended to submit a statement to the city’s newspapers defending the original proposal, alluding to a conviction that a civic monument could rest in a churchyard without compromising the integrity of the public monument or the sacred space.¹⁴³

¹⁴² Cave Jones, “A Solemn Appeal to the Church, Being a Plain Statement of Facts in the Matters Pending Between Dr. Hobart with Others and the Author,” (New York, Printed for the Author, 1811), TCA.

¹⁴³ Jones, *A Solemn Appeal*, 6; July 23, 1804, *Commercial Advertiser*, New York, New York; “New York State Society of the Cincinnati,” *Morning Chronicle*, July 20, 1804.

Jones believed that Hobart had behaved dishonorably during the meeting to discuss his proposition. According to Jones, Hobart rudely objected to every statement and idea he presented and derailed his agenda. Even worse, Hobart waited for Jones to leave the meeting and then hijacked the plan, encouraging the committee to draft a statement that would “destroy the object” of Jones’ vision, contorting and undermining Jones’ original intentions. Jones recorded that when the two men later found themselves face to face, Hobart brought up the disagreement and admitted coldly, “You are angry now at what was said; I don’t care if you are: be as angry as you please.”¹⁴⁴

After that meeting, Jones had kept an eye on Hobart. He noticed that Hobart had been “assuming power and authority...to which he was not entitled.” Hobart had always professed to be above politics, only concerned about avoiding “the prevalence of a spirit of intrigue at elections.” However, Jones came to suspect that while Hobart claimed to be apolitical, he was in fact, constantly politicking and electioneering for his own gains. He maneuvered to “get his particular subservient Clerical friends” elected to office, even using his “utmost exertions,” to remove any opponent “who might seem to be likely to stand in the ways of his plans.” Ultimately, those two incidents were only part of a “train of events” leading Jones to suspect that this sort of insensitivity was symptomatic of a greater lack of conscientiousness that would frustrate his career as bishop.¹⁴⁵

Furthermore, Jones noticed that he was not the only one to recognize the hypocrisy and politicization in the church. He reported that Nathaniel Bowen, the rector of New York’s Grace Episcopal Church, who had taken the position after serving for several years as a minister at St. Michael’s Church in Charleston, was also disgusted by

¹⁴⁴ Jones, *A Solemn Appeal*, 6-7.

¹⁴⁵ *Ibid*, 26-27.

the emerging partisanship. Jones' wife overheard Bowen berating "the scandalous doings," and "shameful proceedings" of his colleagues. He lamented that the men in the church were "about no good...nothing but wrangling and jangling, and electioneering!" Bowen admitted that he had left Charleston, "partly with the view of getting rid of this kind of business, and in the hope of living in some retirement and comfort," but he found that in New York, "matters are conducted in the same contentious way."¹⁴⁶

Cave Jones had served with Hobart at Trinity Church for a number of years, and he claimed to have "the most ardent affection" for his colleague. While he acknowledged that Hobart was a gifted preacher, and a committed and passionate servant to the church, Jones warned that Hobart was "utterly unfit for the office" of bishop, and even more, his advancement would promote a "system of tyranny and intolerance" in the church and the state at large. Jones believed that Hobart, with his authoritarian approach to church government, his bad temper, his ambition, and his love of power, would spur disunion and schism in the church. Jones recognized that sowing discontent and dissent was "an evil," but he firmly believed that sitting by quietly while an unsuitable person rose to the rank of bishop, and tacitly endorsing the encroachment of tyranny into the Church, was the far greater, "and more lasting" evil.¹⁴⁷

John Henry Hobart quickly responded with his own series of pamphlets answering the charges Jones launched against him. One pressing issue for Hobart, above and beyond all questions of personal relationships and hurt feelings, was that "the government of the Church is a government of laws." He insisted, "High Churchman as I am, I should ever oppose every other kind of government." According to Hobart, the

¹⁴⁶ Ibid, 71.

¹⁴⁷ Ibid, 3, 5.

Constitution of the Protestant Episcopal Church in the United States enumerated steps through which injured parties could seek redress, or through which individuals who believed that the principles of government were being abused could seek justice. He explained, “If a Bishop, forgetful of his most solemn obligations, his high responsibility, and those considerations of policy,” made some kind of error in judgment, and “should he abuse his powers,” then a petitioner should take his concerns to “the Convention of the Church” where the abuser “is liable to impeachment.”¹⁴⁸

According to Hobart, Jones had not even tried to use the church’s procedures or laws to mediate the conflict before hurling public accusations. Jones had sworn an oath at his ordination that he would “reverently obey his Bishop.” Yet he had flagrantly broken the law and his vow. Furthermore, rather than respecting the policies and procedures, Jones had shown contempt for the constitution, and promoted instead a kind of lawlessness by appealing to public sentiment and popular passions. Hobart averred that there was, “no Minister in the Church, whatever may be his station, who is above the reach of the laws.” While Jones thought he was acting in the best interest of the church and the state, Hobart contended that he was simultaneously undermining the influence of the church, and the entire system of constitutional government.¹⁴⁹ As Hobart put it, “I have always thought my accuser not quite so tolerant as myself in his views of governing.” He declared that Jones, not himself, was the partisan, that *he* was the one being persecuted, and that it was *Jones* who was provoking controversy, not himself.¹⁵⁰

¹⁴⁸ John Henry Hobart, “A Statement Addressed to the Episcopalians in the State of New-York, Relative to Some Recent Events in the Protestant Episcopal Church in the Said State,” (New York: T. and J. Swords, 1812) 36.

¹⁴⁹ John Henry Hobart, “Letter to the Vestry of Trinity Church by Bishop Hobart in answer to a Pamphlet entitled, ‘A Solemn Appeal to the Church by Rev. Cave Jones,’” (New York: Printed for E. Sargeant, 1811) 136; Hobart, “A Statement Addressed to the Episcopalians,” 44.

¹⁵⁰ Hobart, “Letter to the Vestry,” 112.

Moreover, Jones had committed another egregious transgression through his flagrant publicity-seeking. Hobart believed that Jones' publication had made Trinity Church "the subject of public criticism." As well as the fact that Jones had "condemned authority," and "violated public order," he had done so in a "public paper, the shameful weapon of slander, invective, and ribaldry." The bishop maintained that if Jones had a complaint against him, or any member of the church, he should keep the matter private, within the confines of the congregation, rather than exposing the church to "ridicule, sarcasm, and calumny."¹⁵¹

Both Jones's and Hobart's pamphlets circulated widely throughout New York City. One newspaper article advertised that "most of the...Booksellers" in the city carried the texts.¹⁵² They ignited a vicious pamphlet war, as friends wrote accompanying tracts to defend the two parties. Publishers released at least twenty pamphlets on the subject.¹⁵³ Jones's and Hobart's supporters took up the argument considering which man better understood and represented how a church should function in a republic. One of Jones' friends insisted that Jones could not be faulted for his appeal to the public. He presumed that, "the civil law allows to the accused the common benefit of counsel, and certainly spiritual law is not behind hand in merciful indulgence." The friend maintained that civil rights were inalienable, even within the ambiguously autonomous zone of churches.¹⁵⁴ John Ireland, an Episcopal minister at a church in Brooklyn, was also sympathetic to Jones's position. He echoed a refrain common among American

¹⁵¹ Hobart, "A Statement Addressed to the Episcopalians," 36, 69-71.

¹⁵² November 27, 1811, NY, NY, *New-York Commercial Advertiser*.

¹⁵³ An early twentieth-century history of Trinity Church catalogues the popular controversial literature on the subject. See, Charles Thorley Bridgeman and Clifford P. Morehouse, *A History of the Parish of Trinity Church in the City of New York: To the close of the rectorship of Dr. Moore, A.D. 1816* (Putnam, 1901) 320-323.

¹⁵⁴ A Layman, "A Word in Season, Toughing the Present Misunderstanding in the Episcopal Church," (New York: Printed by D&G Bruce, 1811) 3.

Revolutionary discourses, musing, “I feel, if possible, more indignation at the usurpation of an ecclesiastical, than of a political despot,” since “tyrants in the church have occasioned more mischief in the world, than tyrants in the state.”¹⁵⁵

On the other side, Hobart’s allies agreed with the bishop that Jones was the enemy of church government. They argued that he supported disruption and chaos over stability and consistency. Jones exploited publicity because he believed that “controversy would be of great utility,” ultimately allowing him to disrupt order and impose his own anarchic views.¹⁵⁶ Another friend of Hobart’s suggested that Jones was so irrational and passionate that he must have been getting his ideas about governances from women.¹⁵⁷ In the wake of the vivid debates, Hobart received the support of the Trinity Church vestry board. The board conducted an internal examination of the affair. Finding Jones at fault, the vestry board sanctioned him and abrogated his contract, leading Jones to Emmet and to the state supreme court.¹⁵⁸

One of the reasons the conflict, which began as personal quarrel, provoked so much notice and notoriety was because the enmity between Jones and Hobart reflected deeply rooted tensions within the church. For the Protestant Episcopal Church, reforming their organization was a unique challenge. The Protestant Episcopal Church had to make substantive changes to its organization and forms of worship. As the established church in New York during the colonial era, Episcopalians essentially had to forge a new

¹⁵⁵ Rev. John Ireland, “A Second Solemn Appeal to the Church: Containing Remarks and Strictures on the Late Violent Proceedings of a Pretended Ecclesiastical Court Against the Author,” (Brooklyn: Printed by Thomas Kirk, 1811) 22.

¹⁵⁶ John C. Rudd to John Henry Hobart, published in John Henry Hobart, “Attack of Rev. Cave Jones on Bishop Hobart,” 1811, 108. TCA.

¹⁵⁷ Rev. Daniel Nash to John Henry Hobart, January 15, 1812. Reprinted in Charles Thorley Bridgeman and Clifford P. Morehouse, *A History of the Parish of Trinity Church in the City of New York: The rectorship of Dr. Hobart from February, A.D. 1816 to August, A.D. 1830* (Putnam, 1905) 107.

¹⁵⁸ The Vestry discusses their tribunal in “Documents Relative to the Submission to Arbitration Between the Rev. Cave Jones and the Corporation of Trinity Church” (New York: T. and J. Swords, 1813) 5.

denomination after the Revolution, removing the King of England as the head of the church, and adjusting to constitutional imperatives promising religious liberty and free exercise.

Though the transition was not without its critics, many Episcopalians embraced the opportunity to make their church a republican institution. The Revolution had destabilized New York Anglicans/Episcopalians, where the Church's clergy and lay leaders tended to have loyalist sympathies. The English occupied New York City for most of the war and many of the Revolution's supporters left the city, spending the war years in the countryside. As the British army withdrew, and the new state and city governments took control, Trinity Church found itself in a power vacuum. Charles Ingliss, the rector of Trinity Church and a staunch loyalist, had his property confiscated and was forced to return to England. The members of Trinity Church who remained in the city instated a new rector, Benjamin Moore, to continue the operations of the church. However, as revolutionaries streamed back into the city, they were reluctant to accept the decisions made almost exclusively by their loyalist co-religionists. Revolutionary Episcopalians/Anglicans maneuvered to undermine Moore's instatement, and invited their own candidate, Samuel Provoost, to serve as rector of Trinity Church and subsequently the first Bishop of New York. Provoost was a unifying candidate, and a potential symbol of the Church in a new era. Provoost had been an assistant minister at Trinity Church in the 1770s, but he was fired for his unapologetic views and speeches in support of independence. He was conservative, or decidedly non-evangelical, in his

approach to worship, but his sympathies were for a more democratically organized church and he had strong Revolutionary credentials.¹⁵⁹

While this was a significant transformation, it is possible to overstate how much the Protestant Episcopal Church had to change structurally and culturally. As the established church in the colonial period, Anglican Churches had civic responsibilities. They organized elections and managed poor relief. After the Revolution, Protestant Episcopal Churches continued to carry out these duties since no other organization had the infrastructure to take them on and the state was still unclear about the extent of its jurisdiction. Furthermore, Anglican Churches in New York were chartered as corporations. One of the ways officials preserved the dominance of the established church was through restricting the right of incorporation exclusively to Anglican institutions. After the Revolution, dissenting churches lobbied to make the right of incorporation universal. Rather than force the Episcopal/Anglican Church to change its structure, dissenting churches adopted its corporate form.¹⁶⁰

Accordingly, Trinity Church never rechartered. Instead, in 1788 Trinity Church requested an act from the New York State legislature updating its original 1697 charter. The updates removed references to Trinity Church as the established church. They also made minimal changes to the Trinity's legal title. The act changed the name from "The Rector and Inhabitants of the City of New York," to "The Rector and Inhabitants of the

¹⁵⁹ James Stuart Murray Anderson, *The history of the Church of England in the colonies and foreign dependencies of the British Empire*, vol. 3 (F. & J. Rivington, 1856) 609-610.

¹⁶⁰ I describe this process in detail in chapters 1 and 2.

City of New York, in Communion with the Protestant Episcopal Church of New York.”
Trinity Church made no other substantive changes to its charter.¹⁶¹

Even though Provoost and many of the lay leaders and congregants, embraced a denominational constitution based on a federal system of government, the decision to preserve the charter and name virtually intact had a number of subtle consequences for the future politics of the church. Preserving some of the pre-revolutionary structures, Episcopal traditionalists could maintain that a church, even a church in a republic, was still a patriarchal institution, run by elites and requiring obedience from subordinates. Episcopal traditionalists could argue that Trinity Church projected this paternalist tone when it adopted the legal name, “The Rector and Inhabitants of the City of New York, in Communion with the Protestant Episcopal Church of New York.” The name potentially implied that Trinity Church was not a voluntary society that people chose to join and that it was still a parish, not a congregation. In societies with established religion, particularly the English model, the parish was a geographical space presided over by a priest or minister. The parish was simultaneously a religious body and a governing unit. Everyone in the region was a part of that unified body. In this case, anyone associating with the Protestant Episcopal Church, regardless of which congregation, if any, they attended, belonged to the community.¹⁶²

¹⁶¹ The Trinity Church vestry board recounted this process in their legislative records in 1859. Daniel Dewey Barnard et al., *State of New-York, no. 45, In Senate, Feb. 20, 1856* (C. Van Benthuyssen, printer to the Legislature, 1846) 3. The 1784 act of the legislature pertaining to Trinity Church is reprinted in New York (State) and Thomas Greenleaf, *Laws of the state of New York: comprising the Constitution, and the acts of the Legislature, since the Revolution, from the first to the [twentieth] session, inclusive....* (Printed by Thomas Greenleaf, 1792) 95-98.

¹⁶² In New York Senate Documents, commentators point to the tensions between a parish system and a voluntary church system within Trinity Church. New York (State) Legislature. Senate, *Documents of the Senate of the State of New York*, (Albany: E. Mack, 1846) 18.

The universalism of the parish system offered both stability and coercion. In theory, everyone in a region was required to support the parish, but in return, they were guaranteed aid and protection. In some shape or form, the church had to be able to accommodate and support people from all ranks of society, and with some degree of diverging views. This universalism within the Anglican/Episcopal church was one of the reasons it could accommodate Puritans and Methodists as well as bishops and priests. The low-church tradition, which emphasized personal conversion, simplicity, and a broader base of participation, was just as much a part of Anglicanism/Episcopalianism as the high-church tradition, which emphasized the sacraments, obedience to the priesthood, the ceremonies, and the liturgy.¹⁶³

At the same time, the universalist mentality was essentially coercive. According to this perspective, the church was not a voluntary society. If everyone necessarily belonged to the community, then there was no space outside of the community. Therefore, schism was one of the worst possible transgressions. Schismatics or sectarians were intolerable, because they rejected an already inclusive and ordered community, disrupting the peace, and damaging the cause of religion by obstructing the possibility of a forging single community united by shared beliefs. People who willfully broke away to create new communities did not need to be accommodated. Through their schisms they came to occupy a space outside of society. Also, since members did not join voluntarily, the church did not have to engage in any sort of conversation about individual rights. It was the job of the public to trust in the wisdom of those in charge, and the system of government they put in place. Leaders did often believe that since they were responsible

¹⁶³ For a discussion of the difference between High Church and Low Church Anglicanism, see Richard William Vaudry, *Anglicans and the Atlantic World: High Churchmen, Evangelicals, and the Quebec Connection* (Quebec: McGill-Queen's Press - MQUP, 2003) 8.

for the welfare of the community, they were obligated to provide good government, meaning a discourse of rights belonged only to those in power.

Even in the face of the significant reorganizations the Protestant Episcopal Church had to carry out after the Revolution, institutional continuity allowed certain factions in the Church to integrate Episcopal orthodoxy into their reformation. For one, traditionalists could try to limit the reformation by promoting an understanding of government and society similar to the Federalist interpretation. Government and society would still be hierarchical, expanding the opportunities for elite rather than democratic participation and empowering the people with the capacity to choose virtuous leaders, rather than participate directly.¹⁶⁴

Conversely, Episcopalians such as Provoost viewed the significance of the name, “The Rector and Inhabitants of New York” in a very different light. Episcopalians who supported innovative forms of church government, or who believed that the church had to be flexible to compete in a voluntary church system, could suggest that the title indicated that the Episcopal Church would be constituted on a broader base of participation. Though the church was a corporation and therefore an entity separate and apart from the members, the name potentially acknowledged that the church required and welcomed the involvement and contributions of all of the city’s Episcopalians to government and worship. Consequently, Episcopalians had multiple understandings about the goals of the post-revolutionary church.

Hobart embraced and exemplified the traditionalist interpretation. He was a contentious figure, known both for his liberality and narrow-mindedness. Hobart was

¹⁶⁴ Stanley Elkins and Eric McKittrick, *The Age of Federalism* (Oxford University Press: New York and Oxford, 1993) 22. In their book, Elkins and McKittrick explore the beliefs and consequences of Federalism.

well respected among New York Jews, who praised his “liberal principles and unaffected piety.”¹⁶⁵ His support was critical to the establishment of St. Phillips Church, the first black Episcopal Church in the city.¹⁶⁶ He was an outspoken advocate for charitable and benevolent work and he regularly socialized in literary groups with ministers and laymen from other denominations.¹⁶⁷ Hobart was also an unapologetic proselytizer for orthodox Episcopal doctrine. He took a hard line toward Episcopalian evangelicals and innovators, championing the branch of high-church Episcopalianism ascendant in the city. He vigorously opposed the American Bible Society and other ecumenical projects in the city and wrote widely circulated articles and pamphlets urging his co-religionists to disavow cooperation with other churches and commit their time and resources internally. Hobart fiercely disapproved of the growing Catholic presence in New York. He used his popular and controversial publications, such as *The Churchman*, and *The High Churchman Vindicated*, to communicate Episcopal orthodoxy and to help solidify the Episcopal community.¹⁶⁸ Hobart’s paternalistic universalism allowed him at once to champion the marginalized and censure anyone he saw trying to disrupt the unity of the church.

On the other hand, Jones became a hero and a martyr for the faction clamoring for innovation and change. Many New York Episcopalians wanted more personal control

¹⁶⁵ *Minutes of the Trustees*, Vol. IV, Congregation Shearith Israel, September 16, 1830, CSI.

¹⁶⁶ See Craig Townsend, *Faith in Their Own Color: Black Episcopalians in Antebellum New York City* (New York: Columbia University Press, 2005). In his book, Townsend explains Hobart’s role in the founding of the St. Philip’s, and his relationship with its minister, Peter Williams.

¹⁶⁷ John Henry Hobart and William Berrian, *The posthumous works of the late Right Reverend John Henry Hobart ...: with a memoir of his life* (New York: Swords and Stanford, 1833), 127-128. See also, Literary and Philosophical Society of New-York, *Transactions of the Literary and Philosophical Society of New-York* (Published for the Society, by Van Winkle and Wiley, 1815).

¹⁶⁸ John Henry Hobart, *The Correspondence of John Henry Hobart*, in *Archives of the General Convention*, ed. Arthur Lowndes, Volume I. (Printed Privately, 1911) cxxvii; “Milner and Bishop Hobart.” *Connecticut Journal*, May 14, 1816, Vol L, 2; Elizabeth Bayley Seton to Antonio Filicchi, September 8, 1804. Regina Bechtle and Judith Metz (Eds), *Elizabeth Bayley Seton Collected Writings* (New York: New City Press, 2002) 319; John Henry Hobart, *The Churchman* (New York: Printed by T. and J. Swords, 1819). John Henry Hobart, *The high churchman vindicated* (New York: Printed by T. and J. Swords, 1826).

over their churches and felt alienated by the Trinity vestry board. The Episcopalian population, like the population of the rest of the city, had grown considerably since Trinity Church modified its name and charter in 1784. Originally, Trinity Church had opened a series of chapels under the jurisdiction of the mother church. As the population grew and the boundaries of the city expanded northward, individuals and families collaborated to form their own congregations. The Trinity ministers and vestry board tended to believe that these new “independent” congregations had no claim to Trinity’s vast resources.

In the winter of 1812, in the midst of the Hobart-Jones conflict, Episcopal laymen and women across the city banded together to assert their rights within the denomination. Trinity Church was called, after all, “the Rector and INHABITANTS of the city of New-York, in communion with the Protestant Episcopal Church, in the state of New-York.” They contended that if all Episcopalians belonged to the corporation, they should have access to the corporation’s resources, and that as “inhabitants” of New York “in communion with the Protestant Episcopal Church,” they should also be able to vote in the Trinity Church vestry elections. En masse, Episcopal laymen throughout the city forced their way into Trinity’s 1812 elections, demanding the right to vote, hoping to make a statement, and perhaps even electing a board sympathetic to their concerns.¹⁶⁹

The Cave Jones controversy focused these problems, creating an opportunity for members of the congregation to demonstrate that government, whether civil or religious,

¹⁶⁹ Two pamphlets describe this affair in detail: Robert Troup, “Remarks on the Bill entitled ‘An Act to Alter the Name of the Corporation of Trinity Church, and for other Purposes,’” (New York, 1813); “A Charter of the Record and Inhabitants of the City of New-York, in Communion of the Protestant Episcopal Church in the State of New-York: Commonly Called, The Charter of Trinity Church, With Notes by an Episcopalian of the City of New York,” (New York: 1813). Both of these pamphlets are deposited in the Archives of Trinity Parish, New York, NY. See also March 28, 1813, Minutes of the Vestry, The Corporate of Trinity Church, Vol. 2, 1791-1826, (Archives of Trinity Parish, New York) 224-226.

should not be left in the hands of oligarchic nabobs. On January 14, 1812, between seven and eight hundred men and women convened at the Mechanic's Hall, a meeting hall and theater, to assert the voice of the people in response to both the upcoming election and to the Trinity vestry board's treatment of Cave Jones. Eyewitnesses remarked that countless more were turned away because the building was filled to capacity. The men leading the meeting condemned the vestry boards' scaremongering assertions that popular participation and public opinion was damaging to religion and civil society:

The right of assembling in a peaceable manner, to express our opinion upon subjects of oppression, whether originating in Church or State, is one of the inestimable privileges secured to us by a free Government. This privilege we are certain, will never be questioned by any but the friends of monarch or despotism. In a despotic Government, indeed, those who would rule have only to say, the *Church* or *State* is in danger, and the floodgates of oppression are immediately thrown open, and the tide of intolerance overwhelms every one who dares to raise his arm or his voice against the foulest acts of cruelty and injustice. Even under *our* liberal Government, in the case of the Reverend Mr. Jones, the cry of the "*Church is in danger*" has resounded through every part of our city...But, God be praised, we have laws for our safeguard, and we have the right, in spite of *threats* and *denunciations*, peaceably to assemble, and firmness enough to make use of that right. It is said, public opinion is awful to the wicked; that its majestic voice, like the thunder of Heaven, strikes their corrupt bosoms with terror. It is also affirmed, that public opinion may reach and correct a thousand abuses, of which the law does not, or cannot take cognizance.

The people at the meeting then voted to accept a series of resolutions supporting Jones, due to the fact that the vestry's actions had been "contrary to law" and "contrary to the principles of justice."¹⁷⁰ Critics of the meeting tried to discredit the event, pointing out that not all of the 800 were Episcopalians; some were partisan agitators.¹⁷¹ If they were right, the critics' observations further suggested that New Yorkers took an active interest in religious politics.

¹⁷⁰ The Resolutions Adopted at a Meeting of the Episcopalians at Mechanic Hall: Also Two Letters from the Honorable John Jay, to the Rev. Cave Jones," (New York: 1812) 2, 3.

¹⁷¹ "An Address to the Committee, Acting Under the Authority of the Meeting at Mechanic-Hall, On the Subject of the Memorial Lately Presented by Them To The Vestry of Trinity Church (New York: 1812) 4.

The trial to settle Jones's suit for wrongful termination began in the context of these zealous protests. While Jones' suit against Trinity Church was presumably a simple contract dispute, all parties involved continued to engage with the question at the heart of the popular protests: how churches should function in a federal republic. Significantly, by bringing the conflict into the civil arena—through Jones' decision to involve the state supreme court, through the meetings in public spaces like the Mechanic's Hall, and both parties' use of the press—Jones and Hobart opened the church to broad public scrutiny and gave outsiders a stake in the future of the church, even allowing them to use this contest to fight their own personal and partisan battles.

Two lawyers represented Jones at his trial: Cadwallader Colden and Thomas Addis Emmet. Both lawyers had a personal as well as a professional interest in the proceedings. Colden was related to Samuel Provoost by marriage. His wife, Maria, was Provoost's daughter.¹⁷² Provoost was an avid supporter of Jones, writing in his support.¹⁷³ Thomas Addis Emmet had no specific interest in Trinity Church, but he had a broad interest in movements for democratic reform in New York. Emmet was a leader of the Hibernian Provident Society, a group founded originally by Irish exiles to support the cause of Irish independence, but which soon opened its doors to all Americans supporting democratic causes in the United States.¹⁷⁴ The Hibernian Provident Society was one of many democratic-republican clubs formed by workers and radicals motivated by the

¹⁷² Benjamin Franklin Thompson, *History of Long island: containing an account of the discovery and settlement; with other important and interesting matters to the present time* (E. French, 1839) 381.

¹⁷³ Davis, "Report of the Case," 10.

¹⁷⁴ David A. Wilson, *United Irishmen, United States: immigrant radicals in the early republic* (Ithaca: Cornell University Press, 1998) 64.

French Revolution, most of which converged around the democratic-republican machine at Tammany Hall by the second decade of the nineteenth century.¹⁷⁵

Furthermore, Emmet had a very personal vendetta against a member of the Trinity Church vestry board, Rufus King. In his home in Dublin, Thomas Addis and his brother Robert had been nationalist leaders in the Irish rebellion against England in the 1790s. After their role in a failed uprising, Robert Emmet was captured and executed. Thomas Addis Emmet escaped the gallows, but he was imprisoned in 1798. Emmet tried to make a bargain with the English to go into exile in the United States. However, the U.S. ambassador to England, Rufus King, succeeded in blocking the deal for several years. King, a staunch Federalist, did not want to admit political radicals into the U.S., in part because he believed that Irish exiles would provide powerful support for Thomas Jefferson and the Democratic-Republicans. Emmet was eventually released from prison and made his way to New York in 1804.¹⁷⁶

Upon his arrival, Emmet found his options severely limited. King and the Federalists had enforced an ordinance prohibiting non-naturalized lawyers, Irish revolutionaries in particular, from the New York Bar. After presenting letters of introduction to some of the states' democratic-republican leaders, Governor George Clinton and his nephew DeWitt Clinton, a former senator and the current mayor of New York, took Emmet under their wing, and found him a position in the New York City Mayor's court. Outraged at the petty, undemocratic restrictions enforced by New York

¹⁷⁵ Anthony Gronowicz details the activities and composition of democratic-republican clubs in New York and the rise of machine politics in the early nineteenth century. See Anthony Gronowicz, *Race and Class Politics in New York City Before the Civil War* (Boston: Northeastern University Press, 1998) 23-58.

¹⁷⁶ Wilson, *United Irishmen, United States*, 65; David James O'Donoghue, *Life of Robert Emmet* (Dublin: J. Duffy, 1902), 42; Thomas Addis Emmet, *Memoir of Thomas Addis and Robert Emmet: with their ancestors and immediate family* (New York: The Emmet press, 1915), 391.

Federalists, Emmet was instrumental in rallying his fellow Irishmen behind the Clinton family to oppose Rufus King's bid for the Vice Presidency in 1807. Many of the radical Irish reviled King, even blaming him for Robert Emmet's execution. Emmet and his colleagues were particularly effective at appealing to the Irish Catholics, as well as Protestants. The Clintonians handily won the election, and DeWitt's uncle, George Clinton, became the vice president. Emmet rose quickly through the ranks, and served as the New York State's Attorney for the last few months of 1812, until Federalist opponents pushed him out in February 1813, a few months before Jones' trial.¹⁷⁷

The enmity between Emmet and King, and the Clintonians, the Federalists, and rival democratic-republican factions, were subtexts for the trial. Though Emmet had no specific relationship with Jones or the church, the case brought together two of his central causes: democratic politics and a chance to confront the man who imprisoned him. King served on the Trinity Church vestry board during Jones' dismissal, and was one of the key witnesses for the defense. Furthermore, the trial took place at a time when Emmet was in a position where he was likely to succeed. Thanks to his connection with the Clintons, he had experience and connections in the courts. As mayor, DeWitt Clinton presided over the city courts as the judge.¹⁷⁸

Aversion to this sort of public scrutiny had been one of Hobart's greatest fears since the early days of the conflict. In his original pamphlet addressing Jones's accusations, Hobart prophesied that all of the parties in the church would lose if they invited outsiders to judge their internal affairs. Hobart explained:

¹⁷⁷ Wilson, *United Irishmen, United State*, 64-67; Emmet, *Memoir*, 395-404; "Irishmen, listen to a Republican, your Catholic friend.: In Ireland you have been tortured and massacred by the British government. You are now called upon—impudently called upon by the Federalists to support Rufus King and the rest of the British ticket..." (New-York Historical Society Broadside: 1804).

¹⁷⁸ Rufus King testified against Jones in the trial. Davis, "Report of the Case," 251-257.

I have sometimes thought I saw persons versed in legal lore, professing themselves the champions of the rights of the oppressed—and yet I saw them become partisans without being ‘intimate with either of the parties;’ deciding on the merits of a cause on an *ex parte* statement; endeavouring to deprive the accused of his privilege of an impartial hearing, and to ensure his condemnation, by prejudicing both his testimony and his defense. I saw them with deceitful hand and perfected eye, take the scales of justice; and weighing in them the calumniator, and him who was the object of his foul calumny; the unsuspecting friend, and him, who, under the cloak of friendship, concealed the arrows of detraction and the seal of vengeance—and pronouncing them *equally in the wrong.*”

Hobart’s concerns signaled an important question about the autonomy of corporate churches. Though outsiders might seem like good judges because they appeared to be “impartial,” this power made them self-righteous. An outside judge might decide that both parties were wrong, completely undermining the integrity of the institution.¹⁷⁹

To address these concerns, the defense also enlisted illustrious representation. Thomas and David Ogden argued the case for Trinity Church. The Ogden brothers were powerful lawyers and land speculators in New York and New Jersey. David often provided legal council to the vestry board, and Thomas managed significant portions of Trinity Church’s vast property holdings. One of the Ogden brothers’ largest projects for Trinity Church was lending money to Episcopal Churches on the New York frontier, and encouraging Episcopal missionary work among Seneca Indians. In this project, the brothers followed through on their commitment to the Church and ensured that they were some of the first speculators to claim Indian land in upstate New York.¹⁸⁰

Carrying the main responsibility in the proceedings, Emmet and David Ogden rested their arguments largely on the central question: what sort of institution was a republican church? Both lawyers structured their case by trying to make a point about religious liberty. Ogden upheld the traditionalist Episcopalian orthodoxy, that churches

¹⁷⁹ Hobart, “Letter to the Vestry,” 145.

¹⁸⁰ See for example, July 24, 1838, James Carder to Thomas Ogden, Ogden Family Papers, Clements Library, University of Michigan. This collection documents the Ogden Brother’s business affairs, as well as some of their involvement with Trinity Church.

were fully autonomous communities with “their own constitution and code of laws for their government,” and that therefore they had “a right to make their own internal regulations.” He maintained that the entire trial was illegitimate because the courts had no right to rule on the internal affairs of the church. Congregations, he argued “[had] a right to settle their own disputes among their ministers and congregations, without the interference of civil law.”¹⁸¹

This was especially true, Ogden maintained, since Trinity Church’s government was not arbitrary, tyrannical, or authoritarian. Ogden pointed specifically to the third article of the Protestant Episcopal constitution that laid out the separation of powers in the church. It established that the house of bishops was “only one branch of the legislative body,” balanced by “the lay and clerical deputies,” and that ultimately, all three “constitute the other.” Jones’s dismissal was not a unilateral and irrational decision by one body. In fact, Ogden argued, the only party acting unilaterally and irrationally was Jones. Ogden insisted that when Jones published his “Solemn Appeal” he “brought down upon himself all of the troubles and vexations” he deserved. His desire to “inflame the public mind” was nothing more than a “mean and pitiful effort” to “destroy... a man [Hobart] whom he envied and hated, but whom he dared not to arraign face to face, before a competent tribunal composed of his equals.”¹⁸²

Ogden appealed to the jury, stating that if the civil court overturned the vestry board’s decisions, on the testimony of someone who “was little better than... a maniac,” then they were setting a dangerous precedent. The civil courts would undermine the charter, threaten Trinity’s right to free exercise, and assault the church’s religious liberty.

¹⁸¹ Davis, “Report of the Case,” 281, 291.

¹⁸² Ibid, 291, 298-299.

In this way, Ogden proposed, the trial brought the whole authority and autonomy of the church into contempt. The vestry would never be able to arbitrate disputes peacefully within the church, because everyone would know they could appeal to the public and to the courts, rather than enter into productive mediation. The church could have no productive spiritual, moral, or social role, if its authority and autonomy was specious. Ogden ended his defense with a bold statement: “An ecclesiastical court, canonically constituted, has determined that [Jones] shall not preach, and this court had not the power to say, he shall.” The defense professed that these proceedings mocked any proposition that religion was free from the meddling of the state.¹⁸³

Emmet and Colden premised that the case was a simple matter of contract. Jones had a contract with Trinity Church; the vestry had illegally violated the contract, and Jones should be compensated. However, this argument also built on the discussion about religious liberty. They proposed that a civil court could indeed interfere in the internal affairs of a church if the church usurped the rights of an individual, arguing that, “every free citizen, who is interested in the election of an officer, civil or ecclesiastical, has a civil and moral right to publish *truth*.” Jones’ advocates insisted that he had been treated with a “singular injustice and cruelty” for publishing his opinions about Hobart’s elevation and that this behavior had no place in American society. Hobart and his allies were “promotive of a system of tyranny and intolerance, utterly incompatible with the state of things in this country.” If they were allowed to continue to lead in this way, it would be “productive of great dissatisfaction and disunion in the church, and...will subject the clergy to state of servile submission, which would be highly disgraceful.” They contended, in a Kantian vein, that a minister should be responsible to his

¹⁸³ Ibid, “Report of the Case,” 299, 306.

congregation and obedient to his superiors in the church, but he was also a private citizen with “civil rights and moral duties,” including the right and responsibility to publish “unfavorable truths” if they exposed tyranny.¹⁸⁴

Ultimately, the lawyers protested that an individual’s civil rights superseded a church’s right to free exercise. They explicitly challenged the definition of corporate religious liberty established after the Revolution, particularly the idea that a church, as an autonomous organization, had its own civil or religious liberty. Emmet blamed the Trinity Church vestry board in particular for their “unwarrantable and unauthorized interference in a matter.” He was certain that, “without their intermeddling, the contest would have peaceably died away.” He strongly agreed that each individual member of the board, just like any citizen, “had a personal right to speak and think” about the conflict, “according to their respective judgments.” The problem only emerged when the individual members felt emboldened by Trinity Church’s “possession of inordinate wealth and of proportionate power” to use that power collectively against another individual. Emmet explained that a “corporate body, wielding the wealth and power of Trinity Church,” they had “neither a right nor a duty in their corporate capacity.”¹⁸⁵

Significantly, Emmet also engaged in points of theology and ecclesiology. He based several of his arguments not only on civil law, but also on the Constitution of the Protestant Episcopal Church, and the history and precedent of the Church of England. Emmet advanced a second line of argument, professing that Hobart’s advancement was illegal, and that Samuel Provoost was still the bishop. He called on the works of Anglican scholars, and even probed the New Testament to find observations supporting

¹⁸⁴ Ibid, 406-407, 417, 422.

¹⁸⁵ Ibid, 441.

his claims. Through his advocacy, Emmet demonstrated that when outsiders were in a position to arbitrate internal matters of the church, they could also try to interpret church doctrine.¹⁸⁶

The court ruled in Jones' favor and awarded him \$7,500 as well as wages lost. In return for the financial reward, the court ordered that Jones give up all claims to Trinity Church.¹⁸⁷ Jones accepted the terms, and left the city. He took a position as a chaplain in the army during the War of 1812 and received many accolades from the government for his work with troops. He ended his career as Chaplain for the Navy.¹⁸⁸ The next year, 1814, Trinity Church petitioned the state legislature to change its charter, changing its name to the "Corporation of Trinity Church."¹⁸⁹ The new name implied that members of the vestry presumed that the title, "The Rector and Inhabitants of the City of New York," allowed too many people the ability to make private claims on the management and property of the corporation, opening the door to public involvement from a population that had diverse and competing interests about the function of the church in a pluralistic society. In 1829 the corporation changed its name again, to "The Rector, Church Wardens, and vestrymen of Trinity Church in the city of New York," taking the congregation out of the corporation entirely.¹⁹⁰

¹⁸⁶ Ibid, 273, 274, 278.

¹⁸⁷ Ibid, 561-562.

¹⁸⁸ November 14, 1816, *Delaware Gazette and State Journal*, Wilmington DE; February 24, 1819, *The Commercial Advertiser*, NY, NY; June 18, 1824, "Navy of the United States," *Baltimore Patriot*, Baltimore, MD.

¹⁸⁹ The Trinity Church Vestry discussed this change in an 1814 pamphlet, "Remarks on the Bill Entitled 'An Act to Alter the Name of the Corporation of Trinity Church, and for Other Purposes,'" (New York, 1814), Archives of Trinity Church, NY, NY.

¹⁹⁰ New York (State), *The revised statutes of the state of New-York: passed during the years one thousand eight hundred and twenty-seven, and one thousand eight hundred and twenty-eight : to which are added, certain former acts which have not been revised* (Printed by Packard and Van Benthuysen, 1829), 300.

In their ruling, the State Supreme Court unwittingly reassessed the implications of the 1784 law universalizing church incorporation and accepted Emmet and Colden's definition. Religious liberty was an individual civil right, not an organizational corporate right. Religious liberty was a matter of personal conscience, not of organizational autonomy. In some ways, Hobart was right: no one won. Churches could not be both fully autonomous from the state and be a political community or an informal public. If they were autonomous from the state, then the corporation could not, in fact, involve, "the people." If they were political communities, then the state could arbitrate their internal affairs.

III. The People v. Phillips (1813)

The same year that the New York State Supreme Court ruled in favor of Cave Jones against the Trinity Church vestry board, the state of New York called on Anthony Kohlmann, the priest at St. Peters Catholic Church, to testify against Daniel Phillips. Phillips, a parishioner at St. Peters, had admitted to Kohlmann while participating in the sacrament of confession, that he had been involved in a robbery. When confronted, Kohlmann refused to testify against Phillips, unwilling to break his vow to uphold the privacy of the confessional. Richard Riker, the DA, proposed to drop the case, but the St. Peters vestry board requested that the case go forward, hoping to establish, officially, that the Catholic practice of confessional privilege was consistent with the principle of religious liberty and therefore a constitutional right. The New York Court of General Sessions looked beyond Daniel Phillip's participation in a petty theft as they considered

how the community would accommodate groups and doctrines that the laws were not specifically designed to include.

Riker's instincts were good when he proposed that the state let the matter go. While the public commentary leading up to the trial was not as rampant as in the Cave Jones affair, the case quickly became a political minefield. For one, Kohlmann's lawyer, William Sampson, was also a prominent civil rights lawyer and Irish radical. Furthermore Sampson published the trial transcript when the dispute concluded, ensuring that it remained a part of popular imagination. Perhaps even more than in the Cave Jones case, *The People v. Phillips* became embedded within Democratic-Republican politics and served as a touchstone for the struggle for partisan alignment in early national New York. Dewitt Clinton, the mayor of New York, and therefore the judge presiding over the trial, embraced this moment to reach out to the growing Irish and Catholic populations, to take a jab at hierarchical, Federalist views of authority, and to make a statement about religious liberty as an individual right.

After Kohlmann gave his impassioned plea to the court, indicating his intention not to testify against Phillips, William Sampson stood up and offered his services to represent Kohlmann and the St. Peters vestry board. Sampson, like Thomas Addis Emmet, was an Irish republican exile and an Irish democratic-republican leader in New York. Born into a Protestant family in Northern Ireland, Sampson became involved with the Irish republican movement through his passionate advocacy for Catholic rights. He clashed with the English government when, as a young lawyer, he insisted on

representing Catholics in court. Like Emmet, English officials forced Sampson to leave Ireland after the United Irishmen Rebellion in 1798.¹⁹¹

Sampson intended to take up his exile in Portugal, though en route, his ship was wrecked in North Wales. While waiting for another passage, he wasted no time taking up the campaign again for Irish rights. Through his activism, Sampson antagonized English officials so thoroughly that they convinced the Portuguese to imprison him upon his arrival. Sampson spent several torturous years in Portuguese jails before the Portuguese released him and sent him to France. Shipwrecked again, Sampson finally made it to Paris, where he witnessed the period of Terror of the French Revolution. Sampson remained in France until 1806, when he made his way to London, hoping that the new, less conservative Whig government would allow him to return to Ireland. His hopes were soon dashed. In London, he was immediately put under house arrest and was quickly exiled to the United States.¹⁹²

When Sampson's ship arrived in New York Harbor in the summer of 1806, this voyage mercifully free from shipwrecks, he must have felt like his luck was turning around. Auspiciously, Sampson's boat docked on July 4, and his first images of the city were New Yorkers celebrating the Fourth of July. Sampson witnessed the Independence Day festivities with amazement, delighted by the way common people celebrated boisterously in the streets "commemorating their independence, carousing, singing republicans songs, drinking revolutionary toasts, bonfires blazing, canons firing, and

¹⁹¹ Sampson, "The Catholic Question," xiv, xvi.

¹⁹² Wilson, *United Irishmen, United States*, 59. Sampson also narrates his journey in his memoirs, published in the United States in 1807 and in England in 1832. William Sampson, *Memoirs of William Sampson; written by himself. With an intro. and notes, by the author of the History of the civil wars of Ireland* (Whittaker, Treacher, and Arnot, 1832).

huzzaing for liberty.”¹⁹³ Sampson asked someone if the popular celebrations would be broken up and put down by the military or the magistrates. He was even more delighted to find out that the magistrates and the military were participating. Still not completely convinced that magistrates would permit the popular demonstrations, Sampson asked, “If there was no clergyman that was a justice of peace to head the military?” Again, Sampson was pleased to hear the response:

They showed me a bishop, a mid, venerable-looking old gentleman, that would not know which end of a gun to put foremost, fitter to give a blessing than to lead a corporal’s guard; not vigour, no energy. And they say the clergy do not act as justices in this country. Indeed, the clergy here are not like certain clergy...¹⁹⁴

Sampson regretted his exile and lamented the land he lost, but he embraced his new home, reconnected with Emmet and other old friends, and immediately joined in the routing of Rufus King. He quickly established himself as a well-regarded city lawyer, and fierce defender of civil rights.¹⁹⁵

Sampson would soon learn that American clergy were indeed full of vigor and energy, as he watched Kohlmann defy the court when he refused to testify. Furthermore, the Cave Jones case demonstrated that there were some in New York who still argued that the clergy should act as justices in ecclesiastical courts autonomous from the state. The Jones affair reinforced that people were divided over the practical and theoretical implications of separation between religion and civil government. Some factions insisted that churches operated autonomously from the civil sphere and could use their own processes of judgment and justice, while others maintained that religious and civil bodies were indeed separate institutions, but part of a shared political culture.

¹⁹³ Sampson, *Memoirs*, 279.

¹⁹⁴ Sampson, *Memoirs*, 280.

¹⁹⁵ Wilson, *United Irishmen, United States*, 59, 69. Sampson described his feelings of exile in his memoirs. See Sampson, *Memoirs*, 277-279.

The trial resumed in the summer of 1813, with Sampson at the helm. As the details of whether the trial would continue were in flux, Riker's term as district attorney ended, and he volunteered to work with Sampson representing Kohlmann. Thomas Addis Emmet had also intended to argue for the defense, but a binding commitment in another court kept him away.¹⁹⁶ The new district attorney, Mr. Gardinier, began his prosecution with an apology, admitting that like Riker, he would rather not pursue the case.¹⁹⁷ However, taking his charge seriously, he laid out a possible interpretation of the 38th clause of the New York Constitution, which guaranteed the free exercise of religion in the state. First, he claimed that Protestants founded the United States, though the founders wisely established a society where "all religions are equal." However, since Protestants had made the decision that all religions were equal, religious equality was not inalienable. Rather, Gardinier argued, "this is the toleration society has 'granted' to all." Gardinier invoked European-style toleration, where the majority granted privileges to a minority. Second, and more importantly, he insisted that while the Constitution ensured that all religions were *equal*, it also specifically insisted that no religion was "*superior*" to any another. Gardinier argued that by pursuing their quest for confessional privilege, Kohlmann and St. Peters were not asking for equality, they were asking for special privileges. The rights of individuals, or individual "priests" or "of a particular sect," could not come at the expense of "society, which is composed of all the sects."¹⁹⁸

¹⁹⁶ American-Irish Historical Society, *The Journal of the American-Irish Historical Society*, vol. 15, 3 (The Society, 1917) 342; Sampson, "Catholic Question in America," 13.

¹⁹⁷ Sampson, "The Catholic Question in America," 42.

¹⁹⁸ *Ibid*, 44, 47; For a discussion of toleration as a negative and a positive right, see Andrew Murphy, *Conscience and Community: Revisiting Toleration and Religious Dissent in Early Modern England and America* (University Park: The Pennsylvania State University Press, 2003) x-xiii.

Gardinier proposed that religious liberty meant that the law was blind, and that it asked the same things and gave the same privileges to everyone, regardless of religion. He intimated that this interpretation was ultimately more equitable because it would establish that the law excluded no one, on the basis of his or her religion, from the rights and responsibilities of citizenship, in this case of testifying in court. Kohlmann could practice his religion in any way he deemed necessary, in private. As a member of a civil society, he had to enter the public square stripped of his personal prejudices and beliefs. According to Gardinier's definition of religious liberty, Kohlmann's Catholicism in no way excluded him from participating in civil society. He had a choice like everyone else. No one could make him testify and Kohlmann had every right to his personal beliefs. Additionally, he was free to accept the consequences of his actions, in this case, jail. Requiring and permitting Kohlmann to accept the consequences for not testifying, the same as anyone else, was the ultimate expression of religious liberty, the prosecuted declared.

When Gardinier made the decision to base his case on the argument that "toleration" was a privilege *granted* by those in power, his claim that the Catholic minority received special privileges in American society in a way that was unfair to Protestants fell somewhat flat. Kohlmann's lawyers, Sampson and Riker, took this into account when, in their defense, they outlined a more nuanced model of religious liberty in a pluralist society. When judging what constituted religious liberty, a society had to take into consideration that the law favored the majority and put an unfair burden on the minorities. In a free society, citizens had to be aware of when the law imposed unequal burdens. As Riker put it, "To compel the Reverend Pastor to answer, or to be

imprisoned, must either force his conscience or lead to persecution. I can conceive of nothing more barbarous—more cruel—or more unjust than such an alternative.”¹⁹⁹

Mayor DeWitt Clinton, who was the presiding judge of the court, took the opportunity to clarify that he considered this statement to be the fundamental point of the case. He insisted that Catholics had been “disenfranchised of...civil rights” for too long to expect that individuals, on the ground, would immediately embrace Catholics as equals. Clinton was passionate about this argument, declaring:

The benign spirit of toleration, and the maxims of an enlightened policy, have recently ameliorated his condition, and will undoubtedly, in process of time, place him on the same footing with his Protestant brethren; but until he stands upon the broad pedestal of equal rights, emancipated from the most unjust thralldom, we cannot but look with a jealous eye upon all decisions which fetter him or rivet his chains.²⁰⁰

Neither Riker nor Clinton was clear about how this process of ensuring minority rights would be carried out. Riker argued strongly that people’s conscience should not be the subject of “human laws” or controlled by “human tribunals.”²⁰¹ However, through their participation, both men signaled that regulatory bodies such as civil courts would be important tools to address religious factionalism.

Clinton’s impassioned interjections in the trial underscored that while *The People v. Phillips* took place as American Catholics were struggling internally to reform their congregations, the conflict also occurred in a context of democratic-republican partisan alignment. Two families dominated democratic-republican politics in New York in the first decade of the 19th century: the Clintons and the Livingstons. The Clintons had effectively earned the support of the American United Irishmen Society. George Clinton, the patriarch, and his nephew Dewitt Clinton, found their influence over rival

¹⁹⁹ Sampson, “Catholic Question in America,” 40.

²⁰⁰ Ibid, 108.

²⁰¹ Ibid, 40.

Democratic-Republicans and Federalists solidify due to their alliance with Irish radical leaders. Emmet and Sampson were part of a coterie fighting for the democratization of political life, meaning they wanted to end limits on the franchise, cultivate commercial development, which would provide more economic opportunities for working people, and encourage civil rights, especially free speech. The alliance gave Irish radicals access to positions in the state government, and some control over the party agenda. Irish did not exclusively mean Catholic—many New York Irish were Protestants, and many New York Catholics were French and German.²⁰² Nevertheless, the case was important to Irish radical leaders, as Sampson’s participation attested. Similar to the Cave Jones’ case, *The People v. Phillips* highlighted the intersection of civil and religious factionalism, both in terms of the issues at stake and the people involved.

Sampson, in his turn, vigilantly assailed Gardinier for basing his argument on the assumption that the United States was a Protestant country. In fact, he insisted, this assertion worked in favor of Kohlmann’s position. First, it underscored that Gardinier was trying to impose a European style definition of religious liberty, where toleration was a negative right, a privilege granted to the minority by the majority, rather than an inalienable right. Furthermore, Gardinier was obfuscating when he announced that the United States was a Protestant nation. Those Protestants, Sampson announced, “were not of any one church.” They were “of many and various sects, all of whom had suffered more or less in Europe for their religious tenets, and many of whom had unrelentingly

²⁰² Wilson, *United Irishmen, United States: Immigrant Radicals in the Early Republic* (Ithaca and London: Cornell University Press, 1998), 2-11, 64. It is important to note that democratic reformers almost exclusively included white men in their movements for civil and economic rights. Most systematically excluded blacks, Native Americans, all other racial minorities, and women.

persecuted each other.”²⁰³ Sampson was clear. Gardinier was trying to establish a Protestant unity that had never actually existed.

Ultimately, the jury ruled unanimously for Kohlmann. They acquitted Phillips because the jury had no evidence against him.²⁰⁴ Sampson compiled the trial records and in October he published them under the title, “The Catholic Question in America,” ensuring that news of the trial, and its larger implications, would be a source of conversation and interest. The pamphlet was especially popular in Baltimore and Philadelphia, where Catholic churches purchased large numbers for resale.²⁰⁵ In 1828, New York was the first state to accept a law institutionalizing the priest-penitent privilege.²⁰⁶

Churches were integral spaces for reformers, civil rights activists, and conservatives to confront constitutional and practical political issues that governing documents had not anticipated or quickly forgot, in this case, how American society should accommodate or tolerate minorities and whether Protestants were a monolithic group. Lawyers such as Emmet and Sampson and politicians such as Dewitt Clinton, some of the most important spokesmen in cases involving churches, had no personal interest in promoting or bolstering American religious societies. It is possible that Emmet, Sampson, and Clinton were engaging in *realpolitik*, and that their motive was to gain the support of the growing Irish population in order to propel their democratic partisan agenda. However, cases such as these begin to reveal that the concerns and tools

²⁰³ Sampson, “Catholic Question in America,” 77, 83, 85.

²⁰⁴ *Ibid.*, 95, 114.

²⁰⁵ October 13, 1813, *New-York Gazette*, New York, NY; October 9, *The Democratic Press*, Philadelphia, PA; October 14, 1813, Baltimore, MD.

²⁰⁶ Asa I. Fish and Henry Wharton, *The American Law Register*, vol. IV (Philadelphia: D.B. Canfield & Co., 1856) 475.

of religious politics did not necessarily occupy a distinct realm from electoral politics. Emmet, Sampson, and Clinton's conviction that religious liberty was a fundamental civil right, led them, perhaps unwittingly, to suggest a greater involvement of government in church affairs, if the end result was to secure minority rights and greater civil liberties.

The People v. Phillips had a lasting impact on both legal and cultural interpretations of religious liberty. However, it also illustrated a broader culture of inquiry into the practical relationship between the civil and religious spheres, and how participants in organized religion would integrate and respond to new models of democratic politics continuing to evolve after they developed their constitutions and bylaws and other new forms of organization in the 1780s and 1790s. As in *Cave Jones's* case, the trial also pointed to a tension between religious liberty as an individual right and as a corporate right, as well as the mounting evidence for the former. For all of the involvement of partisan politics in religious factionalism, when given the chance, courts marked religious liberty as something internal, private, and personal, rather than connect it to public participation.

IV. Trial of William Parkinson, Pastor of the First Baptist Church in the City of New-York, on an indictment for assault and battery upon Mrs. Eliza Wintringhman (1811)

The People v. Phillips and *Cave Jones v. the Rector and Inhabitants* are distinct yet intersecting examples of the ways in which participants in organized religion were self-consciously exploring the consequences of adapting their churches into corporate, constitutional societies. Partisans within religious societies faced moments like these, compelling them to acknowledge two competing models characterizing the intersection

of civil and religious politics within their organizations. Some factions maintained that the free exercise clause and guarantees of religious liberty granted churches the right to be autonomous institutions, free to manage their own affairs without any interference as long as they did not govern arbitrarily, but derived their government from a constitutions and bylaws. Other factions contended that in republican churches, participants never stopped being a part of civil society. Therefore, churches should use civil tools, particularly the courts and the press, not only to help settle issues involving money and property, but also to clarify and substantiate questions about rights.

The final case, *Eliza Wintringham v. William Parkinson*, a trial over the charge of sexual assault between a parishioner and her minister in New York's First Baptist Church, reveals that when people confronted these tensions and contradictions about autonomy and authority, they did so in ways that were social and cultural as well as partisan. Nineteenth-century Americans were fascinated and troubled by the relationships between women and ministers. Many expressed a common conception, containing elements of both fact and fiction, that ministers were allowed to enter informally into female circles, presiding over the religious education of the women of their church. In this way, ministers were able to spend time socially and privately with women in ways many other men could not.²⁰⁷ The tension over access to power and participation was an important question at a time when Americans were very concerned about who could participate and in what ways in religious societies.

The question was particularly important for post-revolutionary Baptist churches developing new forms of government. Baptists were in a tenuous position. Many were

²⁰⁷ Karin Gedge explains and explores this tension in her study, Karin Erdevig Gedge, *Without Benefit of Clergy: Women and the Pastoral Relationship in Nineteenth Century American Culture* (Oxford and New York: Oxford University Press, 2003) 3-8.

uncertain whether they were part of the established, respectable, reformed Protestant denominations, such as the Presbyterians, Congregationalists, and Dutch Reformed, or whether they were part of the emotional and chaotic denominations, such as the Methodists, and other new charismatic sects. In the colonial era, Baptists sought to create new kinds of religious communities. By spurning infant baptism, they emphasized the importance of personal communion and communion with God. They rejected extra-congregational associations—synods, but also family and neighborhood ties—to reinforce the supreme importance of the religious community and individuals within the community. After the Revolution, many Baptist Churches remained sites for passionate revivals and their congregations were breeding grounds for membership in new charismatic sects, such as the Shakers, and the Public Universal Friends.²⁰⁸

However, by the early nineteenth century, many Baptists were involved in a quest for order, respectability, and republican stability. Baptist ministers received training at traditionally Calvinist strongholds such as Andover Theological Seminary. Baptist churches adopted formal governments, abandoned strictures about modest dress, and participated in multi-denominational or ecumenical missionary and publishing projects.²⁰⁹ Still, Baptists faced public attacks from other Reformed Churches over whether they were lawless enthusiasts, or partners in a project to develop a republican Christianity. While religious politics came to be dominated by discussions of structure and government rather than theology, one of the doctrinal battle that continued to rage

²⁰⁸ Susan Juster, *Disorderly Women: Sexual Politics & Evangelicalism in Revolutionary New England* (Ithaca: Cornell University Press, 1994) viii, 4, 165.

²⁰⁹ Mary Kelley, “‘Pen and Ink Communion’: Evangelical Reading and Writing in Antebellum America,” *The New England Quarterly*, December 2011, Vol. 84, No. 4, 561, 578

among reformed churches was over the adult baptism practiced in Baptist congregations.²¹⁰

Eliza Wintringham's suit against William Parkinson for assault and battery was embedded in this context of one church's struggle to adapt to a new political environment. Eliza Wintringham quickly lost control of her story when, through the trial, she became collateral damage in this factional battle. In fact, for both Parkinson's supporters and Wintringham's alleged supporters, Wintringham as a person mattered very little. She was a pawn in a battle over congregational authority and autonomy. Different parties within the church asserted their ability, and their right, to formally participate in the governance of their communities by tarnishing the reputations of their opponents, focusing on how each side handled, or mishandled their relationship with her. Expressing their fitness for political authority in terms of their relationship with women, the men involved in the conflict established that they defined participation in large part by who was excluded. Furthermore, similar to the Cave Jones case, *Wintringham v. Parkinson* demonstrated that when church politics opened themselves up to public critique, they undermined their autonomy by allowing outsiders to decide internal matters of discipline and government and they lost control of how the issues and the people involved were represented and depicted publicly.

In 1811, a young woman, Eliza Wintringham formally and publicly accused her minister, William Parkinson of New York's First Baptist Church, of sexual assault and

²¹⁰ William Parkinson discussed the conflict over Baptism in an 1823 pamphlet, William Parkinson, "Two Letters on Christian Baptism: The Circular Letters of the New-York Baptist Association, 1821 and 1823," (New York: J.J. Harper, 1823); South Carolina Baptist Minister Edmund Botsford also explored the conflict in his personal notes and papers, "On Infant Baptism," Edmund Botsford Family Papers, Box 2, Series 3, South Carolina Baptist Historical Collection, Furman University; Christine Heyerman, "Holy Wars in the Old South: Or, the Battle Among Baptists, Methodists, and Presbyterians," An Address delivered at the Sixty-Second Annual Meeting of the South Caroliniana Society, 1999, <http://library.sc.edu/socar/uscs/1999/addr99.html>, accessed July 2, 2011.

battery. The case went to trial that year. Likely because of the lurid details and the well-known personalities, the trial was notorious in the city and it spurred a particularly rich pamphlet literature. Parkinson was a popular preacher in New York and was widely respected for the time he spent serving as chaplain for the U.S. Congress.²¹¹ He was also a darling among the city's Democratic-Republicans. One observer admiringly described him as a "rancorous democrat."²¹² However, Parkinson's relationships with female parishioners were also well known. He had been implicated, though not convicted, in at least two other affairs with women from his church.²¹³ The court recorder admitted that even though a month had passed between the formal indictment and trial, the case had "[agitated] and [kept] alive the anxiety of the public mind," largely due to the "respectability of the parties involved."²¹⁴ Newspaper reports suggested that publishers expected to sell 10,000 copies of the trial transcripts, which had been compiled, printed, and distributed at the end of the conflict.²¹⁵

The case, which had grabbed the attention that year of the New York reading public, particularly caught the imagination of Samuel Woodworth, a journalist, playwright and poet. He composed and published a nearly 100-page poem satirizing the case. Woodworth titled his work, "Beasts at law, or zoologian jurisprudence." The poem was nearly identical in form to the transcript of the trial. It began by listing the judges, the counsel for the prosecution and defense, and the jury. Though in verse, it outlined

²¹¹ William Buell Sprague, *Annals of the American Pulpit: Baptist* (R. Carter, 1860) 362-365

²¹² November 11, 1812, *Public Advertiser*, New York, New York.

²¹³ William Sampson, "Trial of Mr. William Parkinson, Pastor of the First Baptist Church in the City of New-York, On an Indictment for Assault and Battery upon Mrs. Eliza Wintringham," (New York: Largin and Thompson, 1811) 7, NYHS; Parkinson became embroiled in another scandal with a young women in 1829, Maria Shade, "Imposture and Deception Detected and Exposed, Being a Review of the Proceedings of the First Baptist Church in the City of New York, in Relation to What Parkinson Terms the Slanderous Charges Brought Against the Pastor of Said Church," (New York, 1829), NYHS.

²¹⁴ Sampson, "Trial of Mr. William Parkinson," 3.

²¹⁵ July 22, 1811, *The Columbian*, NY, NY.

coherently the arguments, indictments, and witness testimonies, taking its factual information as well as its format directly from the pamphlet. The difference was, Woodworth represented all of the people involved as animals. He portrayed Parkinson as a Mastiff. The mastiff was a noble creature and the king among the dogs. While other dogs “went round/to kiss each wanton slut he found,” the Mastiff was “bold,” and “was stationed to protect a fold.” Woodworth satirized Wintringham as a Capra, a little goat, and a member of the “fold” that the Mastiff was supposed to protect. Despite depicting Parkinson as a noble and powerful beast and Wintringham as a silly and weak creature, his ultimate feelings about the two foils were equivocal. While the poem suggested that the Mastiff was a faithful and revered Shepard, it also intimated that even the king of the dogs, was still, after all, a dog.

Woodworth depicted the lawyers and magistrates in ways that were similarly simultaneously cutting and admiring. DeWitt Clinton, the mayor and therefore presiding judge, was the lion. The poet lauded the lion for his generosity and for the way he championed the helpless: “Whose generous paw supplies with food/ Each den of misery in the wood;/ Who helps the weak, restrains the strong.” The lion was also vain and self-righteous, and used that self-righteousness as an excuse to pander for patronage and “tributary.” Woodworth even took a stab at Thomas Addis Emmet, who this time found himself on the opposite side of the bench from William Sampson. Emmet was among the lawyers representing Wintringham while Sampson represented Parkinson.²¹⁶ Woodworth portrayed Emmet as an Arabian horse whose passion could not be tamed, but who could be petulant to a fault: “Surpassing all Arabia’s breed,’ Who once had made a despot feel,

²¹⁶ Gardinier also worked with Sampson on the defense, which Cadwallader Colden and David Ogden defended Wintringham.

An *argument* by dint of *heel*;/ Who spurn'd oppression's bit and rein,/
And emigrated o'er the main;/ And here, the advocate of right,/
EQUUS would never yield in fight." The only one to remain unscathed in Woodworth's eyes was William Sampson. He had nothing but the highest admiration for Sampson, a "matchless Greyhound," "Who, when tyranny opprest,/
Burst from his chains and sought the west;/ And here, when virtue wish'd a friend,/
Was always foremost to defend."²¹⁷

The parody driving Woodworth's commentary illustrates an implicit critique of church government innovators and their civil allies. Woodworth's poem reveals some new consequences for churches when they opened themselves to public judgment and when they came to revere juridical and procedural forms of church government. Religious societies portrayed their rules about who was allowed to participate and in what ways as rational, natural, or even sacred. Woodworth, on the other hand depicted both church leaders and men who played such an important role in championing causes meant to broaden and nuance the definition of religious liberty as beasts ruled by their passions and prejudices.

Casual observers such as Woodworth used moments like these as fodder to entertain and provoke a public keenly interested in and concerned by religious politics. He did not have to stretch his imagination too far to find stories that might appeal to readers. The trial was full of provocative moments. In her testimony, Wintringham explained that the assault had taken place two years earlier when she had visited Parkinson in his home. Wintringham often met Parkinson socially. She regularly

²¹⁷ Samuel Woodworth, "Beasts at Law, or, Zoologian Jurisprudence: A Poem, satirical, allegorical, and moral: in Three Cantos: Translated from the Arabic of Sampfilius Philoerin, Z.Y.X.W. &c., &c.: Whose Fables Have Made so Much Noise in the East, and Whose me has Eclipsed that of Aesop: with Notes and Annotations," (New York: J. Harmer & Co., 1811) 8-13.

attended gatherings with women in the church for spiritual edification and entertainment, and Parkinson often joined them. Wintringham reported that on an earlier occasion Parkinson had confronted her, imploring, “if I loved him, as he loved me he would have all he could desire.” Disturbed by the interaction, Wintringham admitted, that she could not “after such conduct, take bread from his hands.” She was shocked by the contrast between “his public preaching and his private conduct.” She even considered quitting the church, since the incident had nearly shaken her faith, leading her at moments to suspect “there was no truth in religion.” Wintringham did not quit the church and continued to attend the gatherings, and Parkinson continued to pursue her. On the particular visit when the assault took place, Parkinson waited for his wife to retire upstairs. Once she did, he attempted to touch Wintringham inappropriately, specifically to “place his hand on her bosom.” Shocked and outraged, she left immediately. She kept the assault a secret from her husband and other male members of congregation, though many of the women knew.²¹⁸

Parkinson’s lawyers told a different version of the story. They began by dismissing her testimony, apologizing to the jury that “the most dangerous of witnesses are those of that sex for which we feel the most tenderness.” The defense did not deny in the least that the encounter took place. Instead, they found witnesses, other women who had attended the gatherings, to testify that Wintringham and Parkinson were involved in an extended affair. They insisted that she had been seeing Parkinson for over two years and lied to her husband and her community about the liaisons. In fact, they insisted, Parkinson was the victim. Wintringham had forced herself on him with her “open and

²¹⁸ Wintringham discusses these gatherings in the trial transcript. Sampson, “Trial of Mr. William Parkinson,” 6-7,9; Gedge, *Without Benefit of Clergy*, 62.

lascivious advances.” Parkinson could not be blamed for “[yielding] to the strong current of natural propensity” and giving in to Wintringham. After all, they continued, “the God of nature has endowed woman with powerful influence over the heart of man.”

Parkinson had not fallen, he had been “shaken from his center” by female wiles²¹⁹

The prosecuting lawyers and the defense lawyers seemed to have the same strategy in court. They tried to tarnish the reputation of Parkinson and Wintringham respectively in order to demonstrate that their opponent was so debased that the jury would have to doubt the veracity of their personal testimonies. When Parkinson’s lawyers asserted that Wintringham and the minister had been involved in a two-year affair, they meant to cast her as a devious liar. If she were capable of such duplicity, of “shaking to their foundations the pillars of virtue and religion,” how far might her treachery extend? Furthermore, Parkinson’s lawyers asserted that she was a publicity whore, as well as a woman of questionable morals. She had, after all, caused a public scandal by bringing the suit in the first place, and by “abusing the public attention with such stale, antiquated, shameless complaints.” Her public accusations in civil court were especially flagrant and egregious since an internal tribunal at First Baptist Church had already looked into the matter and decided that Parkinson should be forgiven for his role in the affair. They painted Wintringham as a lascivious, devilish seducer, “a fiend in female attire.” They would only refer to Wintringham as “the prosecutrix,” explaining that they could not call her a woman without “[debasing] that venerated name.”²²⁰

Wintringham’s lawyers tried to vilify Parkinson by focusing their case around the definition of violence. The precise dimension of Wintringham’s consent to a physical

²¹⁹ Ibid, 10, 12-14, 17, 60, 62.

²²⁰ Ibid, 57-59.

relationship with Parkinson was impossible to determine without also considering the mental power he held over her. The violence underlying the charge of assault and battery was much more nuanced, and not wholly connected to forceful physical acts. Parkinson was entrusted to oversee the spiritual and moral life of his congregation, putting him in a privileged position to exploit those who trusted him. If Wintringham rejected him, they argued, he would have the perfect excuse: “I am a minister; I will be believed when you will not; I shall then be driven, if you divulge it, to ruin both you, your husband, and your children, by the false glosses I can put on things, and by the influence of my holy office.” The lawyers explained that as a teacher and guide, Parkinson had the power to set the terms for what constituted moral actions for those, primarily women, who put themselves under his care. Parkinson beguiled the women by telling them what God wanted from them, and what God would forgive. Even if the women under his care realized the dangerous position he had put them in, they had no way to stop it or seek redress. If they said anything, he could deny it. His acts were violent, and the charge of assault and battery was appropriate, because the abuse came through his power, as an arbiter of the sacred, to draw false boundaries around proper and improper conduct.²²¹

Everyone involved knew how much character played a role in church politics. Wintringham initially told no one about Parkinson’s attack because women who made public accusations against ministers rarely received justice, only humiliation and pain. When her husband finally learned about the alleged assault, Wintringham did not want to make the charges public. She had no doubt that Parkinson would be able to destroy her

²²¹ Ibid, 72-73.

family and her reputation. However, Mr. Wintringham and his friends insisted on pursuing the case, despite her wishes.²²²

Her reputation mattered so much for two reasons. For one, women had an ambiguous position in the church. Baptist churches in the years before the Revolution were much more willing to see women as capable of divine grace through disorderly behavior, such as experiencing visions and trances and irrepressible speeches. However, religious politics became a much more masculine domain when religious societies constituted themselves as microcosmic political communities. The discrepancy between churches as spaces of masculine and feminine participation was hard to mark given that women attended and joined churches in numbers in numbers far outpacing men and actively participated in benevolent societies within the congregation where they voted and discussed forms of government. Making procedural decisions about organization and worship, post-revolutionary Baptist Churches opened many more opportunities for men to be involved in formal politics. It was less clear where women fit.²²³

Moreover, as Wintringham's statements attest, the reason why she encountered Parkinson in the first place was because he helped to facilitate the creation of female spaces and he chaperoned women's movements around the city to meetings, talks, and other events. Wintringham's affair, whether she was compromised or compromising, illustrated to many of the witnesses that the disorder and emotion of female spiritual spaces was not just sinful, disreputable, and wicked, but destructive to public morals the

²²² Gedge, *Without Benefit of Clergy*, 62; In early national U.S. politics, character and reputation were critical indicators of someone's ability to participate in public life. Historian Joanne Freeman has argued that a culture of honor became the primary source of stability in the volatile, shifting, and uncertain political environment of constitutional government. Before partisan allegiances and a two-party system had solidified, a man relied on his reputation to demonstrate his legitimacy as a political leader. Freeman has explained that, "reputation was the glue that held the polity together." Joanne Freeman, *Affairs of Honor: National Politics in the New Republic* (New Haven: Yale University Press, 2001), 69.

²²³ Juster, *Disorderly Women*, 136, 143.

public peace. When given positions of influence or privilege within the church, women corrupted. Formal church government was therefore required to contain their destructive passion.

The second reason character mattered so much for Wintringham was because her reputation affected her husband's standing in the community. The trial took place amidst a schism in the church, and partisans on both sides used the case to bolster their position after the split. Mr. Wintringham was part of a small group who had recently left First Baptist to form their own congregation, called Zoar Baptist. First Baptist had witnessed a number of schisms in the few years before the trial. In 1805 congregants broke away to start Ebenezer Baptist Church under the ministry of John Inglesby. Parkinson and the leadership of First Baptist disapproved of Inglesby's preaching. He dabbled in strains of antinomianism, believing that religious laws were unnecessary, and that salvation came from faith alone. The leaders of First Baptist, uncomfortable with Inglesby's antinomianism, expelled Ebenezer Church from New York's Baptist Association. While Zoar's secession happened peacefully, competition between the two congregations persisted. The lawyers for both Wintringham and Parkinson hinted that the timing of the suit was connected to the schism.²²⁴

For the seceders, Wintringham's assault offered the men vindication, and a legitimate channel through the courts, to challenge Parkinson. They contended that Parkinson and his supporters were trying to undermine the new congregation, explaining

²²⁴ R. Babcock, J.O. Choules, J.M. Peck, *The Baptist memorial and monthly record*, Vol. V, no. I (New York: John R. Bigelow, 1846) 72-75; Jonathan Greenleaf, *A History of Churches, of all Denominations, in the City of New York* (New York: E. French, 1846) 84; John Francis Richmond, *New York and its Institutions, 1609-1871* (New York: E.B. Treat, 1871) 149; 1811 was a year for schisms in New York. A large group from Bethel Baptist Church, the second Baptist Church in New York, also broke away, forming the Mulberry-Street church A General History of the Baptists, 542; Sampson, "Trial of Mr. William Parkinson," 62, 78.

that Parkinson and his cronies were both in “fierce pursuit of this poor woman and the seceders from the church...”²²⁵ Wintringham’s husband and other members of their new community intimated that they had waited two years to encourage Wintringham to bring charges against Parkinson in order to be firmly secured in their independence from First Baptist and to establish themselves as a congregation in good standing within the Baptist denomination. The seceders could not raise trouble in First Baptist Church, knowing they were about to join a new congregation. The Baptist Church required that in order to join a new congregation, a parishioner had to be officially released from his or her current church. He/She had to “conform to the ordinance” and acquire certificates of “good standing.” Of course, the seceders could have broken all ties with Parkinson and First Baptist, but they had the example of Ebenezer Church, which had been completely ostracized from the denomination. One of the reasons why the antinomians at Ebenezer Church were likely so threatening to leaders of First Baptist Church was because they disavowed entirely the idea of church government, undermining the Baptist pursuit of genteel respectability and republican restraint, and continuing to provide fodder for their competitors. Using the court, the seceders could pursue their rebellion against First Baptist and avoid the accusation that they were lawless antinomians.²²⁶

Partisans regularly framed religious factionalism in terms of competing definitions of good government. If struggles to articulate religious authority intersected with discussions of the structure of society, then good government referred to both the ways in which churches constructed their administrative bodies and how they organized social relationships within their congregations. Therefore, different parties could

²²⁵ Sampson, “Trial of Mr. William Parkinson,” 78.

²²⁶ *Ibid.*, 61, 78.

challenge their opponents on the grounds that they privileged, or could be construed to privilege, passion and enthusiasm over process and law. They could bolster their claims to political legitimacy by positioning themselves against individuals or groups who supported alternative models of government or social organization, either because they were anarchic or overly authoritarian.

In this way Wintringham became a pawn in a factional battle. Wintringham's lawyers helped the seceders use her story to justify their schism. In fact, women often became tools in church factionalism. In her study of relationships between women and pastors in the nineteenth century, Karen Gedge has explained, "female accusers found their secrets appropriated and exploited, and themselves marginalized by a masculine system of justice that set men against men."²²⁷ In this case, the seceders demonstrated their ability to manage their own community by juxtaposing their treatment of Wintringham against Parkinsons' abuse. The seceders represented themselves as the benevolent protectors of a woman who was compromised by an avaricious despot "unmasked" by "perfidy." Parkinson was guilty "from the time he touched her bosom." From that moment onward, "nothing remained but the disposition of a villain." Parkinson neither respected the order of the church, the order of the state, nor the order of the family, disgracefully undermining the relationship between husband and wife, and mother and children. He was a "crafty assailant" trying to "breach" the "weak part of the citadel" rather than act honorably. He and his allies were tyrannical, authoritarian figures for whom the laws—spiritual, moral, and civil—were arbitrary and based on personal prejudice, appetite, and desire for power. Outside of their influence, Wintringham had allowed herself to be corrupted, the "dupe" to Parkinson's "black

²²⁷ Gedge, *Without Benefit of Clergy*, 62-63.

treachery.” Within their fold, she pursued an orderly, procedural path to justice. The seceders were able to contain and control the female passion that Parkinson had released and exploited.²²⁸

Parkinson also admitted that the trial and the schism were connected, but to him they were both examples of the seceder’s lawless anarchy. Parkinson explained that after Wintringham had joined her husband at the new congregation, she continued to pursue him. When she was under his care, he felt pressured to act delicately toward her, because he did not want to upset the peace and unity in his congregation. Since she was no longer his parishioner, and therefore she did not have “a prison in which to cast him,” he did not have to act with the same circumspection. He could finally and flatly reject her. Parkinson’s supporters charged that Wintringham “panted for revenge” and was punishing him for that final rejection.²²⁹

Even more, Parkinson’s supporters insisted that the seceders were making a mockery of the whole system of justice. They explained to the jury that the state had appointed Wintringham a public prosecutor, but instead her backers had assembled a “great array of counsel, learned, ingenious and eloquent,” such as Thomas Addis Emmet. The fact that they needed to hire “so great a display,” meant that they knew that they did not have a case. It also meant that they did not have “much confidence” that their accusations would succeed “in a country where free trial is to prevail.” They knew they

²²⁸ Sampson, “Trial of Mr. William Parkinson,” 73, 75; Susan Juster makes the point that post-revolutionary women were metaphors for struggles for liberty, but not actual citizens, in her book, *Disorderly Women*. She proposes, “Whether as republican mothers, iconic figures, or sexual monsters, women were props in a drama played out by men for the spoils of patriarchy,” Juster, *Disorderly Women*, 139-141.

²²⁹ Sampson, “Trial of Mr. William Parkinson,” 62.

were perpetuating a farce designed purely on the basis of “a great zeal for victory, or a great ardor for revenge.”²³⁰

Highlighting Wintringham’s aggressive sexuality, Parkinson and his supporters meant to discredit the seceders. Taking the case to court did not demonstrate that they were ready to govern themselves. Through the trial, the seceders had elevated Eliza Wintringham to a public position where she could thoroughly disrupt the peace and order of the church, which had been “united and happy” before she had joined. They regularly drew attention to Wintringham’s alleged statement that her husband was “incompetent,” jeering that Mr. Wintringham was, literally, an impotent fool who could not control his wife. If the seceders were so overwhelmed and manipulated by female sexuality, they could never hope to manage their new church in a way that would respect and reinforce religion and government in the city.²³¹

While *Eliza Wintringham v. William Parkinson* provides a window into early national religious factionalism, significantly, the resolution of the case likely had very little to do with these dynamics and tensions taking place within the Baptist Church. Of Parkinson’s lawyers, only William Sampson took a difference approach in the minister’s defense. Sampson had open scorn for Parkinson. He believed that Parkinson had “been very incorrect” not just toward Wintringham, but also toward other women in his congregation. He had used his privileged position as a spiritual teacher to take advantage of women’s bodies. He had made “a practice of kissing young and desirable women,”

²³⁰ Ibid, 10.

²³¹ Ibid, 8, 60.

masking it “under the name of a spiritual kiss.” According to Sampson, this practice was “abhorrent,” and “not to be tolerated.” Parkinson was guilty of “a great indecorum.”²³²

Nevertheless, according to Sampson, none of this was relevant to the conflict at hand. What was more important, he maintained, was exploring the boundaries between moral crimes and public crimes. His remarks were, in part, a reflection on when moral crimes became public crimes. Similar to the prosecution’s case in the Cave Jones trial, Sampson argued that a church’s judgment on its members must not stop the civil authorities from pursuing an inquiry into the lawfulness or unlawfulness of an individual’s, or entities’ behavior. First Baptist Church had already looked into the affair, and determined to forgive Parkinson for any wrongdoing. However, Sampson insisted that the civil authorities must not yield to this decision if Parkinson’s crime was, in fact, a breach of the public peace as well as a sin against God. The purpose of the trial, in Sampson’s opinion, was to determine whether or not Parkinson had committed a “public offence.”²³³

Sampson explained the task in this way:

The object of these spiritual tribunals [such as the one convened by First Baptist Church] is not crimes against municipal laws, but sins against the deity. If therefore, the members of this church have animadverted upon him and pronounced him innocent, either because he had not violated the rules of their church, or having done so had afterwards repented and been forgiven, this is not to be regarded in a criminal tribunal; for as he may have been guilty of the sin and not punishable for the crime, so he may have been guilty of the public offence, the breach of the peace, and yet not subject to the animadversion of the spiritual tribunal. For instance, if he had thrust his hand into the bosom of Mrs. Wintringham, for lascivious purposes, but with her own full assent, he would then be guilty of the sin cognizable by the spiritual tribunal, though not of the crime against public morals, punishable by this court as a breach of the peace; and on the other hand, he might have done such an act of violence as would be a breach of the peace, without the sin which could be the subject of investigation by the church; but if he did it, not only

²³² Ibid, 83.

²³³ Ibid, 80, 81.

against the assent of the person, but for libidinous purposes, he is then guilty, both of the spiritual sin, and the violation of the law of the land of which we must take notice.²³⁴

Sampsons' comments suggest that he believed that the case was an important moment to consider church autonomy. In fact, Sampson was essentially lecturing the church about how it should be organized. He insisted that there were times when religious politics took place outside of the purview of the civil sphere, but civil institutions were ultimately in a position to dictate where to draw the line. Ecclesiastical tribunals were never superior to civil tribunals.

With those lines established, Sampson's defense of Parkinson was measured. He argued that based on the fact that some kind of affair had been going on for years before Wintringham made it public, there was too much ambiguity about whether or not Parkinson had forced himself on Wintringham, or whether she had accepted or even encouraged his advances. There was simply not enough evidence to conclusively determine whether Parkinson's offence was criminal as well as immoral. Parkinson was certainly not innocent, but it was impossible to establish the extent of his guilt. The jury ultimately ruled in favor of Parkinson. Though the trial transcript does not specify the grounds for their decision, it is likely that Sampson's statements emphasizing the ambiguity of the relationship between Parkinson and Wintringham dealt the deathblow to Wintringham's chance for redress.

Parkinson won the case, but not on the terms he hoped. Sampson's defense did not allow the victory to be a victory against the seceders. In fact, it supported the seceders' suppositions that Parkinson was a corrupt man, and perhaps even worse, that his governing style was also corrupt. Furthermore, Sampson's comments help to

²³⁴ Ibid, 80-81.

elucidate how congregational factionalism created opportunities to further clarify how churches would function in a republic and where to mark the boundaries of churches' autonomy. Sampson proposed a compromise of sorts to the question of whether churches were autonomous institutions or whether they were political communities. He stated that they could be autonomous if they limited themselves to the consideration of "moral crimes" and left "public crimes" alone. Sampson even gestured to some of the ways New Yorkers might conceive of the difference between moral and public crimes. Sampson accepted the argument that no matter how despicable Parkinson's behavior was towards the women in this congregation, it had virtually no bearing on matters that concerned civil society. By separating "moral crimes" and "public crimes" he supported the idea that the state did not define the intimate and personal relationships between men and women. While the church had to accept the state's definition of "public crimes," the state would accept the churches' definition of "moral crimes."

Importantly, the case illustrated four patterns. First, when parties within religious societies debated who should participate and in what ways, their understandings of legitimate authority or legitimate leadership took into account how men managed their personal relationships. Second, it indicated that the state would not challenge how religious societies constructed and policed gender and sexuality, as long a church was orderly and complied with commonly accepted understandings of good government. It was another way to demonstrate that these struggles for power influenced peoples' intimate lives as well as their public lives. Third, it reinforced that at this moment the reformation of American religious societies would only go so far. It privileged a new sort of establishment that valued procedure and laws. The trial helped to reinforce women's

exclusion from the leadership roles, either spiritual or formal, they once held in Baptist Churches. Finally, when participants in religious politics looked for public solutions to resolve their internal conflicts, they undermined churches' autonomy. In this case, they established that there was a difference between public crimes and moral crimes, but the task of divining that line lay with civil institutions.

V. Conclusion

The lasting legal precedents of *Cave Jones v. Trinity Church*, *The People v. Phillips*, and *Eliza Wingtringham v. William Parkinson* were less significant for early national New Yorkers than what they reveal about the reformation of American religious societies. The fact that these cases, and the literature they spurred, were so popular suggested that people both within and outside of religious societies were deeply interested in how churches were adapting to a new political environment, in particular, how they adapted to unanticipated challenges. The popularity was a justification for factions who believed that church government and civil government shared a mission and could therefore share the same tools—in this case, the courts and the press. It gave them access to new allies and new outlets to challenge those who wanted their churches to be autonomous institutions in order to preserve many traditional hierarchical relationships.

Nevertheless, when religious societies embraced civil political tools to resolve their internal conflicts, they gave outsiders the power to influence their structure and organization, as well as the representation of the nature of the conflict. While the cases highlighted two competing models for corporate church government, lawyers, juries, and judges challenged them both. They called into question the idea that religious liberty was

a corporate right, advocating instead that religious liberty was a right for individuals, not for organizations. In some ways, religious liberty was not even a civil right. It was an expression of private conscience, not of public participation. When religious societies turned to the courts, Bishop John Henry Hobart's lament, that involving civil tribunals in churches' private affairs would ultimately be a losing proposition for all parties, became more prescient than he or Jones, or Emmet or Sampson, could have ever predicted. If a church were fully autonomous, it could not include a broad and extensive public. If a church were a political community, then civil officials would determine who was able to participate and in what ways. They could arbitrate on grounds that had nothing to do with the actual conflict, and they could represent those involved however they wanted.

The Trinity Church vestry board's method for confronting this new reality was striking. It legally and discursively removed the congregation from the corporation when in 1829, for the fourth time in its existence, it changed the corporation's name to "The Rector, Church Wardens, and vestrymen of Trinity Church in the city of New York." This move suggested that the strategy for nineteenth-century growth would involve a reinterpretation of the concept of the "corporation" from a medieval body meant to include the entire population to a streamlined body prepared to manage a rich and extensive institution. Perhaps if churches really wanted exemption from civil tools, they could have rights as business entities, but not as citizens.

Chapter 4

Competition and Coexistence

In 1782, John Hector St. John de Crèvecoeur, the oft-quoted French observer of American character, published his idealized reflections of American society in his book, *Letters from an American Farmer*. In his musings, Crèvecoeur included a panegyric to American religious practices. Writing from his home outside New York City, Crèvecoeur marveled over the perceived differences between how religious societies were organized in Europe and the United States. Europe, he remarked, was riddled with sectarianism and zealotry. Europeans isolated themselves in closed communities, unexposed to other beliefs, perpetuating an environment of intolerance. Crèvecoeur believed that life in the United States would be different. New sects emerging in Europe often sought refuge in America, but once there they would find no fuel for the flames of bigotry. Developing a line of thought similar to the logic James Madison would employ at the end of the decade in Federalist 10, Crèvecoeur argued that since the United States was so large and diffuse, no single religious group would be able to dominate the others. Americans, he believed, were bound to settle in small family groups rather than in pre-established communities. Living off the land, they would be preoccupied with their own survival and have little energy to devote to the “foolish vanity, or rather the fury of making Proselytes.”

Crèvecoeur then took the logic one step further. Competition would do more than control factionalism. In this new system, religious factions and sectarian fervor would eventually die away. Crèvecoeur explained, “If the sectaries are not settled close together, if they are mixed with other denominations, their zeal will cool for want of fuel, and will be extinguished in a little time.” Even the “most enthusiastic of sectaries,” he continued, would lose their denominational identities when separated “from others of the same complexion...no congregation of his own to resort to, where he might cabal and mingle religious pride with worldly obstinacy.” Ultimately, “the Americans become as to religion, what they are as to country, allied to all.” Crèvecoeur was convinced that differences in religion would be immaterial in the United States and would only become more inconsequential as time passed. Unity, not division, would characterize American religion.²³⁵

Crèvecoeur’s observations signal to some of the deep challenges at play when early national Americans reformed their religious societies in a new, if evolving, political and social environment, and when they considered what sort of institution a church should be in a republic. After the Revolution, Americans embraced an institutional toleration. They adopted legal and governmental documents and systems that codified guarantees that all churches would have the right to free exercise, freedom to worship publicly, free speech, and perhaps most significantly for early national Americans, that the government would not give preference to any one church above all the others. However, as Crèvecoeur’s musing demonstrate, it was less clear how institutional

²³⁵ J. Hector St. John de Crèvecoeur, *Letters from an American Farmer*, ed. by W.P Trend and Ludwig Lewisohn (New York: Fox, Duffield & Company, 1904), 62-65.

toleration would translate into lived toleration.²³⁶ To put it another way, Crèvecoeur did not believe that religious liberty would encourage Americans to embrace a sort of toleration where they validated religious diversity as a positive social good. Instead, he believed that a system of religious liberty would end religious differences.

The early national United States in general, and early national Charleston and New York in particular, did not in fact, witness an age of religious uniformity. With no legal barriers to public worship, Americans came to worship in a voluntary church system. Americans had an unprecedented amount of choice about how they would participate in organized religion, and about which religious societies, if any, they would support. Within this system, difference proliferated. New denominations burgeoned, including Methodists, Unitarians, Universalists, African Methodist Episcopal (AME), to name a few, as well as a growing presence of Catholics and Jews.²³⁷ Older, previously established religious organizations, such as Episcopal, Dutch Reformed, Presbyterian, Lutheran, and Baptist churches also experienced significant growth. The voluntary system forged a free marketplace of religious competition, which set the stage for the

²³⁶ Benjamin Kaplan differentiates between practical toleration and theories of toleration in his work on religious toleration in early modern Europe. Kaplan argues that religious violence was endemic in early modern Europe, but not normative. Most communities contained diverse populations who nonetheless succeeded to coexist in peace on a daily basis. Sometimes it involved the members of an established church looking the other way when dissenters left the city walls to worship, or met secretly in private homes, or by sharing power. Kaplan maintains that communities avoided bloodshed and attained stability not by overcoming conflict but by managing its most damaging consequences. Kaplan locates toleration not in the ideals of philosophers and statesmen, but rather in social ties and relationships that bound together members of communities. See Benjamin Kaplan, *Divided by Faith: Religious Conflict and the Practice of Toleration in Early Modern Europe* (Cambridge, MA: Belknap Press, 2007).

²³⁷ Methodism arrived in the American colonies in the mid-eighteenth century, but until the 1780s it was a movement within the Episcopal Church. For a discussion of the growth of Methodism see Dee Andrews, *Methodists and Revolutionary America, 1760-1800: the Shaping of an Evangelical Culture* (Princeton: Princeton University Press, 2000).

impressive growth of, and participation in, organized religion in the United States.²³⁸

South Carolina merchant and statesman Henry Laurens lamented, “could the Americans manufacture Woolens, Cutlery & other Wares, as easily as they raise establishments for admission to Holy Orders, the Looms [and] Forges...of great Britain, would be equally essential to them.”²³⁹ Mirthfully, Laurens suggested that the financial woes of the new nation would easily be solved if American manufacturing grew and diversified as quickly as American religious institutions.

Laurens’s use of market metaphors provides an evocative way to characterize religious growth in the early republic. American churches and synagogues operated in a new system of exchange involving grassroots organization and individual initiative. For example, potential churchgoers were part of a “buyers market.” In the voluntary church system bolstered by constitutional measures guaranteeing religious freedom, more people than ever before were able to have a choice in how they participated in organized religion. Early national churchgoers shopped around, and churches had to respond accordingly, attracting people by what they offered—good sermons and social programs—and tempering some of their social policing. Furthermore, corporate churches were proto-businesses, often holding vast financial resources and extensive properties. They refined advertising techniques, became experts at soliciting donations, and managed widespread networks distributing periodicals and religious texts.²⁴⁰

²³⁸ For discussions of church growth in a democratizing society, see Nathan Hatch, *The Democratization of American Christianity* (New Haven: Yale University Press, 1989), and Jon Butler, *Awash in a Sea of Faith* (Cambridge: Harvard University Press, 1990).

²³⁹ Henry Laurens to Benjamin Vaughn, March 20, 1784. Henry Laurens Letter Book, Henry W. Kendall Collection of Laurens Papers, South Caroliniana Library, University of South Carolina, Columbia, SC.

²⁴⁰ For two discussions of how nineteenth-century churches used, created, and sometimes defied the conventions of the market to build their institutions, see R. Laurence Moore, *Selling God: American Religion in the Marketplace of Culture* (Oxford and New York: Oxford University Press, 1994) and David

While market metaphors illuminate many facets of church growth, taken uncritically, they obscure some of the more coercive elements involved in a voluntary church system. One of the risks involved in relying too heavily on these tropes to explain the development of American religion is that they have a tendency to conflate competition with equality. “Free markets,” forged in a system of religious liberty innovated new forms of exchange and cooperation. However, the existence of a competitive system was not benign. Competitions rarely ended in ties, and when they did, they did so grudgingly. The point of a competition was to win. Religious societies existed to spread the word of God as widely as possible and to build institutions to include and serve as many people as possible. More specifically, different churches existed in order to spread their particular version of the gospel at the expense of others.

In that light, it is important to look beyond calls for unity such as Crèvecoeur’s as evidence that Americans were starting to care less about religious difference. Unpacking his bravado, Crèvecoeur’s refrains reveal a much more complicated story. For one, Crèvecoeur’s vision of the future of American religion was exclusively agrarian. It did not take into account the already existing patterns of religious pluralism, particularly in urban environments. His plan for religious unity required constant aggrandizing and perpetual expansion. It assumed that the American continent was empty, and ready to be claimed by industrious Europeans who would have few interactions beyond their extended families. In addition, Crèvecoeur raised an important question. If Americans were going to be united by belief, then what belief, or whose belief would unite them? In

Nord, *Faith in Reading: Religious Publishing and the Birth of Mass Media in America* (Oxford and New York: Oxford University Press, 2004).

his case, the values that would unite American religion were his own. His comments suggest that conversations about religious universals were implicitly evangelistic.

As the previous chapters demonstrated, participants in organized religion in Charleston and New York engaged in a reformation of their churches and synagogues after the Revolution. Reconsidering the appropriate limits of authority in both civil and religious institutions, Charlestonians and New Yorkers adapted their religious societies to be consistent with a new political experience. The new, if evolving, governments did not diminish religious factionalism or denominational identities by modifying the terms used to characterize participation. Rather, religious societies experimented with the possibilities and limitations of a democratizing political system.

The second half of this dissertation traces some of the consequences of those trends: as the forms and functions of churches changed, so did strategies for competition and coexistence. When confronting what role religious societies would play in a republic, people also had to confront how religious difference would work. If religious liberty was a principle, a policy, and a practice that contained multiple and shifting definitions, and which was often ambiguous and contradictory, so too was religious toleration. While religious societies were self-consciously working through how and where to draw the boundaries between the sacred and the secular (and what constituted a civil sphere and religious sphere in the first place), they also had to figure out where to draw the boundaries that separated and distinguished one church from another in a world where religious pluralism was already entrenched. When participants in organized religion adapted their institutions to and shaped the post-revolutionary political and social environment, they forged new patterns of religious conflict and accommodation.

In this chapter, I argue that while religious societies had to reform structurally and politically after the Revolution, most of them also had to rebuild physically and conceptually. The war had left their meetinghouses in shambles, their finances in tatters, and their members and ministers scattered. Political innovations had redefined membership, basing membership on voluntary association and people had an unprecedented amount of choice in what community they would join or which service they would attend. Religious affiliation played less of a role structuring social relationships—families, friends, neighbors, and business associates regularly attended different churches. As a result, religious societies had to reframe public discipline. The threat of exclusion was no longer as stark when people could join and leave a religious community with relative ease.

Consequently, religious societies developed new methods to encourage people to structure their social lives around the church. They began to offer competitive programs that filled important social needs—such as schools, charities, and music programs—in order to attract and retain members in a voluntary church system. Significantly, Protestants—Episcopalians, Reformed Churches, Baptists, and Methodists—as well as Jews, Catholics, and heterodox Protestants such as Unitarians and Universalists, shared virtually identical strategies for growth in this period. While Jews, Catholics, Unitarians and Universalists were not evangelical, their strategies for coexisting were the same. Visible contributors to the religious landscape, they encouraged freedom of conscience yet vigorously competed to establish themselves in the religious landscape. All the same, these innovations did not solve the problem of how to balance the reality of urban diversity with the goal of uniformity. If anything, they reinforced that different religious

societies had to be even more vigilant and creative about how they understood and projected difference. If they were going to be a part of a nation united by its belief, they had to make sure that the religion that would unite society would be their own.

II. Rebuilding Religious Societies

After the Revolution, religious communities in New York and Charleston had to assess the damage of the long war. Most of the prewar meetinghouses still stood, but many had been damaged, ravaged, and neglected. In New York, British soldiers had used several of the Presbyterian and Dutch Reformed churches for barracks, storage, stables, and riding schools. While the British mostly targeted dissenting churches, they also vandalized Anglican churches. British soldiers stole the bells from Charleston's St. Michael's Anglican Church and it took years for the congregation to recover them.²⁴¹

Most churches were also on the brink of financial ruin. The British occupied both New York and Charleston at various points during the war and many residents fled the cities. Ministers left their congregations to serve as army chaplains, and lay leaders devoted their services to state and national governments. Some of the cities' religious societies suspended their operations, while in others, ministers preached to depleted crowds. When peace was restored, congregations were scattered, finances were exhausted, and buildings were neglected.

Clergy and laymen and women had a number of reasons to feel a pressing need to rebuild their religious societies following the war. Physically, they needed to restore their buildings and shore up their finances. Conceptually, they needed to assess how differently a church in a republic would work than a church in a monarchy or theocracy.

²⁴¹ October 4, 1782, Minute Book, St. Michael's Church, 1759-1824, SCL, 120-121.

In the colonial era, the established, Anglican Church in both Charleston and New York had civil functions as well as spiritual functions. Specifically, Anglican Churches had jurisdiction over all elections, they administered poverty relief, and they took charge of orphans. More generally, the Anglican Church also was responsible for public discipline, and could censure and punish all citizens for breach of morals. For example, before the war, the Wardens at St. Phillips and St. Michael's Church in Charleston made a tour of the city every Sunday to make sure that everyone was observing the Sabbath. On the recommendation of the Warden, the St. Philip's and St. Michael's vestry boards regularly punished groups of young men for roughhousing and fooling around in public spaces, and challenged sailors and slaves for causing noise and disturbance. They also repeatedly fined Jewish merchants for opening their shops and selling goods on Sundays.²⁴² Now that both New York and South Carolina had disestablished the Anglican Church, clergy and lay leaders had to consider what, if any, civil function religious societies should have.

Additionally, most religious societies chose to reorganize to be consistent with new state laws. The state assemblies in Charleston and New York both passed laws in the early 1780s providing for universal church incorporation. As we have seen, virtually every religious society took advantage of the policy.²⁴³ An act of incorporation fundamentally altered the structure of religious societies. Incorporated churches could own property in trust, elect a governing board, or board of trustees, and collect offerings or tithes. Long established religious societies with property and cash could rent out and sell their land at high prices, a boon, as both cities witnessed growing populations.

²⁴²May 28, 1770, Minute Book, St. Michael's Church, 1759-1824, SCL; December 15, 1766, August 7, 1776, August 11, 1776, August 14, 1776, *The Vestry Journals, St. Philip's Church*, 1761-1795, SCL.

²⁴³ I discuss church incorporation in chapters 1 and 2.

Churches that had incorporated in the colonial era had an institutional advantage over new denominations when it came to growth. In New York, Trinity Episcopal Church and the Dutch Reformed Collegiate Churches already owned extensive property in the city. The vestry boards of those churches were some of the most important property management corporations in the country. They owned so much property that they could not oversee its day-to-day uses. In fact, Trinity Church owned many of the buildings in what was becoming the city's red light district, collecting rents on brothels and other houses of vice.²⁴⁴ The Dutch Reformed Church made a point to invest its resources to ensure continual growth. In 1797 the vestry board revised its constitution, permitting the organization to invest its rents, annuities, and donations in order to "make the sum as productive as possible."²⁴⁵

Church corporations managing their investments were able to use their resources to sponsor programs at home, and also to encourage growth and orthodoxy further a field. Trinity, and to a slightly lesser extent, the Collegiate Churches, used their endowments to help congregations around the state construct new buildings. The Trinity vestry board found that controlling the purse strings was a highly effective way to influence its sister churches to support its missions and follow its lead on matters of discipline and government. Trinity regularly agreed to give churches on New York's western frontier building funds on the condition that their ministers spend one year on missions to the Seneca Indians.²⁴⁶ The Collegiate Churches readily sent funds to struggling Dutch

²⁴⁴ Timothy Gilfoyle, *City of Eros: New York City, Prostitution, and the Commercialization of Sex, 1790-1929* (Norton: New York, 1994), 23.

²⁴⁵ May 4, 1797, Minutes of the Consistory of the Reformed Protestant Dutch Church in the City of New York 1795-1807. Liber H, CCC.

²⁴⁶ July 24, 1838, James Carder to Thomas Ogden, Ogden Papers, Clements Library, University of Michigan, Ann Arbor, MI.

Reformed Churches on the frontier, particularly to areas where Methodists were successfully converting their adherents.²⁴⁷ As a result, the Dutch Reformed Collegiate Churches remained a large and influential denomination, despite the fact that the Dutch-speaking population in the city was in steep decline.

Corporate churches could also sue and be sued. Significantly, as more religious societies brought their internal and external conflicts to the state courts, judges and juries established that once a church or synagogue incorporated, its previous contracts were abrogated. In 1804, the New York State Supreme Court adjudicated a case brought to them by a Dutch Reformed Church in Ulster County. The church was involved in a contract dispute between the former minister and the vestry board. The court ruled in favor of the vestry board, stating that all contracts a church had entered into before it incorporated were void once it adopted a new charter. Legally, religious societies had a fresh start once they incorporated.²⁴⁸

Taking advantage of a moment of structural and legal change, in the 1780s and 1790s religious societies took on ambitious church-building projects, partly to repair damages resulting from the war, partly to house growing congregations, and partly to visually mark and advertise their presence in the growing cities. Congregations launched large-scale capital campaigns to raise funds for new buildings. They hired accomplished architects who designed innovative, stately, and massive edifices. One of the most impressive was the Independent Church in Charleston. Robert Mills, Charleston's leading architect, who would go on to design the Washington Monument, oversaw the

²⁴⁷ November 16, 1819. John Henry Livingston to Philip Milledoler. Philip Milledoler Papers 1775-1852. NYHS.

²⁴⁸ Van Vlieden vs. Welles and others. *The New York Supreme Court Reports: Cases Determined in the Supreme Court of New York from January to June 1875*, Isaac Grant Thompson and Robley D. Cook, ed. Vol. VI (Albany: John D. Parisons, Jr. 1875), 85-90.

building project. The church was completely round and it was the first major domed building in the United States.²⁴⁹ Second Presbyterian Church in Charleston was so large that by 1832, the minister, Thomas Smith, requested that the vestry board arrange to decrease its size by half. He was driven to illness and exhaustion trying to project enough vocal power to fill the hall each week.²⁵⁰

While religious communities enthusiastically embraced building projects, they had a harder time identifying the form and function of a church in the new and changing political and social world. Disestablishment and new guarantees for religious freedom had forged a voluntary church system, but that did not mean that there was an easy transition away from colonial patterns or that the nature and purpose of a republican church was self-evident. After the Revolution, states were not yet certain of the extent to which they would, or should, provide public services to their citizens and religious societies stepped up to fill the vacuum. Churches and synagogues contended to play an active and visible role in public life. They launched impressive programs to provide public infrastructure to serve the needs of their cities, including organizing schools, orphanages, and charities. Some churches insisted that their activities were so essential to the convenience of their cities that the government should pay for their general improvements, including widening and maintaining the streets around their meetinghouses. State officials in South Carolina continued to rely on the Anglican/Episcopal Church to oversee elections until 1790.²⁵¹

²⁴⁹ Joanne Calhoun, *The Circular Church: Three Centuries of Charleston History* (The History Press: Charleston, S.C., 2008), 62.

²⁵⁰ May 6, 1832; March 20, 1833, *Second Presbyterian Church Records, 1809-1981*, SCHS.

²⁵¹ November 8, 1819, Minutes of the German Lutheran St. John's Church February 1818-September 1825, SCL; September 7, 1806, Minute Book, St. Michael's Church, SCL; Richard Hutson to Isaac Hayne, January 18, 1777, Richard Hutson Letterbook, SCHS. The first South Carolina Constitution of 1777

As congregations rebuilt their organizations, religious leaders were very aware that they had to respond to the shifting environment of the post-revolutionary world. They had to both appeal to potential members newly arriving in the cities, and they had to hold onto old members faced with new choices. They could not solely rely on exclusion, censure, or shame to police the boundaries of their communities. In order to create stable institutions, they needed to have consistent members on their rolls who would pledge their time and resources to the church. Accordingly, religious societies developed new programs providing competitive services to attract participants. As well as erecting grand buildings, they provided free schools to children and mutual aid to widows. They hired learned ministers who delivered good sermons and organ masters who filled the halls with music, led singing schools on evenings during the week, and wrote new hymnals with attractive and accessible hymns.

William Tennet, the minister at the Independent Congregational Church in Charleston before and during the war, was acutely aware that his church needed to provide competitive services for current and potential members. Tennet believed that in a religious landscape where people were committed to religious liberty, churches would have to appeal directly to peoples' needs in order to influence city dwellers to attend their services. In order to do so, they must employ eloquent and learned preachers. Tennet mused, "as no one denomination has any temporal advantages, superior to another, the body of impartial people will naturally flock to the Congregations of Preachers of popular

disestablished the Anglican Church, but replaced it with a general Protestant Establishment. The state adopted a new constitution in 1790, which instituted a more general system of religious liberty.

talents and abilities.”²⁵² Tennent suspected that people filled the halls to hear a good sermon.

The vestry board at St. Mary’s Catholic Church in Charleston agreed with their Reformed colleague’s assessment that early national churches needed excellent preachers. In 1812, Ambrose Maréchal, the Catholic archbishop based in Baltimore, sent a French priest, Joseph de Clorivière, to minister to the congregation. The laymen and women of St. Mary’s had a number of issues with de Clorivière, but they particularly condemned his poor grasp of English. The vestry board wrote to the archbishop, warning that Clorivière’s appointment was “contrary to the vital interests of our religion.” In the United States, they continued, “the minds of men are generally sway’d by reason, persuasion, and eloquence.” When foreigners like Clorivière “attempted to instruct their flocks from their pulpits,” they “would only excite contempt, or laughter.” Aware that sermons were such a draw, they worried that if they did not have an engaging, accessible preacher in the pulpit, they would find themselves at a serious disadvantage attracting members, or losing the ones they already had to Protestant congregations.²⁵³

Music programs also became a priority in many urban churches. In the last decades of the eighteenth century, churches began installing organs in their buildings. The New York Dutch Reformed Church purchased an organ, to much fanfare, in 1791, though church officials worried that organ music would alarm people who had never heard it before. They agreed to introduce it slowly into their services.²⁵⁴ Additionally, church-sponsored singing schools became an increasingly popular mode of entertainment

²⁵² August 30, 1778, Record Book of the Independent or Congregational Church 1730-1796, SCL, 144-147.

²⁵³ May 11, 1818, Mary Lucinda Morgan ed., *The Vestry Records of St. Mary’s Roman Catholic Church, Charleston, South Carolina, 1806-1823*. (Thesis, University of South Carolina, 1982) 108.

²⁵⁴ January 11, 1791, Minutes of the Consistory of the Reformed Protestant Dutch Church in the City of New York December 2, 1783-December 27, 1794, Liber G, 199.

for young people and adults. Charleston Unitarian minister Samuel Gilman wrote enthusiastically to a friend describing how he, along with many members of his congregation, were spending three evenings a week in singing school. He wryly exhorted, “The crisis of music has at length arrived in our congregation, and about seventy ladies and gentlemen have put ourselves under the tuition of one Mr. Francis, a celebrated harpist. I hope that in six weeks I shall be able to write you word of our successful introductions to the choir.” The New York Dutch Reformed Church began their singing school in 1797 and Trinity church founded their music program in 1799. Employing a good music master was nearly as important as finding a good preacher.²⁵⁵

While religious leaders were committed to finding good preachers and music masters, the most important service a church could provide was a school. Many Americans believed that a successful republic required a virtuous citizenry where all members were devoted to the common good. Young people needed to be educated and trained to exercise their reason and develop the proper moral sense in order to be conscientious citizens. However, neither the national government, nor many states, took responsibility for public education in the first decades of the nineteenth century. Public schools did not become widespread in the United States until the 1830s and 40s.²⁵⁶

Religious leaders were especially adamant that their members had access to education. Baptist minister Richard Furman fervently urged South Carolina Baptists to educate their children, explaining, “By receiving education, children are fitted for

²⁵⁵ April 19, 1832, Samuel Gilman to Martin Luther Hurlbut, Unitarian Church (Charleston S.C.) Unitarian Church Records, 1819-2000, SCHS. May 4, 1797, Minutes of the Consistory of the Reformed Protestant Dutch Church in the City of New York, 1795-1807, Liber H. April 8, 1799, Corporation of Trinity Church, Minutes of the Vestry, Volume II, 80, TCA.

²⁵⁶ Daniel Walker Howe, “Church, State, and Education in the Young American Republic,” *Journal of the Early Republic* 22 (2002): 13-14, 23-24.

usefulness in church and state.” He went on to lecture, “However the absurd prejudice against education may influence the minds of some in our denomination, we hope they are not so lost to a true sense of duty and advantage among the churches in this connection.”²⁵⁷ Furman and his colleagues were wary of some of the freedoms a voluntary church system permitted. In particular, they were concerned about the potential consequences of a system where there were no limits regulating who could preach or teach. They feared that charlatans would try to take advantage of innocent people who were trying to make informed decisions about how and where to worship. Ministers and lay leaders worried that Americans would have a hard time distinguishing which preachers were genuine, and which were quacks. Citizens had to be educated to help them figure out who was peddling false doctrine.

The Charleston Baptist Society outlined the problem in a different form in their December 1789 publication. The Society regretted that all too often, people were “tossed to and fro with every wind of doctrine,” as “men of cunning and craftiness” tried to deceive them. They warned their readers to beware of “corrupt teachers.” Clergy and lay leaders suspected that in order to make good decisions about religious participation, Americans would have to refine their capacity to reason. Therefore, education was necessary both to provide people with the moral center to be good citizens, but also to give them the intellectual tools to be good participants in organized religion.²⁵⁸

Even more importantly, religious leaders pursued plans to prepare young men for the ministry. Ministers had to lead their parishioners in the quest to expose men of cunning and craftiness by combating unbelief. They did not want to lose ground to the

²⁵⁷ November 5, 1797, *Minutes of the Charleston Baptist Association*, 12, SCL.

²⁵⁸ December 12, 1789, *Minutes of the Charleston Baptist Association*, SCL.

Deists and Unitarians who dominated the halls of Harvard and Andover. Furman and the Charleston Baptist association suspected that these educated unbelievers were intellectually outpacing their orthodox counterparts, and they could give reasoned and convincing explanations to persuade true believers of their convictions. Furman continued his thoughts on education, reflecting, “When men of genius and learning appear in opposition to the truth, and labour to subvert the faith; if there are not, at least some, able and learned advocates to stand forth in their defence, the cause of God, according to the ordinary course of events, must suffer.” When orthodox Christians entered into debates with their heterodox counterparts they had to be equally prepared to enter into enlightened discourse, and to clearly and convincingly evangelize their own truths. Critics argued that ignorant clergy opened the floodgate to corruption and heresy.²⁵⁹

Practically, in the last decades of the eighteenth century and the first years of the nineteenth century, Charleston and New York churches often had trouble finding educated ministers to fill their pulpits. South Carolina did not have many of its own institutions to train ministers before the nineteenth century, so most Charleston clergymen were either transplanted Northerners, or Southerners sent North for their studies.²⁶⁰ Others worked in northern churches before moving South, or divided their summers and winters between the two regions, never truly at home in the southern city. For example, in 1809, Nathaniel Bowen, minister at St. Michael’s Episcopal Church in Charleston, decided to return to New York, to take the pulpit at Grace Church.²⁶¹ When

²⁵⁹ November 5, 1797, *Minutes of the Charleston Baptist Association*, 116-117, SCL.

²⁶⁰ In the colonial era, families with the resources to send their sons to university usually sent them to England.

²⁶¹ May 7, 1809, *Minute Book, St. Michael’s Church, 1759-1824*, SCL, 305-306.

Congregational minister William Tennent died in 1777, the vestry searched for his replacement, William Hollingshed, for six years. They searched in vain for another several years before they found Hollingshed an assistant.²⁶² In New York, the French and German Reformed Churches also went without ministers for a number of years, unable to find clergy who were multilingual and who had the proper credentials to agree to serve their congregations.²⁶³ A number of the ministers at the Dutch Reformed Churches in New York were ordained as Presbyterians and served Presbyterian congregations before accepting positions in the Collegiate Churches.²⁶⁴

Civil and religious interests often overlapped on the subject of education. The national and state governments, not yet certain of the constitutionality or political wisdom of devoting resources towards such an extensive project as public schools, supported religious societies' endeavors to develop educational institutions. By 1815, denominations had founded thirty-three universities in the United States for both secular education and theological training. Individual congregations began their own primary and secondary educational programs as well. Most of the schools began as Sunday schools. Sunday schools offered lessons to children from low-income families, many of whom had to labor during the week. The schools were usually free, though they accepted

²⁶² December 28, 1783, 168; December 10, 1786, 210-213; December 6, 1787, 232-234, Record Book of the Independent or Congregational Church, SCL.

²⁶³ Philip Milledoler corresponded with members of the German Reformed Church about their struggles to find a minister. March 14, 1801, The German Reformed Church of New York to Philip Milledoler and March 18, 1805, Philip Milledoler to The German Reformed Church of New York, Philip Milledoler Papers, NYHS.

²⁶⁴ Philip Milledoler, William Linn, and John Romyn were all ordained Presbyterian ministers who accepted positions in the Dutch Reformed Church.

paying students as well to contribute toward the generous financial aid they offered to children to buy clothes and books.²⁶⁵

In Charleston, benevolent societies associated with the city's churches usually financed and managed schools. For example, the German Friendly Society, connected with St. John's German Lutheran Church, had a school up and running by 1804.²⁶⁶ The St. Andrew's Society also provided educational resources for Scottish Presbyterians children in the early years of the nineteenth century. After South Carolina began establishing a limited program of public schools in 1811, since the societies already had their infrastructure in place, they simply shifted the focus of their education programs, devoting themselves to religious instruction instead.²⁶⁷

New York religious societies also sponsored schools. The Dutch Reformed and Episcopal churches had attempted to develop limited charitable educational institutions before the Revolution, with minimal success. After 1783, education programs garnered much wider interest among the city's churches.²⁶⁸ Until at least 1807, the state provided funds directly to New York churches to support their schools. Afterwards, religious societies funded their own free schools from their trusts.²⁶⁹ The schools were very effective in providing a free education to poor children. So effective, in fact, that the first

²⁶⁵ Howe, *What God Hath Wrought: the Transformation of America 1815-1848* (Oxford: Oxford University Press, 2007) 450-451; Howe, "Church, State, and Education in the Young American Republic," 14, 15; May 27, 1784, Corporation of Trinity Church, Minutes of the Vestry, 446-447, The vestry board discusses scholarships for poor children; December 11, 1826, Corporation of Trinity Church, Minutes of the Vestry, Vol. III, 12-13. The Protestant Episcopal Church discusses admitting both scholarship and paying students.

²⁶⁶ January 11, 1804, *Records of the German Friendly Society (Charleston, S.C.)*, SCHS, 58.

²⁶⁷ *St. Andrew's Society of the City of Charleston, South Carolina, Founded in the Year One Thousand Seven Hundred and Twenty-Nine. Incorporated in 1798* (Charleston: Evans & Cogswell, 1892), 127.

²⁶⁸ Henry Wedd Dunshee, *History of the school of the Collegiate Reformed Dutch church in the city of New York, from 1633 to 1883*, (New York: The Aldine Press, 1883) 65, 66.

²⁶⁹ May 7, 1807, Minutes of the Consistory of the Reformed Protestant Dutch Church in the City of New York December 23 1807 to April 2, 1818, Liber I.

efforts New Yorkers made to develop non-parochial free-schools in 1805 were designed to serve children who were not already attending congregational schools.²⁷⁰

Secular schools gradually attracted children who had once attended parochial schools once the Free-School Society agreed to end lessons early every Tuesday afternoon to allow time for religious instruction. In response, the Presbyterian Church even suspended some of its own weekly schools, encouraging Presbyterian children to attend the New-York Free-School. Presbyterian leaders sent representatives to public schools every Tuesday afternoon to provide religious instruction, and they put their resources towards religious education in their Sunday Schools. The Dutch Reformed Collegiate Churches, on the other hand, used the opportunity to bolster their parochial programs, likely as a way to distinguish themselves from the Presbyterians. In 1812, 279 Presbyterian students attended the Free-School, and only 33 Dutch Reformed Children.²⁷¹

Religious societies needed wealthy donors to fund their myriad programs, though they had little incentive to turn away potential members on the basis of social class. Churches were in the business of growth. Even the old, fashionable churches encouraged people from all walks of life to attend. In fact, the old Episcopalian and Reformed Churches offered some of the most extensive opportunities for participation and aid to low-income families. All of Charleston's and New York's churches had diverse memberships: black and white, poor, middling, and rich. In Charleston, blacks attended services in larger numbers than whites, and religious societies developed schools and

²⁷⁰ Free-School Society of New-York, *An Account of the Free-School Society of New York* (New York: Collins and Co., 1814), 4.

²⁷¹ The school also had 205 Episcopalians, 142 Baptists, 130 Methodists, 20 Roman Catholics, and 16 Associate Reformed. *Ibid.*, 17; The Bethel Baptist Church School, and the Grace Church School also remained providers of parochial education after the institution of free-schools. Dunshee, *History of the School of the Collegiate Reformed Dutch Church*, 75, 77.

programs for black members, as well as white members. Charlestonians would only see exclusively white churches and exclusively black churches after the Civil War.²⁷²

Religious societies that successfully attracted wealthy and middling donors used those donations to fund free schools and scholarships of clothes and books for children from poor families, and aid for widows and orphans. The meetinghouses contained large upper galleries of free seats, and long galleries for black members.²⁷³ Driven by an evangelical need to extend the kingdom of Christ as widely as possible, as well as an understanding that exclusive membership was counterproductive in a system of religious

²⁷² The Trinity Church Vestry Board discussed hiring a clerk to lead catechism and education to serve Trinity's black members on December 3, 1787, Corporation of Trinity Church, Minutes of the Vestry, 499. The St. Philip's vestry board discussed building permanent seating and educational instruction for black members on August 22, 1828, The Vestry Records, St. Philip's Church, 98-104. The Vestry board of the Circular Charleston Church discussed permanent seating for blacks on June 12, 1796, Record Book of the Independent or Congregational Church, 1730-1796, SCL, 6. When the Congregationalists vestry board discussed expanding their meetinghouse, they noted that it would to the significant advantage of black members, since they would have more space for gallery seating and rooms for black meeting groups. December 27, 1802, Record Book of the Independent or Congregational Church, 1730-1796, SCL, 59-60. For a discussion of black churches and African American participation in religious and civil culture, see Craig Steven Wilder, "Black Life in Freedom: Creating a Civic Culture," and Shane White, "Black Life in Freedom: Creating a Popular Culture," in Ira Berlin and Leslie Harris, eds., *Slavery in New York* (New York and London: The New Press, 2005) 147-180, 215-238; A group of Charleston blacks organized an AME Church in 1815, however, it was dismantled in 1822 after the alleged Denmark Vesey conspiracy, the state banned organizations led by blacks. Lacy Ford explains the restrictions Charlestonians put on black churches, see Lacy Ford, *Deliver us from Evil: The Slavery Question in the Old South* (Oxford and New York: Oxford University Press, 2009) 181-182. In 1801, Trinity Church opened its cemeteries to black communicants. August 16, 1802, Corporation of Trinity Church, Minutes of the Trustees, 109.

²⁷³ In his book, *Piety in Providence*, Mark Schantz finds that churches in Providence, RI in the early national period had members, pew owners, and participants from a variety of social classes, Mark Schantz, *Piety in Providence: Class Dimensions of Religious Experience in Antebellum Rhode Island*, (Cornell University Press: Ithaca and London, 2000), 24-28. I have not done the same extensive social history research as Schantz to determine the number of families from each social class who attended each of the cities' churches. My assessment comes from the efforts churches made to provide enough free seating in the galleries, and the efforts they went to provide charity for their members. A number of churches discuss directly building more seating for black members. December 9, 1786, Corporation of Trinity Church, Minutes of the Trustees, 480; August 22, 1828, Journal of the Proceedings of St. Philip's Church, 1823-1831, SCL, 98-104; June 19, 1796, Independent or Congregational Church of Charleston, Record Book, SCL, 7. Schools were designed for poor children whose parents were members of the congregation. The vestry records discuss mutual aid societies who visited the poor and the sick, and provided them with aid. See for example, September 5, 1793, Minutes of the Consistory of the Reformed Protestant Dutch Church in the City of New York December, Liber G; August 16, 1802, Corporation of Trinity Church, Minutes of the Trustees, 126.

I take this evidence to mean that old and fashionable Charleston churches welcomed participants from a wide range of social stations, though they certainly did not have equal opportunities to participate, and seating practices were decidedly based on status and wealth.

liberty where growth and competition were so important, churches were not interested in alienating potential participants.²⁷⁴

Though it is difficult to assess just how many people attended and joined churches, it is clear that the number of churches in New York and Charleston grew. By the 1825, New York, with a population of roughly 123,000 hosted at least 99 houses of worship: 22 Presbyterian, 10 Protestant Episcopal, 18 Episcopal, 14 Baptist, 13 Dutch Reformed, 13 Methodist, four Independent, three Quaker, three Catholic, two Lutheran, two Universalist, two Unitarian, one Jewish synagogue, one Moravian, and one New Jerusalem Church.²⁷⁵ Charleston's roughly 25,000 residents had at least 15 churches to choose from: St. Michael's Protestant Episcopal, St. Philip's Protestant Episcopal, First Presbyterian, Second Presbyterian, Circular Congregational Church, Archdale St. Unitarian, St. John's German Lutheran, the French Protestant Church, First Baptist, Cumberland Methodist, Bethel Methodist, Trinity Methodist, AME Zion, St. Mary's Catholic, and Congregation Beth Elohim, the Jewish synagogue.²⁷⁶ Encouraged to rebuild physically and to reform structurally, religious societies practically and ideologically assessed their mission and purpose in a new era of church growth.

III. Buyers' Market

As religious societies rebuilt, and self-consciously reflected on how to attract and retain members, the early national religious landscape became a "buyers market." New

²⁷⁴ This does not mean that religious societies accepted members on equal terms.

²⁷⁵ Ira Rosenwaike, *Population History of New York* (Syracuse, NY: Syracuse University Press, 1972) 16, 28.

²⁷⁶ For Charleston's 1820 population see Peter Coclanis, *The Shadow of a Dream, Economic Life and Death in the South Carolina Low Country, 1670-1920* (New York and Oxford: Oxford University Press, 1989) 115. The observations of church growth are my own.

Yorkers and Charlestonians interested in taking part in organized religion had little incentive to commit to a particular congregation when so many were vying for their attention. At the same time, in pluralist urban centers, religious affiliation was playing less of a role defining social relationships. Family, friends, and business partners could share moral and spiritual values even if they did not attend services together on Sunday. It was not uncommon for relatives to attend different churches, subscribe to different faiths, or marry outside of their denomination.

In areas with growing populations within and around Charleston and New York, families often accommodated each other when they changed their religious affiliations. For example, Richard Furman, the minister of Charleston's First Baptist Church for 23 years, from 1787 until 1810, grew up in a family of Episcopalians. Furman joined the Baptist Church in his teens and he influenced his mother and sister Sarah to join him. Even though Furman became one of the best-known and most influential Baptist leaders of his time, his father remained a staunch Episcopalian, and neither his first nor second wife, nor most of his children, ever joined the Baptist Church.²⁷⁷ Similarly, John Pintard, a New Yorker of French Huguenot descent, and one of the founders of the American Bible Society and the New-York Historical Society, left his wife and daughter at Grace Episcopal Church each Sunday. He attended services on his own at the French Protestant Church, *L'Eglise Saint Esprit*. Pintard regretted the weekly separation from his family, but he held fast to decision, bemoaning, "How can I abandon the Church erected by my pious ancestors!" Pintard remained avid in his conviction throughout his life. He would

²⁷⁷ James Rogers, *Richard Furman: Life and Legacy* (Macon, GA: Mercer University Press, 1985), 19,20,22,96.

not give up the mode of worship he practiced at *St. Esprit*, even if he could not share it with his loved ones.²⁷⁸

David Ramsay, the renowned chronicler of the American Revolution and a vestryman at the Independent Congregationalist Church in Charleston, did not let church affiliation affect his choice of marriage partner. His first wife, Sabina Ellis, likely attended the same church he did when they met, but his next two wives did not. His second wife, Martha Laurens, came from a family of Episcopalians. Martha Laurens Ramsay had grown up in St. Philip's Episcopal, but she began attending the Congregationalist Church and became a committed member after she married. Ramsay's third wife, Francis Witherspoon, was a Presbyterian.²⁷⁹

In large, urban, commercial centers, young men hoping to pursue a career in trade found that forging commercial associations with people from different ethnic and religious backgrounds could be especially lucrative. Those relationships connected merchants to different networks and different markets. By the second half of the eighteenth century, the tight-knit family businesses, which had developed extensive Atlantic trade networks, and which relied on ethnic and religious bonds to build trust, were shifting. They were giving way to a much more open, fragmented, and fluid economic community. Merchants, traders, and venturers became more willing to strike

²⁷⁸ January 30, 1816 and April 16, 1816, *Letters from John Pintard to his Daughter Eliza Noel Pintard Davidson 1816-1833* volume 1 (New York: New York Historical Society, 1940).

²⁷⁹ Martha Laurens Ramsay devotedly and intensely recorded her spiritual journey in a journal, which David Ramsay published after her death. David Ramsay, *Memoirs of the Life of Martha Laurens Ramsay, Who Died in Charleston, S.C. on the 10th of June, 1811, in the 52nd Year of her Age, With an Appendix Containing Extracts from her Diary, Letters, and Other Private papers. And also from Letters Written to her, by her Father, Henry Laurens, 1771-1776* (Charleston: Printed by Samuel Etheridge, 1812).

out on their own, prepared to take on risky opportunities in foreign cities.²⁸⁰ For example, Cornelius Heeney, one of the first Catholics to be elected to public office in New York, arrived in the city via Philadelphia after emigrating from Ireland in 1784. In New York, he found a position with an English Quaker shipping merchant and trader, William Backhaus. In Backhaus's shop Heeney worked side by side a young immigrant from Germany, John Jacob Astor, who would go on to make a fortune in the fur trade.²⁸¹

With a range of options at their fingertips, New Yorkers and Charlestonians shopped around. They commonly went to hear ministers from different denominations preach, sometimes out of morbid curiosity, other times out of interest in or respect for the person delivering the sermon. One New Yorker, Maria Todd, described in her diary regularly spending Sundays away from her own Baptist Church, travelling to hear sermons from other preachers in neighboring churches. In a four-month span, she recorded attending meetings at a Baptist Church, a Dutch Reformed Church, a Presbyterian Church, and an Episcopal Church.²⁸² Oliver Hart, a Baptist minister in Charleston, observed in the course of his travels throughout North and South Carolina that in some communities, non-Baptists would mock and taunt him, trying to discourage their co-religionists from attending his sermons. Nevertheless, the people were always curious about his presence and he continued to note that in those same communities, non-Baptists regularly attended his services when he passed through.²⁸³

²⁸⁰ Thomas Doerflinger, *A Vigorous Spirit of Enterprise: Merchants and Economic Development in Revolutionary Philadelphia* (Chapel Hill and London: Published for the Institute of Early American History and Culture Williamsburg, Virginia by the University of North Carolina Press, 1986), 62-63.

²⁸¹ Thomas Meehan, "A Self-Effaced Philanthropist: Cornelius Heeney, 1754-1848," *The Catholic Historical Review* Vol. IV No. 1 (April 1918) 3-17.

²⁸² July 1, 1837; July 10, 1837; September 7, 1837; September 17, 1837, Maria Todd, *Diaries 1837-1868*, NYHS.

²⁸³ August 3, 1780; August 15, 1780, *Diary*, Oliver Hart Papers, SCL.

Movement among churches was not an exclusively Protestant phenomenon.

Elizabeth Ann Seton left Trinity Episcopal Church, which she attended for most of her life, when she converted to Catholicism after her husband's death in the first decade of the nineteenth century. Seton received a lot of pressure from friends and family to resist conversion. She wrote to a Catholic friend explaining, "if you could know the shocking and awful objects presented to my mind in opposition to your church, you would say it is impossible except a voice from Heaven directed, that I ever could become a member of it." Nevertheless, she remained steadfast in her conversion, admitting to the same friend, "If your Church is Antichrist [and if] you worship Idolatrous, my soul shares the crime."²⁸⁴ Seton eventually became a nun, and she founded the first Catholic religious order in the United States and sponsored several schools and orphanages for Catholic children. Seton was the first American to be canonized in the Catholic Church.

Even ministers dabbled in and changed denominations with few consequences. In his autobiography, the Reverend Dr. Philip Milledoler related his experience sneaking into a Methodist worship service as a teenager. He was curious to hear the "two very distinguished preachers," and to understand the thunderous effect their preaching was having on his mother's friends.²⁸⁵ As a young man, Milledoler began preaching in his family's church, the German Reformed Church of New York. He subsequently spent several years and in New York and Philadelphia working with Presbyterian congregations. He ended his career as one of the most influential and orthodox Dutch Reformed ministers in the country, even serving as the President of Rutgers College for

²⁸⁴ December 13, 1804, Elizabeth Seton to Antonio Filicchi, *Elizabeth Bayley Seton Collected Writings Volume 1 Correspondence and Journals 1793-1808*, edited by Regina Bechtle and Judith Metz (New York: New City Press, 2000) 339.

²⁸⁵ Autobiography, Phillip Milledoler Papers, NYHS, page 6, Box 3.

many years. Milledoler was in good company at the New York Dutch Reformed Collegiate Churches. Two of his fellow ministers, John Romyn and William Linn, had also been ordained Presbyterians before ultimately settling in the Dutch Church.²⁸⁶

In post-revolutionary New York and Charleston, residents experienced little social pressure to commit to a particular church at a time when the number and variety of churches were increasing. In a voluntary church system, no single religious society received state protection and no single congregation had a guaranteed source of institutional and financial support. This new environment did not discourage people from participating in organized religion, but it did mean that clergy and lay leaders would have to develop new strategies to attract and retain members. They would have to build institutions that would encourage people to commit their loyalty and resources to a particular church if they wanted to ensure the stability and growth of their communities.

IV. Reframing Religious Discipline

In early modern European society, different congregations and religious confessions extended the hand of charity almost exclusively to their own communities. Political and religious leaders preached that collective harmony, strict obedience, and uniformity were social and spiritual requirements. People relied on these systems of mutual aid to provide some form of social stability in a world where war, famine, and disease constantly threatened. If an individual transgressed the rules and requirements of the community, he or she faced very real consequences. Exclusion stripped people of

²⁸⁶ Milledoler outlines his career in his personal correspondence, Philip Milledoler Papers, NYHS.

that support system. This threat gave community members the ability to influence and police each other's social and moral lives.²⁸⁷

Post-revolutionary American churches did not have the civil power to punish or censure citizens for breaking ecclesiastical laws. In fact, early national Americans could, and did, turn to the civil courts if they believed their churches were exercising unlawful authority.²⁸⁸ Furthermore, in the buyers' market characterizing the early national urban religious landscape, harsh disciplinary actions were just as likely to drive transgressors to other churches as they were to reform them. Early national religious societies had no intention of compromising their doctrinal rigor. However, the strict moral discipline that was part of the doctrine of most early national churches was only possible when people were fully committed to a particular community. As a result, clergy and lay leaders had to reframe religious discipline by creating patterns of membership that would encourage adherents to structure their spiritual and their social lives around the church.

Some churches did still try to shame their members into obedience. For example, First Presbyterian Church in New York continually attempted to impose disciplinary measures in order to discourage their members, particularly female members who made up a large proportion of the congregation, from leaving their society and joining the cities' Baptist Churches. Rather than censure them on points of doctrine, church leaders

²⁸⁷ Historians of early modern Europe and colonial America have written extensively about popular religion and social discipline. See for example, Henry Kamen, *Early Modern European Society* (London: Routledge, 2000), 173-200; Po-Schia Hsia, *Social Discipline in the Reformation: Central Europe 1550-1750*, (London and New York, 1989) 53-73; Keith Luria, *Sacred Boundaries: Religious Coexistence and Conflict in Early Modern France* (Washington D.C.: The Catholic University of America Press, 2005) 143-144. Luria also argues that confessional boundaries were not impermeable, especially in biconfessional regions. Keeping members of different religious groups from interacting or intermarrying was impossible in pluralistic communities, as much as political and religious leaders believed it was necessary, 143-192; Bruce Lenman, "The Limits of Godly Discipline in the Early Modern Period with Particular Reference to England and Scotland," ed. Kaspar von Greyerz *Religion and Society in Early Modern Europe 1500-1800* (London: George Allen & Unwin, 1984) 124-142; Alexandra Walsham, *Charitable Hatred: Tolerance and Intolerance in England, 1500-1700* (Manchester: Manchester University Press, 2006) 66-92.

²⁸⁸ I examine some examples of church members and ministers using the civil courts in chapter 3.

disciplined women for acting unconstitutionally. The vestry board acknowledged that they had no right or power to control people's freedom of conscience, but they could censure them for breach of protocol, as outlined in their bylaws. The First Presbyterian bylaws required members to give formal notice before they left the church to join another community. The vestry board of First Presbyterian presided over several discipline cases where women, often black women, were baptized into the Baptist Church without first seeking permission, taking advantage of the fact that few of the female defectors knew about the specific constitutional provision. The censures had no repercussions, but they were a way for church leaders to officially rebuke defectors and publicly embarrass those who left the fold.²⁸⁹

More commonly, religious societies encouraged people to structure their social lives around the church by expanding opportunities for more people to formally participate in and take ownership of different facets of congregational life. Early national religious societies were microcosmic political communities providing lots of opportunities for people to hold office, vote, and volunteer. Religious societies in Charleston and New York gave men the right to vote before they could exercise that privilege in state or city elections. Many of their constitutions and bylaws promised universal male suffrage. In corporate churches, a committee of lay leaders, called a vestry board, consistory, or board of trustees, managed the secular affairs. Vestrymen often had expertise in business and management, or politics and government, and religious societies could take advantage of these men's financial or political acumen. In many cases, the same men representing the region in local, state and national government, and running successful businesses, were also vestrymen at local churches.

²⁸⁹ Session Minutes, First Presbyterian Church New York City, 1809-1862 RG 413-2-1, 11-12, PHS.

Vestrymen hired ministers, mediated disputes between the clergy and the congregation, and questioned and helped reformed members who broke canon law.²⁹⁰

Women also embraced opportunities to participate in new ways. They generally attended services in greater numbers than men, giving them a sort of buying power, and meaning that churches particularly had to respond to women's interests and needs. Women founded benevolent societies within their churches where they drafted constitutions and voted. Schools educated girls as well as boys. Church activities legitimized female-only spaces and women regularly gathered together to worship and socialize with friends from the same congregations, and they traveled throughout the cities for meetings and gatherings.²⁹¹ However, women still occupied an ambiguous position within corporate churches. They could not hold public offices and they could not vote or contribute to the general secular or spiritual affairs of their churches. Women were active participants and technically members, but second-class citizens.

The emphasis on institutional growth only reinforced women's uneasy position within churches. The opportunities for formal participation constitutively benefited the church as an organization and the men who voted and served on governing boards. These participatory roles—serving on boards and committees and voting—carried with them power and respect. They motivated men with expertise, and often wealth, to commit their time, resources, and connections to the congregation. In return, religious societies gave men more rights to influence the course of large and powerful institutions. As

²⁹⁰ I discuss this point in more detail in chapter two. Some churches, including Presbyterian and Dutch Reformed Churches, had two governing bodies, a board of sessions and a board of deacons. The Board of sessions was responsible for secular affairs, and the board of deacons was responsible for spiritual affairs. The two bodies were elected, and were usually composed of elite members. However, both boards were considered together as the board of trustees.

²⁹¹ I describe these dynamics in chapters two and three.

churches required ever-larger incomes to develop programs and to attract and serve ever-larger populations, they needed the legal and financial infrastructure to support that growth. Consequently, religious societies created structures privileging male membership.

In order to support the new infrastructure—schools, charity, building funds—religious societies had to grow financially stable. Accordingly, religious societies developed techniques that required people to make long-term financial investments to their congregation. These methods helped congregations build their endowments, and they also gave people a financial stake in the growth of the organization. Pew rents were a common method providing churches with a steady income and encouraging people to make continual contributions. Families would purchase a row of seats in a church, and pay dues, or quarterly rents on them. Pews varied in price, and the location of a family's pew marked social status. Pews in the front were generally more expensive and carried more social clout: the families occupying them could be noticed and observed by the rest of the congregation. Buying a pew, a family declared their affiliation with a particular church, and the church had a general sense of their base yearly income.²⁹²

By collecting pew rents, growing early national urban religious societies achieved three goals. First, they encouraged wealthy and powerful people to associate with a church and in turn gave those people a way to demonstrate their status. Second, pew rents helped to stabilize income so churches could continue their programs of growth. Religious societies knew how much they could contribute towards building programs and

²⁹² Mark Schantz discusses the social importance of pew ownership and the ways in which religious participation shaped class formation in the early 19th century, Mark Schantz, *Piety in Providence*, 8-43, 265-270. Schantz does notice that in Providence, people occasionally purchased pews in more than one church. However, these men were usually members of a single church.

outreach each year. Third, pew rents subsidized the attendance and participation of lower-income members. Religious societies could not offer programs and support to the needy without the underwriting of their donors. While this system encouraged religious societies to appeal to diverse populations, it also created a highly stratified system of membership. Even as it provided more opportunities for people to play a role in and shape the institutions central to their lives, it set a price on different roles. The pew rent system ensured that all participation was not created equal and it reinforced that class dynamics would remain an entrenched and troubling structural issue within urban churches.

Ultimately, by the early years of the nineteenth century, belonging to a religious community in Charleston and New York was about much more than attending worship services. In addition to Sunday meetings, which usually included a morning and evening sermon, congregants attended prayer meetings and singing schools during the week. Their children might attend the church school. Men and women both participated in benevolent and mutual aid societies. They gave money to charities and mission work. They could count on assistance from the church if they fell on hard times. Mary Reed Eastman, a New England missionary stopping in Charleston in 1832 before beginning a mission to the deep South, was delighted that throughout her journey she could visit the Congregational Church in the city and go to prayer meetings and singing school on the same nights she was used to going at home. She imagined her friends and family “probably spending their evening in the same manner and uniting in prayer for the same object.” For Eastman, the songs and prayers “bind our hearts and bring them together

before our maker!”²⁹³ Participating in well-know programs made her feel very close to home, instantly a part of society in Charleston, and even more committed to her denomination.

As Charlestonians and New Yorkers began to depend on the extensive programs and services religious societies developed in order to establish themselves as influential and powerful social and spiritual institutions and to attract and retain members, churches regained their power to discipline. Gradually, over the course of the first three decades of the nineteenth century, religious societies restricted their services and programs to members only. For example, in 1792, the Dutch Reformed Church passed a resolution ending private baptism ceremonies, declaring that all baptisms must take place in a church, not in the home. The new measure meant that parents who wanted their child baptized by a Dutch Reformed minister would have to display in public that they supported the church.²⁹⁴ Along those lines, congregational schools began insisting that they would only educate children whose parents attended services, or in the case of the New York Dutch Reformed Church, they required all children who attended their school to attend Sunday services, a veiled way to pressure students’ parents to attend as well.²⁹⁵

While it remained relatively uncomplicated for people to change religious affiliations, and there were few, if any, consequences, religious societies developed new strategies to reframe discipline. Churches redefined their power to discipline by offering

²⁹³ December 10, 1832, *Diary of Mary Reed Eastman*, SCHS.

²⁹⁴ Edward T. Corwin, *A Digest of Constitutional and Synodical Legislation of the Reformed Church in America* (New York: Board of Publications, 1906), page LXIV, Article LVIII; January 6, 1803, Minutes of the Consistory of the Reformed Protestant Dutch Church in the City of New York 1795-1807, Liber H.

²⁹⁵ May 7, 1807, Minutes of the Consistory of the Reformed Protestant Dutch Church in the City of New York, 1807-1818, Liber I. November 11, 1814, Minutes of the Board of Trustees, Brick Presbyterian Church, Volume 1 1809-1869, 80-82, PHS.

financial support, entertainment, education, and political rights that were not yet available to early national Americans in such a coherent form elsewhere. However, if Charlestonians or New Yorkers wanted to use and take part in a church's spiritual ministrations as well as its public services, they would have to commit their loyalty and resources to a single organization. At the same time, churches reinforced an uneasy tension of inclusion and exclusion by preserving and entrenching different roles based on race, class, and gender. The competitive environment that was part of a voluntary church system was far from egalitarian.

V. Convergence

As religious societies competed to attract and retain members, they developed a broad range of services and social programs to serve the needs of their communities—schools, mutual aid societies, and music programs. They gave people the experience of self-government on a very local and immediate level. They built grand and elegant meetinghouses to physically advertise their presence and they hired eloquent ministers to deliver engaging sermons. Ironically, while religious leaders designed these programs in part to encourage people to commit to a particular church rather than join the ranks of a competitor or not commit at all, religious societies came to look very similar. Virtually all churches and synagogues incorporated, meaning that they had similar organization structures. They provided the same opportunities for lay leadership. They also borrowed and appropriated new techniques and competitive tactics from each other.

Catholic and Jewish congregations incorporated just as eagerly as their Protestant counterparts. St. Mary's Catholic Church in Charleston incorporated in 1791. Against

the will of the presiding bishops in Baltimore and most of the St. Mary's clergy, members organized a vestry board and insisted on the right of lay leadership, knowing that they had the law on their side. They defended themselves, explaining that they were only driven by "the pride that they [were] entitled, common with the fellow citizens," in their commitment to "civil and religious liberties."²⁹⁶ Kahal Kadosh Beth Elohim, Charleston's Jewish Congregation, also incorporated in 1791. The congregation built an Orphan Society and a school in 1801.²⁹⁷ Similar to their Protestant neighbors, laymen and women debated how to make their services more appealing and accessible, considering shortening them and using English instead of Hebrew. The members of KKBE also negotiated how to integrate music into their services. Penina Moise, a longtime member of KKBE, wrote the first Jewish hymns to appear in the United States.²⁹⁸ Similarly, New York's Shearith Israel adopted measures to encourage more young men to get involved in the congregation by granting any man over the age of twenty the right to vote. All new male members were required to sign the constitution, signifying that they agreed to uphold the laws of the society, which had been adopted through a democratic process, and were consistent with the laws of Judaism, and the laws of the state.²⁹⁹

²⁹⁶ December 7, 1817, Mary Lucinda Morgan ed., *The Vestry Records of St. Mary's Roman Catholic Church, Charleston, South Carolina, 1806-1823*. (Thesis, University of South Carolina, 1982), 79-83.

²⁹⁷ Thomas J. Tobias, *The Hebrew Orphan Society of Charleston, S.C. Founded in 1801: An Historical Sketch* (Charleston: Published by the Society, 1957).

²⁹⁸ James William Hagy, *This Happy Land: The Jews of Colonial and Antebellum Charleston* (Tuscaloosa and London: The University of Alabama Press, 1993) 78-81; Charles Renikoff, *The Jews of Charleston: A History of an American Jewish Community* (The Jewish Publication Society of America: Philadelphia, 1950) 82-83.

²⁹⁹ April 30, 1820, Minutes of the Electors, Shearith Israel, May 23, 1790-January 25, 1835, 40-42, CSI; Constitution of Shearith Israel, 1805, Article VI, in Daniel J. Elazar, et. al eds., *A Double Bond: The Constitutional Documents of American Jewry* (University Press of America: Lanham and New York, 1992), 109.

The Methodist Church was the only denomination to reject the ubiquitous practice of church incorporation. The early national Methodist Church was at once highly centralized and highly flexible, balancing a strict hierarchy of bishops and an extensive grassroots organization. The bishops held a tight grip over organization and discipline, while itinerant minister traveled through a circuit, or an assigned region, gathering people together for camp meetings. Methodist preachers would organize their followers into “classes.” Laymen and women from the area then took charge of the classes and would preach, collect offerings, and enforce discipline until the itinerant minister came through during his next circuit.³⁰⁰

Tellingly, Methodist Churches in Charleston and New York rejected many facets of Methodist organization and adapted others, integrating them into structures similar to their urban competitors. In Charleston, Methodist minister William Hammett opposed Bishop Francis Asbury’s centralized authority. He broke away from the conference and formed an independent Methodist Church in the city.³⁰¹ Nathan Bangs, one of New York’s eminent early nineteenth-century Methodist ministers, critiqued the Methodist convention of relying on itinerant rather than settled ministers. He observed that in urban areas, and in populated rural regions, Methodist itinerant preachers would pass through towns and villages and stir up enthusiasm among the unchurched. However, once the circuit rider moved on, the converted would often join already established congregations rather than start their own Methodist meeting. While circuit riders and traveling

³⁰⁰ Daniel Walker Howe, *What God Hath Wrought*, 178-179. For a good biography on Francis Asbury, see John Wigger, *American Saint: Francis Asbury and the Methodists* (Oxford and New York: Oxford University Press, 2009). Francis Asbury and Thomas Coke were the first Methodist bishops in the United States.

³⁰¹ Hammet discusses his hatred of Asbury and his new society in his journal, February 24, 1793 and March, 1795, *Diary of William Hammet*, SCL.

revivalists had wide success encouraging the formation of Methodist congregations in newly settled areas, Bangs suspected that their model was better suited to frontier settlements than to cities and well-established regions that already contained a diverse array of churches. Methodists in New York City did not abandon the enthusiastic heart religion that made Methodism appealing to so many Americans across the United States in the early national and antebellum periods, but they did adapt their practices to conform to urban traditions. They sought to make their meetings more orderly, and they developed a modified circuit in the city that included partially settled ministers. By the 1830s, the New York Methodist circuit began requiring a four-year course of study for ministers.³⁰²

While urban Methodists adopted modified corporate structures and developed programs and services that conformed to the conventions of the city, neighboring churches integrated and appropriated strategies refined and popularized by Methodists. Most notably, urban churches experimented with revivals. Revivals were passionate, several-day long—often open-air—meetings. They were full of preaching and worship, aimed to inspire people to have personal experiences with God that would lead them to a conversion. Revivals became increasingly popular and widespread throughout the nineteenth century, but they were particularly popular in rural areas lacking many established religious communities.

Revivals were never the exclusive tool of Methodism. In the 1740s during the fervor of the First Great Awakening, Reformed Protestant ministers such as Jonathan Edwards and Gilbert Tennent presided over long and fiery revival meetings. In the 1801

³⁰² Rev. Dr. Philip F. Hardt, *The Soul of Methodism: The Class Meeting in Early New York City Methodism* (University Press of America, 2005), 45, 47, 66; Abel Stevens, *Life and Times of Nathan Bangs* (New York: Carlton and Porter, 1863), 183-186, 287.

Cane Ridge Revivals in Kentucky, the event that historians often mark as the beginning of the Second Great Awakening, Methodists, Baptists, and Presbyterians gathered together in zealous worship that lasted several days and that drew tens of thousands of people.

Nevertheless, Methodists and other societies emphasizing “heart religion” were particularly adept at using revivals to galvanize emotional responses in people and excite conversion. Methodists emphasized the heart over the head, rejecting the eighteenth-century rationalism that had become a mainstay in most Reformed denominations. They insisted that all people, regardless of their education and status, could receive the word of God. Methodists popularized beliefs that Christ died for all people, and that all people, not just the elect, could achieve salvation through their faith. They challenged Calvinist predestination so successfully that Reformed Churches were moved to accept the challenges, and many fractured internally over the extent to which they would reject Calvinism and incorporate these ideas of universal salvation.³⁰³

At the same time, even orthodox Calvinist congregations understood how they could effectively use revival techniques to inspire their members and gain new converts. The German Reformed/Presbyterian/Dutch Reformed minister Philip Milledoler was a fierce opponent of challenges to Calvinist predestination, yet he was a masterful revivalist.³⁰⁴ He was also an outspoken critic of Methodist revivals that encouraged

³⁰³ In the late 18th and early 19th centuries, the writings of New England Theologian Samuel Hopkins sparked a major crisis within Calvinist churches. Hopkins’ writings modified the central tenets of Calvinism, most notably pertaining to free will and original sin. The “Hopkinsian crisis” permeated relations within Charleston and New York Calvinist Churches. Hopkins’ writings were compiled and published in 1852. Samuel Hopkins, *The Works of Samuel Hopkins, D.D. First Pastor of the Church in Great Barrington, Mass, afterwards Pastor of the First Congregational Church in Newport, R.I.* (Boston: Doctrinal Book and Tract Society, 1852).

³⁰⁴ November 28, 1817, “Memorial Presented...against innovation introduced into the Reformed Protestant Dutch Church,” Philip Milledoler Papers, NYHS.

instantaneous conversion. Milledoler suspected that instant conversion was false conversion because feelings that came on suddenly could fade just as suddenly. Young men, he believed, should not be allowed to preach simply because they were “born again.” They should have to wait to make sure their convictions were genuine before presenting themselves as candidates for the ministry. He insisted that if congregations ended strict qualifications licensing preachers, they would open the door to chicanery. Milledoler shared several stories with friends about youths he had encountered who, hoping to “escape the rake and the hoe,” presented themselves as qualified preachers. According to Milledoler, men like these were the “veriest Clowns in creation.” For Milledoler, it was very dangerous to reject rationalism in favor of sentimental enthusiasm as the basis of belief.³⁰⁵

Significantly, Milledolder demonstrated that there was not a clear divide between enthusiastic, revivalist evangelicalism, and rationalist orthodoxy. Milledoler actively engaged in disputes, controversies, and feuds with his colleagues, but he was also an early supporter of evangelical, interdenominational projects such as the American Bible Society. While he was positively scornful of the instantaneous conversions characteristic of evangelical revivals, Milledoler avidly embraced revival techniques. He was convinced that if revivals were closely monitored to make sure they did not dissolve into chaos and enthusiasm, they could open people’s hearts and minds to God more effectively than any other ritual. During a series of revivals, which lasted from 1807 to 1812, membership in his church increased from 80 to 700 people.³⁰⁶ Milledoler lobbied tirelessly to make revivals the domain of conservative rationalists and an essential tool to

³⁰⁵ December 17, 1829, Peter Vanzandt to Philip Milledoler; March 26, 1832, Philip Milledoler to William Sprague. Philip Milledoler Papers, NYHS.

³⁰⁶ Philip Milledoler to William Sprague, March 26, 1832, Philip Milledoler Papers, NYHS.

attract members and to encourage their continued spiritual growth and life in the church. He was one of the most avid and successful revivalists in New York before Charles Finney's fiery sermons ignited the city in 1832.

As religious societies developed new organizational structures and as they worked to grow and expand, they were willing to adopt methods and strategies devised and refined by competing sects. Consequently, in their efforts to compete for members, religious societies began to look very similar and their goals and their messages converged. They offered virtually identical services, which they organized and governed according to the same structures. They used similar techniques to appeal to peoples' emotions. However, few churches had any intention of abandoning their denominational identities or ceding ground to their competitors, especially given the fact that they occupied a political world that had only recently committed to the principle of religious liberty. The more that the boundaries between different communities approached each other, the more they had to sharpen and refine what, in fact, made them different.

VI. Drawing New Boundaries

In the years after the Revolution, religious societies in Charleston and New York took important steps to build institutions that would encourage people to have a social and financial stake in a particular church. They wanted to make sure that participation in organized religion remained a significant factor in public life, and they hoped they would be able to influence public morals and discipline. In the process, religious societies in Charleston and New York ended up looking very similar in terms of their organizational structure and the services and programs they provided for parishioners. As they came to

look and act more alike, each society had to articulate and communicate what made them distinct and unique. Rather than accept a homogenous religious culture, where everything blurred together, they tried to solidify their boundaries in order to elevate their organizations.

While observers such as Crèvecoeur proposed that religious differences would cease to matter to people in the United States and that Americans would stop taking refuge behind denominational walls, if a religious society wanted to survive in an environment where supporting a church was completely voluntary, it had to be able to communicate what made it different, and in fact, better, than all of its competitors. Though Americans toyed with universal religious principles, they had no intention of abandoning their denominational identities. Rather, they had to reframe the efficacy of their doctrinal and governmental differences. They had to demonstrate that churches were different because their various forms of worship, rituals, doctrines, traditions, or governments, *did* matter in some way. Otherwise, there was no real reason for the myriad sects to continue to exist in their current form.

Leaders of several Reformed Churches—Presbyterians, Congregationalists, French Reformed, Dutch Reformed, and German Reformed—felt particularly pressed to justify their uniqueness. Given their shared liturgical history and Calvinist origins, it was not always evident what specific role each Reformed society played, or need they filled. The Dutch Reformed Collegiate Churches confronted this problem in the late 1790s and early 1800s when some leaders began to propose that the Collegiate Churches should form a union with the Presbyterian Church, since they already shared a Reformed tradition, and they even shared several of their ministers. Furthermore, the Dutch

Reformed Church had already lost both of the features that had truly distinguished it from other Reformed societies in the colonial era. Before the Revolution the Dutch Reformed Church was the only non-Anglican religious society to have a corporate charter, a right that the state made universal after independence. Second, the Dutch Reformed Church was shifting away from the use of the Dutch language in its services, another obvious marker of difference. For many years, clergy and lay leaders debated abandoning the Dutch language and using English instead, since few of their members still actually spoke Dutch.

Once they resolved to transition to English in the early years of the nineteenth century, the congregation became very concerned with how they would preserve their “fundamental principals,” and justify why the union with the Presbyterians should not take place. The vestry board declared that all members of the church must “mutually watch over each others’ purity in Doctrine, Discipline, and manners.” While they discursively emphasized the importance of doctrine, the vestry board also insisted that the root of their difference rested in their government. Lay leaders argued that they could not unite with the Presbyterians even if they wanted to, because the proposal was unconstitutional. They explained, “whereas we are apprehensive that an retention of intercourse and correspondence [with the Presbyterians] may imperceptibly tend to destroy the internal distinctions between the particular Churches, which experience has evined to be beneficial, and ultimately break down their constitutional barriers which neither we nor the congregation we represent can ever submit to.” The vestry continued, asserting that they “wish[ed] to avoid...a connection with churches which are known to disapprove the forms of Government of our own.” Their government gave the Dutch

Reformed Church a very tangible defense of why they needed to remain independent. They were part of a constitutionally defined political community that was charged to preserve certain doctrines and traditions.³⁰⁷

The French Reformed Church in New York, or *L'Eglise Saint-Esprit*, also had to reinvigorate and give new meanings to its unique traditions. Faced with crippling debt, continuous refusals for assistance from their sister church in London, and chronic difficulties finding and keeping ministers, the vestry board made a dramatic decision. In the board meeting on September 30, 1802, the vestrymen agreed “to adopt the Anglican liturgy for the Church as the only remaining resource to prevent the church from falling into hopelessness.”³⁰⁸ In 1773, Elias Desbrosses, an Anglican of Huguenot descent bequeathed one thousand pounds to be put in trust for the maintenance of a French clergyman to perform services in French that used the Anglican liturgy. By joining the Protestant Episcopal Church, the New York French Reformed Church received a hefty fund to help maintain the congregation.³⁰⁹

When discussing the move in 1802, Reverend Albert asserted that he would only agree to the change as long as it “did not deprive us of our independence.”³¹⁰ Albert did not believe that reciting a few prescribed prayers should make any difference to the nature of their worship, as long as the congregation could remain an independent entity and preserve the rest of its traditions. While French Reformed parishioners gave up their institutional autonomy and accepted the Episcopal liturgy, they also revived and devoted

³⁰⁷ August 3, 1797; May 2, 1800, The Minutes of the Consistory of the Reformed Protestant Dutch Church in the City of New York, Liber H.

³⁰⁸ September 30, 1802, Records of the French Church du Saint Esprit, New York City, New-York Historical Society, 1796-1818.

³⁰⁹ John Albert Maynard, *The Huguenot Church of New York: A History of the French Church of St..Esprit* (New York, 1938), 212.

³¹⁰ *Ibid.*

themselves to the old prayers and psalms that their ancestors used in France. They insisted that they continue their worship in French, not for practical reasons, because the number of French speakers in the city was declining each generation, but because it was significant to their worship. Holding on to the French language, and continuing to worship in the way of their Huguenot ancestors by singing the psalms, *L'Eglise Saint-Esprit* clearly distinguished itself and revitalized its doctrinal soundness, but at the same time it acquired the institutional support to develop the infrastructure that made churches competitive. One vestryman observed that the small church, which had nearly disbanded at the end of the eighteenth century, was nearly fully occupied by 1816. Throughout the first half of the nineteenth century, the services attracted a “respectable number” and the congregation continued to grow. Preserving the French language, they were able to remain a distinct body underneath the generous protection of the Episcopal umbrella.³¹¹

Other Reformed Churches that maintained their original language had different sets of troubles. The German Reformed Church remained committed to holding services in the German language, and stubbornly refused any association similar to the one adopted by the French Church, even if it received several propositions to unite with the Lutheran church. While they were clearly able to define their role in the city on the basis of their language, they became increasingly obsolete. Fewer and fewer people understood German, and it became nearly impossible to find a minister with the proper credentials who could preach fluently and engagingly in both German and English.³¹²

³¹¹ John Pintard to Eliza Noel Pintard Davidson, January 30, 1816; April 16, 1816, *Letters from John Pintard to his Daughter Eliza Noel Pintard Davidson 1816-1833* volume 1 (New York, New York Historical Society, 1940),

³¹² Philip Milledoler to J. Janeway, August 12, 1800; German Reform Church to Philip Milledoler, March 14, 1801; Hahhan McGrath to Mrs. Milledoler, March 15, 1801; Philip Milledoler to John Remmy, April 20, 1801; Philip Milledoler to the German Reformed Church, May 14, 1801; Albert Helfenstein to Philip

Unlike the French church, the German church did not have an assured source of institutional support underwriting its infrastructure. Even more importantly, unlike the French Reformed Church, the German Reformed Church did not connect language to worship. They had no doctrinal reason to use the German language in their services, and no practical reasons either. In the early nineteenth century, the German Reformed congregation struggled to attract new members, to become financially stable, and to create the sort of educational institutions that would make them self-sustaining in the future.³¹³

No doctrinal issue received more attention than baptism. Protestants of all varieties—Reformed, Episcopal, Baptist, and Methodists—filled thousands of pages debating infant versus adult baptism, and the merits of sprinkling versus immersion. Charleston Congregational Minister Benjamin Palmer’s pamphlet, “Three Discourses in Defense of Infant Baptism” was so popular in the city that it sold out before it even reached the shelf. The publisher begged Charlestonians who had ordered more than one copy to give up their claim to help fill the demand.³¹⁴ Richard Furman, defending adult baptism in the publications of the Charleston Baptist Society, described some of the ways in which the topic had come to seriously define and divide religious societies: “For their explanation, various theories or schemes of interpretation, have been adopted by Universalists, Arminians, and Calvinists, according to their various systems of divinity:

Milledoler, November 15, 1819, Philip Milledoler Papers, New-York Historical Society. German language churches thrived again in the middle decades of the nineteenth century encouraged by an increase of German immigration. For example, Saint Matthews Lutheran Church in New York broke off from the United German Lutheran Church in 1822, but became exclusively German speaking again in 1840.

³¹³ German language churches would become popular again later in the 19th century to accommodate large populations of German immigrants.

³¹⁴ June 13, 1809, *City Gazette*, Charleston, SC.

and in support of them, controversies have arisen between the advocates for their respective systems.”³¹⁵

Baptism likely continued to be such a flashpoint, even when other doctrinal conflicts seemed to diminish, because it simplified and obscured more troubling and confusing doctrines such as Calvinist predestination and Arminianism. Rather than grappling with contentious and often esoteric points of theology, an individual had to make a simple choice: adult or infant baptism. Moreover, baptism was an external act rather than a uniquely internal conviction. Practicing baptism in a particular way visibly marked someone as part of one denomination rather than another. All the same, while it was a simple act, it represented one of the most important articles of faith. Baptismal practices highlighted a church’s position on salvation—universal salvation, predestination, or some combination of the two. The different ceremonies of baptism—adult or infant—achieved through immersion or sprinkling, were clear and meaningful markers of distinct positions.

Baptist commentators were especially keen to make this doctrinal issue a touchstone. The Charleston and New York Baptist Churches had been founded in the late seventeenth century. The Baptist societies in the two cities both incorporated after the Revolution so they could manage their business affairs in trust. They constructed impressive buildings, developed opportunities for education and charity, and were both respectable institutions. Nevertheless, they did not have the same wealth of land, or long history of wealthy donors as their Reformed or Episcopal neighbors. However, they did have a powerful and consistent theological argument about baptism that strongly

³¹⁵ Richard Furman, “Infant Salvation: together with a course of letters from an English clergyman to Bishop Hoadley with additional notes” (Baltimore: Published by John Bryce, 1815) 18.

appealed to peoples' hearts. They believed that all children were born subjects of grace and salvation, and therefore did not need to be baptized. Instead, people should be baptized when they were adults, immersed in water as Jesus was when John the Baptist led him to the Jordan River, as consenting believers.

Reformed, Episcopalian, and even occasionally Unitarian commentators slung ripostes at their Baptist counterparts, accusing them of misguided ignorance, calling them "strange, troublesome, and dangerous."³¹⁶ Baptists' critics argued that while the Bible did not mention that the Apostles baptized infants, they did baptize households. It was unlikely that no members of those households were children. They also pointed out that children were members of the church, and therefore they needed to be baptized.³¹⁷

Charleston Unitarian minister, Anthony Forster admitted, "it is not my object...to remind you of those innumerable controversies, which at some times, have so unhappily agitated our Brethren of different denominations." But even he entered the debate to justify infant baptism.³¹⁸

Baptist commentators had strong rejoinders. In their pamphlets refuting infant baptism, they focused on babies, and tugged at heartstrings. Baptist writers rebuked critics for putting babies in the same category as sinners, and for affirming the possibility

³¹⁶ James Graham, "Reasons for renouncing infant baptism with a discourse on the subjects and mode of baptism to which are added strictures on Mr. Benjamin Palmer's three discourses in defense of infant baptism," (Charleston, S.C.: J. Hoff, 1810) 5.

³¹⁷ See, for example, Benjamin Palmer, "Infant Baptism, a Gospel ordinance considered in two discourses," (Charleston: J. Hoff, 1809); David Bostwick, "A vindication of the right of infants to the ordinance to baptism, by a late Minister of the Presbyterian Church, in the city of New York," (Philadelphia: Printed by Robert Cochran, for Ezekiel Cooper, 1803); John Mason, "Essays on the Church of God: in which the doctrines of church membership and infant baptism are fully discussed...by a Pastor of the Associate Reformed Church, and provost of Columbia College, in New York," (New-Brunswick: Deare & Myer, 1815); Cornelius C. Cuyler, "The Question Answered, Whose children are entitled to baptism? A sermon, preached before the General Synod of the Reformed Dutch Church in Garden Street, New-York," (Raleigh: Joseph Gales, 1817); John Nicholas, "A letter, addressed to the Episcopalians, and other religious disposed persons in Waterloo and its vicinity. By a layman of the Episcopal Church," (Geneva, NY: S.P Hull, 1818).

³¹⁸ Anthony Forster, "On Baptismal Professions of faith: a sermon delivered in the Congregational Church, Charleston, 16th June, 1816," (Charleston: J. Hoff, 1816), 7.

of infant damnation. In his observations for the Charleston Bible Society, Richard Furman explained, “repentance and faith...cannot be necessary qualifications for admission to the kingdom of God, in persons who have no natural ability to perform them.” Babies were a product of God’s grace, and did not need to be baptized to go to heaven. Baptists argued that through their practices they did not oppose the idea of original sin, or even the doctrine of election. Later in their lives, when infants grew up and acquired the capacities of reason, they would be accountable for their actions and their faith, and only then would baptism play a role in their salvation.³¹⁹

Provoking disputes about a single procedure, yet one that held such sublime spiritual significance, religious societies tried to define concretely, yet simply and visibly, why they were different. When virtually every successful church in Charleston and New York offered the same programs and opportunities, they presented potential member, on the surface, a very straightforward choice: do you believe in infant baptism or adult baptism? For someone trying to make a decision about which society to join, baptismal practices provided a litmus test. If someone believed in infant baptism, they would chose a Reformed or Episcopal Church. If they believed in infant salvation and adult baptism, they would choose a Baptist church. If they believed in universal salvation, they would join the Unitarians or Universalists. If they did not believe that baptism was necessary at all, they might find more in common with the Quakers. The Reformed Churches

³¹⁹ Charleston Baptist Association, “Infant Salvation together with a course of letters from an English clergyman to Bishop Hoadley, with additional notes,” (Richmond, VA, 1815), 29-31. The actual letter was written by Richard Furman.

regularly lost members who came to question their infant baptism to the Baptists. They eagerly welcomed back anyone who rejected the validity of adult baptism.³²⁰

In the colonial past, conflicts over baptism, predestination, and *sola scriptura* incited violence and social ostracism. Clearly, something had changed in the early national United States. It is tempting to suggest that formal religious differences ceased to matter for Americans. For one, post-revolutionary churches and synagogues had essentially agreed to play by the same rules when they embarked on program for growth and expansion. Furthermore, the more religious societies attempted to attract and retain members by encouraging people to structure their lives around their churches, the more they came to resemble one another. However, churches had to clearly establish what made them unique in order to thrive. Doctrinal and governmental differences had to matter in some way, but in what way, exactly, did they matter? Clergy and laymen and woman would continue to face this question as they negotiated the curious relationship between competition and coexistence that characterized a voluntary church system.

VII. Conclusion

When early national religious societies adapted their structures and governments to be consistent with a new and shifting political environment, they also physically and conceptually rebuilt their institutions. The existence of policies requiring equality under the law, and widely held principles validating religious freedom as an inalienable right did not herald an age of unity. In a voluntary church system dedicated to the messy principles of religious liberty, clergy and laymen and women had to accept, in theory, the

³²⁰ See, for example, August 31, 1787, Minutes of the Consistory of the Reformed Protestant Dutch Church of the City of New York December 2, 1783-December 27-1794, Liber G, 125.

validity of multiple groups worshipping side by side. In practice, nothing stopped them from trying to outstrip their competitors.

Consequently, New Yorkers and Charlestonians invented new patterns of conflict and accommodation. A voluntary church system did not create an equal playing field. It created opportunities for innovation, but it also privileged groups who already had assets, groups that fulfilled a social need, and groups that could clearly articulate why they were unique. Older societies—such as the Episcopalians, Dutch Reformed, and Presbyterians—who already had resources and networks to support their growth, were able to invest in extensive social programs at a time when the state did not yet provide those services. Their deep infrastructure helped those behemoth organizations withstand aggressive assaults from competitors with widespread popular and emotional appeal, such as Methodists and Baptists. While Methodists and Baptists, for example, did not have the same deep infrastructure, they could point to a unique brand of worship that challenged Reformed orthodoxy. In the process, as early national religious societies carried out their reformation, they were actively and instrumentally reshaping the boundaries that defined religious difference, as well as the possibilities and limitations of public participation more broadly. In the years following the Revolution, Charlestonians and New Yorkers set the stage for shrewd competition and a religious landscape that was far from tranquil.

Chapter 5

Christian Union

In the years following independence, American political commentators wrote extensively about a social transformation they hoped would accompany the Revolution. They dreamed that the United States would become a virtuous nation where individuals would sacrifice their self-interest for the common good. Many religious leaders in Charleston and New York shared this goal. While few denominations, and few members within denominations, could agree on what role churches would play in public life, and which forms of worship and interpretation of church government should be dominant, many Americans believed that a successful republic required a virtuous citizenry and churches needed to play a central role as the moral compass. *Any* belief was better than *no* belief.³²¹

In pursuit of this project, members from a wide range of denominations proposed that the fundamental beliefs that united Americans were more significant than the forms of worship that divided them. Pierre Albert, minister of the French Protestant Church in New York wrote to his vestry board in 1802, musing, “Religion is the same, different, I believe, only in the ceremonies.” The vestry board echoed his sentiments, asserting, “that

³²¹ Gordon Wood, *The Creation of the American Republic 1776-1787* (Chapel Hill and London: Published for the Omohundro Institute of Early American History and Culture at Williamsburg, Virginia, by The University of North Carolina Press, 1969, 1998) 46-90.

in a century as enlightened and as liberal as the present, there will arise no difficulties about the forms where the truth and essence of Christianity are preserved.” Several New York charitable organizations would only accept members who “renounce[d] all sectarian names and adopt[ed] simply that of a Christian.” Others promised that their organizations “spurn[ed] the idea of proselytism,” and that they were not “influenced by sectarian jealousy and ambition.” One New Yorker compared sectarians to Aristocrats, and insisted that the United States had room for neither.³²²

Reformed Protestant leaders in Charleston echoed Albert’s spirit. In 1819, the editor of *The Southern Evangelical Intelligencer*, a magazine sponsored by the city’s Presbyterians and Congregationalists, exclaimed that they were witnessing an era that was more peaceful than anyone had enjoyed for generations and the entire nation was experiencing the dissolution of “prejudice, bigotry, and superstition.” In pamphlets, magazines, and newspapers, New Yorkers and Charlestonians condemned “sectarians” and “schismatics” just as harshly as they rejected deists and other non-believers.³²³

While clergy and laymen and women were intellectually and spiritually committed to union, when religious societies reformed their churches and synagogues to make them consistent with a new and dynamic political context, they provoked factionalism both among and within congregations and denominations. Historians have remarked that the early national United States was a partisan society that did not believe

³²² Quoted in John Albert Maynard, *The Huguenot Church of New York; A history of the French church of Saint Esprit* (New York: French Church of Saint Esprit, 1938) 211, 218; February 27, 1798, “To the Citizens of the United States,” *New-York Gazette*, New York, NY, 3; May 18, 1816, “To the Episcopalian of the City and State of New-York,” *New-York Courrier*, 2; April 14, 1794, *The Diary, or Loudon’s Register*, New York, 3.

³²³ March 27, 1819, “Editors to the Christian Public,” *The Southern Evangelical Intelligencer*, Charleston, SC; April 3, 1819, “Evangelical Intelligencer,” *The Southern Evangelical Intelligencer*, Charleston, SC; April 3, 1819, “Sketch of British Missionary Societies,” *Southern Evangelical Intelligencer*, Charleston, SC.

in parties because parties embraced and unashamedly exploited the fact that interests and identities fractured national culture.³²⁴ The same was true in the realm of religious politics. Churches and synagogues spurred divisions when they established themselves as microcosmic political communities, since in order to figure out what sort of institutions their churches should be, they had to figure out what sort of political and social world they inhabited and how they should position themselves within the polity. Furthermore, religious societies provoked disunion when they tried to compete and coexist in a voluntary church system. Charleston and New York Protestants struggled to reconcile the reality of urban pluralism with an enduring belief in the necessity of unity among Christians and a faith that required constant evangelizing.

This chapter argues that New Yorkers and Charlestonians invoked unity to distract from very real divisions within their communities. Reading conversations about religious unity and Christian union in tandem with congregational records reveals that Protestant churches tried to dominate the conversation about what constituted universal American religious culture in order to eclipse their internal fractures. They did this largely by identifying print as the primary battleground for religious conflict. Editors and publishers of Protestant periodicals, such as *The Southern Evangelical Intelligencer*, argued that print civilized religious debate by creating a space for reasoned discourse. However, on many occasions, when Protestants celebrated unity in their periodicals, their congregations were embroiled in partisan battles or even open schism. Similarly, Protestant benevolent societies, particularly Bible and Tract Societies, used their

³²⁴ For a discussion of early Americans views of political factions, see Richard Hofstadter, *The Idea of a Party System: The Rise of Legitimate Opposition in the United States, 1780-1840* (Berkeley and Los Angeles: University of California Press, 1969) 1-9.

publications to locate the promise of Christian union in the West, removing the focus from their own embattled congregations.

Conversations about tolerance and unity did not reflect the actual state of relationships among and within religious societies. They were primarily discursive strategies used by different Protestant groups to substantiate the boundaries around what constituted American religion in ways that would allow them not to tolerate anyone who rejected their definitions. Protestant sects and factions within Protestant congregations engaged in competitions to define and substantiate Christian union in terms that projected their particular beliefs and traditions as universal. Contributors to Protestant newspapers and magazines urged their readers to put aside bigotry and prejudice, but at the same time, and often in the same breath, they launched vicious attacks at sectarians. Naming their opponents “sectarians” and “schismatics” Protestant leaders could position themselves as the defenders of a united, if besieged, faith, threatened by enemies who had made the choice to reject unity in favor of bigotry and superstition and undermine the peace and stability of the nation. Ultimately, these strategies gave religious difference a new significance at a time when contemporaries were arguing that rituals and forms of worship were less important than the shared beliefs that united Americans. Through these exchanges, Protestants were defining mainstream American religious culture, and negotiating the requirements for participation.

II. Battlegrounds in Print

In order to compete and coexist in a voluntary church system, religious societies had to encourage their members to structure their social lives around the church. While

churches and synagogues had to attract members, they also had to retain members. Most importantly, religious leaders had to motivate people to identify with their particular church at a time when, publicly, religious affiliation played less of a role overtly shaping social relationships than it had in previous generations.

Religious publications and periodicals increasingly bolstered this project, fortifying the work done by congregational leaders. Communicating religious news in print was not new. Since the Reformation, European congregations had distributed short newsheets. However, by the 1790s, advances in print technology, improved roads and transportation, and a national mail service contributed to the mass production and diffuse circulation of newspapers and other periodicals. By the 1830s, virtually every denominational organization in the United States sponsored a weekly or monthly newspaper or magazine. While fourteen religious periodicals circulated in the United States before 1789, editors founded 20 more in the 1790s, 53 between 1800 and 1809, followed by 99 new periodicals between 1810 and 1819, and finally, 360 in the 1820s. The life span of these journals varied, and 75 percent of them did not survive longer than four years. Nevertheless, most journals founded after 1800 had at least 500 subscribers. Editors and publishers launched at least 24 religious magazines and newspapers in New York between 1790 and 1830, and in Charleston they sponsored at least six³²⁵

³²⁵ Candy Gunther Brown, *The Word in the World: Evangelical Writing, Publishing, and Reading in America, 1789-1880* (Chapel Hill, N.C.: The University of North Carolina Press, 2004) 144; Gaylord Albaugh, *History and Annotated Bibliography of American Religious Periodicals and Newspapers Established from 1730 through 1830* (Worcester: American Antiquarian Society, 1994) xi, xii, xvii. Albaugh projects that Presbyterian and Reformed Churches had thirty-one journals, Baptists had eighteen, Congregationalists thirteen, Universalists twelve, Protestant Episcopalians had ten, Methodists and Catholics both had nine, Disciples of Christ had seven, Quakers and Unitarians both sponsored four, Christian Connection and Lutherans had three, Free Thought had two, and Moravians, the New Jerusalem Church, the United Brethren in Christ, Dunkers, the Free Church, and Jews had at least one periodical. Albaugh also lists circulation estimates for all of journals he has identified. Richard Brown explores new “extensive” reading practices after the Revolution. Brown explains, “In the pursuit of ideological, evangelical, and

Denominational publications served multiple purposes. First, they supplemented Sunday worship. Ministers and lay leaders intended weekly or monthly magazines to promote new types of worship, encouraging people to regularly sit down and examine the publications in order to contemplate religious subjects. Furthermore, these readings defined and enforced the boundaries around religious communities by connecting local organizations to national and international networks of co-religionists. They reported on foreign and domestic missions sponsored by the church, reprinted sermons delivered by prominent ministers, and encouraged laymen and women to start or become involved in auxiliary branches of charitable and evangelical societies.³²⁶

Historians have argued that few periodicals in the early national United States had a national circulation and that it is difficult to speak of a “national print culture.” Editors and publishers produced newspapers and magazines for a local audience, often for a

commercial objectives, ambitious men sought out secular books and magazines as markers of respectability, not just as requirements for responsible voting. Women and girls also read secular and religious texts, moved by evangelical impulses and also “to become fit wives and mothers. Richard Brown, “The Revolution’s Legacy for the History of the Book,” in Robert Gross and Mary Kelley, eds., *An Extensive Republic: Print, Culture, and Society in the New Nation, 1790-1840* (Chapel Hill: The University of North Carolina Press, 2010) 58-74. Richard R. John and Andi Tucher describe the “communications revolution” that facilitated the growth and circulation of newspapers and periodicals. Richard John, “Expanding the Word in Print,” and Andie Tucher, “Newspapers and Periodicals,” in Robert Gross and Mary Kelley, eds., *An Extensive Republic*, 211-220, 389-408. I derived this figures enumerating newspapers and periodicals in New York and Charleston by cross-referencing the list in Albaugh’s *History and Annotated Bibliography of American Religious Periodicals and Newspapers* with the bibliographies available from The American Periodicals Series and American Historical Newspapers.

³²⁶ Historian David Nord has been exploring and interpreting the development of religious publishing. He has been particularly interested in publishing initiatives such as the American Bible and American Tract Society. See for example, David Paul Nord, *Faith in Reading: Religious Publishing and the Birth of Mass Media in America* (New York: Oxford University Press, USA, 2004) 1-12. See also David Nord, *Communities of Journalism: A History of American Newspapers and Their Readers* (Chicago: University of Illinois Press, 2001) 80-91. Candy Gunther Brown has studied religious periodicals specifically the evangelical press from 1789-1880. Brown addresses the tension between denominationalism and universal Christianity. She suggests that evangelicals included all sorts of texts into their canon, including works by Catholics and Unitarians. She explains that even people involved in ecumenical societies, such as Bible societies, maintained denominational identities. Periodicals tended to reinforce denominational identities whereas books (including hymnals) were supposed to appeal to people across the sectarian lines. Brown, *The Word in the World*, 1-2, 12, 14. Gaylord Albaugh has chronicled and annotated many of the religious periodicals printed in the United States between 1730 and 1830 in Albaugh, *History and Annotated Bibliography of American Religious Periodicals and Newspapers Established from 1730 through 1830* (Worcester: American Antiquarian Society, 1994).

specific purpose or to confront a specific social or political issue. Regardless of whether periodicals had extensive readerships beyond the regions where they were produced, all of these types of publications created spaces for co-religionists to project and sustain an image of a nation united by its beliefs. Magazines and newspapers regularly featured reports, sermons, and speeches originally published in Europe or in other U.S. cities alongside local news. Gesturing to the wider world, they signaled to readers the existence of coherent and extensive denominational networks, and even more generally, a broader community of believers. Whether or not these communities and networks were actually material, they were substantiated for readers in the terms religious periodicals used to describe them.³²⁷

Denominational publications were also useful for organizations that did not have central governing conventions, dioceses, or synods. For example, in 1789, Baptist ministers and lay leaders in and around Charleston joined together in an informal association called the Charleston Baptist Association. In the absence of a central Baptist governing board or committee, members of the association wanted to provide a forum where Baptists could write and receive informed answers about doctrine, discipline, government, or spiritual questions. After nearly every meeting, the Association published a circular letter answering questions submitted by the public at large, or reflecting on general concerns of the church. Periodicals helped individuals and

³²⁷ See for example, Trish Loughran, *The Republic in Print: Print Culture in the Age of U.S. Nation Building, 1770-1879* (New York: Columbia University Press, 2007) xix. Loughran argues that there was no national print culture, or “nationalized print public sphere.” She proposes instead that scholars consider “a variety of local and regional reading publics.” In the U.S. in the early nineteenth century, local and regional identities and institutions dominated; Albaugh, “*American Religious Periodicals and Newspapers*,” xv. In the extreme case of the *Boston Recorder*, so many of its articles were reprinted in so many different cases that while it only had 1,000 paying subscribers in 1816, its articles were like read by at least 50,000 people.

congregations view themselves as part of a larger organization by keeping them updated about concerns and affairs taking place among their coreligionists in different regions.³²⁸

Consequently, clergy and lay leaders believed that periodicals were a useful source for combating misinformation. Many clergy and lay leaders feared that since there were so many sects to choose from, ordinary people were bombarded by false profits, misfits, conmen, or merely the ignorant and uninformed. As the Charleston Baptist Association explained in their circular letter from December 1789, “Let us mourn for the opposition made against Christ and his truth by corrupt teachers, who obscure the brightness of the glorious gospel, to stop its progress and obstruct its efficacy.” The Charleston Baptist Association’s primary role was to circulate monthly reports, providing an answer and an alternative to all of the fakes and frauds. They believed that they had to be especially careful that their information was clear, insightful, and authoritative, in order to assure readers of its authenticity.³²⁹

Charleston Unitarian minister Samuel Gilman put it well in his own newspaper, *The Unitarian Defiant*, when he championed print as the appropriate space for religious debate. Gilman hailed the “growing attention to religious subjects” in print, because print was the arena where religious discussions could do the most good, namely, among “persons with strong sense and cultivated mind.” Gilman continued:

Men...have been too often driven into the ranks of infidelity by the repulsive form which Christianity, in the hands of bigots and sectarians has been made to assume. The absurdities of the vulgar system, which they were taught to consider as the system of the gospel, their minds, instinctively, as it were, rejected. They were too busy, too much engrossed with other pursuits, to institute a laborious investigation for themselves; and

³²⁸ A selection of the circular letters of the Charleston Baptist Association from 1789-1829 are published in Wood Furman, *A History of the Charleston Association of Baptist Churches in the State of South Carolina; with an appendix containing the principal circular letters to the churches* (Charleston: J. Hoff, 1811); The minutes of the Charleston Baptist Association are also available at the South Caroliniana Library, Columbia, SC; Brown, *Word in the World*, 146.

³²⁹ December 12, 1789, *Minutes of the Charleston Baptist Association*, SCL.

the gospel in its native truth and beauty, had never, perhaps, been presented to their minds. They were left, therefore, to a cold & comfortless skepticism, if not to downright disbelief. Incalculable is the injury which society has, in this way, sustained.³³⁰

Gilman was certain that more Americans would be receptive to discussions about religion if they accessed them through print media. He even suggested that print would tame and return the civility to religious discussions because writers would know that their assertions would be subjected to public critique and review. If partisans limited their religious controversies and conversations to print, reasonable people who had turned away from public worship, disgusted by vulgar squabbles, would be more inclined to pay attention to religious subjects.

At the same time, the proliferation of religious publications sparked new patterns of conflict and controversy. Scholars and contemporaries have enthusiastically documented moments when clergymen from multiple denominations paraded together in displays of patriotism and unity, celebrating religious liberty in public demonstrations. The same ministers had no qualms about engaging in debates in secular and denominational periodicals, attempting to discredit the opposing beliefs of their competitors and organizing charitable societies to convert them. They recognized a political right to diversity, or freedom of conscience, but a moral duty to encourage uniformity.³³¹

Accordingly, as historian Nathan Hatch has argued, the early republic witnessed an “intensity of religious ferment” and “a period of chaos and originality” unmatched since the turbulence of the English Civil War. According to Hatch, “The resulting

³³⁰ September 14, 1822, “Signs of the Times,” *The Unitarian Defendant*, Charleston, S.C.

³³¹ September 3, 1791, *New-York Journal*, New York, NY, 279; December 1, 1803, “Military Funeral,” *American Citizen*, New York, NY, 2. Chris Beneke, *Beyond Toleration: The Religious Origins of American Pluralism* (New York: Oxford University Press, 2006) 4; Brown, “*Word and the World*,” 34, 149-150.

popular culture pulsated with the claims of supremely heterodox religious groups, with people veering from one sect to another, and with the unbridled wrangling of competitors in a ‘war of words.’”³³² Contemporaries were very aware that they were soldiers in this “war of words.” Individuals and congregations used newspapers and magazines to circulate sometimes blunt and subtle, sometimes harsh and severe attacks attempting to discredit their competitors’ beliefs. Polemicists located and defined their enemies, attacked their competitors and confronted their critics in ways they did not believe were appropriate or acceptable in other public forums.

In magazines, newspapers, and pamphlets, clergy and laymen and women could expound on the virtues of enlightened cooperation at the same time as they undermined their competitors’ doctrinal soundness, the suitability of their government and structure in a republic, and their fitness to participate in the reasoned discourse that characterized a liberal society. Claiming that their investigations were in the name of union, Protestant partisans insisted that they were not being polemical; they were outlining the normative version of American Christianity. Unity was a discursive practice much more than a material reality.³³³

Congregations and denominations that founded or supported religious periodicals tacitly established that through print, they would use the same battleground, the same medium, and the same tropes to work through how religious difference would function in this new environment. Consequently, print culture revealed and reinforced the polarities in religious culture. It was open to diverse opinion and simultaneously the legitimate

³³² Nathan O. Hatch, *The Democratization of American Christianity* (New Haven: Yale University Press, 1991) 80-81.

³³³ Wendy Brown theorizes tolerance as a discourse of depoliticization and tolerance as a discursive practice in her book, *Regulating Aversion: Tolerance in the Age of Identity and Empire* (Princeton and Oxford: Princeton University Press, 2006), 1-24.

forum to combat diverse opinion. Largely restricting these discussions to print, the people participating in and spurring controversy were able to maintain the fiction that the United States had transcended petty religious squabble in the same breath as they perpetuated them.

III. Christian Union

While confronting the new divisions within their churches and observing the rapid growth of new denominations, religious leaders—most notably clergy and lay leaders from Reformed Protestant denominations—endeavored to outline a plan for Christian Union that would depoliticize religious differences, and then, with hope, make them disappear entirely. Clergy and lay leaders tried to articulate a set of universal beliefs that would serve as the basis of American religion. They proposed that the rituals and ceremonies—such as baptism, communion, and liturgies—that had once been a critical source of violent conflict among churches in the colonial era and that had reinforced that the differences among Protestants were often as substantial as the differences between Protestants and non-Protestants, were less important than the shared, essential beliefs that united them.

However, when Reformed Protestants in Charleston and New York praised their successful ability to overcome bigotry and prejudice and championed Christian unity, they were not, in fact, signaling the existence of an environment where difference in religion had ceased to matter and where religious conflict had given way to an easy liberty. Christian Union was often a discursive strategy that helped Protestants reframe religious difference. Reformed Protestant leaders championed the movement for

Christian Union as a way to shift the focus away from their persistent divisions within their own churches.

Two notable examples of churches that invoked Christian Union to refocus religious conflict were the Dutch Reformed Church in New York and the Presbyterian and Congregationalist Churches in Charleston. The New York Dutch Reformed Collegiate Churches faced a serious crisis in the last decade of the eighteenth century and the first decade of the nineteenth century while negotiating how to remain independent, rather than merge with one of the myriad other Reformed denominations in the city. With no institutions to train their own ministers until 1808, many New York Dutch Reformed congregations had to invite other Reformed ministers, particularly Presbyterians, to fill their pulpits, creating a class of ministers more comfortable than their parishioners at participating in a fluid “Christian” body. Relatedly, in the second decade of the nineteenth century, Presbyterians and Congregationalists in Charleston used their denominational newspaper to address, and give form to a coherent and united community that was, in fact, fractured by Unitarian and other heterodox challenges to Calvinist orthodoxy.

In 1794, New York Dutch Reformed minister William Linn published a pamphlet of his reflections, which he titled, “Discourses on the Signs of the Times.” Linn was an eloquent and passionate preacher. An English traveler passing through New York City in 1794 admitted that one of the most memorable moments of his trip was the Sunday afternoon he stumbled into the Middle Dutch Church and heard Linn speak. Linn’s reputation as an orator transcended his Sunday sermons. A fervent Jeffersonian Democrat, Linn regularly spoke at charitable events and public gatherings, particularly

for the Tammany Society, the emerging Democratic machine. Linn was adamant that his radical politics were grounded in his fundamental belief in the separation of church and state, explaining that he had “no political sentiments...except those which seemed intimately connected with the Prosperity of the Church.” He insisted, “Christians, as such, ought not to interfere with civil Government; and civil Government ought not to interfere with them, farther than to afford general Protection.”³³⁴

Linn seemed to find any number of political sentiments that were intimately connected to the prosperity of the church. In his pamphlet, Linn wanted to take the opportunity to record and circulate some of his observations about the French Revolution, and to “treat subjects not usual in the Pulpit.” Linn avidly supported the French Revolution and wanted to communicate to his congregation and to the reading public that they had nothing to fear from the movement, even its violent turn. More importantly, Linn wanted to promote the cosmic potential of the French Revolution. The French Revolution was so important in Linn’s mind because he was certain that political Revolutions paved the way to religious unity.³³⁵

Revolutions were so critical to religious unity because, according to Linn, authoritarian regimes fueled the “prejudices, passions, and interests of men, as being opposed to union” and because tyrannical leaders were one of “the chief hindrances of union among professing Christians.” Linn explained that authoritarian rulers harmed religion in two ways. First, they adopted and perpetuated their own, non-Biblically based conventions designed to “dazzle,” and then dupe, the people into obedience. Second,

³³⁴ Evert Augustus Duyckinck et al., *Cyclopaedia of American literature: embracing personal and critical notices of authors, and selections from their writings. From the earliest period to the present day; with portraits, autographs, and other illustrations*, 2 vols. (New York: Scribner, 1855) 326; William Linn, “Discourse on the Signs of the Times,” (New York: Thomas Greenleaf, 1794) iv.

³³⁵ Linn, “Discourse on the Signs of the Times,” iii.

political tyrants usually tried to enforce a religious establishment, “where one sect receives the exclusive favor of civil government, and is promoted in places of honor and profit.” Church establishments inevitably led to schism because any sect outside of the establishment was, by definition, schismatic. Also, Linn believed that authoritarian power was corrupt power, and in corrupt systems, unscrupulous people “who to advance their own interest and reputation, have made and continued schism.” Through political revolutions against tyranny, new citizens “correct former Mistakes...lay aside old Prejudices...remove Stumbling-blocks out of the Way of Infidels, and...unite in the Bonds of Love.” Only by freeing themselves from oppressive political regimes would people ultimately forge a Christian union.³³⁶

Linn did suggest that a plurality of congregations and denominations could be useful for practical reasons. Realistically, all humanity could not convene together in the same place. Therefore, people naturally broke into different states, or societies, which functioned as organizational units. These divisions were only dangerous when they encouraged people to care too much about “matters not essential,” and made them believe that because they practiced different conventions they were somehow fundamentally different than someone belonging to another state or society.³³⁷

The solution then, according to Linn, was republican government where the civil and religious spheres remained separate. If the state did not interfere in religion and did not impose a single religion, then there would be no need for religious difference. With powerful external pressure removed, individuals would be free to read the Bible and interpret it for themselves. Consequently, they would return to a single united faith that

³³⁶ *Ibid.*, iv, 70, 132, 133.

³³⁷ *Ibid.*, 119.

was purely based on the scriptures. Linn believed that the United States was already well on the road to Christian Union, explaining, “There has been a federal union of the states in civil government...why not likewise of the churches?” Linn commended denominations that were recognizing their specious divisions and taking steps to overcome them. He singled out the union currently taking place between the Associate and the Reformed Presbyteries, and the union between Presbyterian and Congregational Churches in Connecticut. Linn was optimistic that Americans were in a special position to overcome the differences that had divided people for centuries, ultimately proclaiming:

In this country, my brethren, where there never can be any establishment of particular forms, where every thing is open to free discussion, and no authority will pass current but sacred writ, corruptions will gradually vanish, and truth be triumphant. Those who would encourage divisions and distinctions, will find their trust, a *spider’s web*. The various denominations will approach nearer to one another, having no worldly inducements to separate, and finding no support but from the pure oracles of God. We hail the auspicious day!

Their successful Revolution, their federal republican government, and their constitutional mandates abolishing church establishments did more than just promise multiple groups the right worship freely. Americans were taking their first step toward Christian Union and the end of substantive differences in religion.³³⁸

While clerical leaders, such as Linn, explored the boundaries dividing their churches internally and externally, calls for universal principles were just as much a signal to the presence of conflict as they were evidence of a genuine commitment among religious societies to abandon their distinctions. Participants in organized religion in Charleston and New York often communicated a spirit of unity as a way to counter the confusion and turmoil within their congregations. Having won the inalienable right to

³³⁸ *Ibid.*, 9, 76-77, 82, 127-134, 142.

worship freely, religious societies were not willing to strip their denominational identities. Nor were they completely free from prejudice.

William Linn wrote and published his musings on Christian union as the Dutch Reformed Church was threatened with extinction. Throughout the 1790s, the clerical officials from the New York State Dutch Reformed convention considered disbanding the denomination and forming a union with the Presbyterians. The lay leaders from the New York City Dutch Reformed Churches fought a pitched battle against the proposed union. The vestry board insisted that their governments and ceremonies were not immaterial; they were absolutely essential to their worship. They argued that, despite their shared reformed tradition, the two organizations had remained distinct for hundreds of years because they were fundamentally different, explaining:

We are apprehensive that a retention of that intercourse and correspondence [with the Presbyterians] may imperceptibly tend to destroy the internal distinctions between the particular Churches, which experience has winced to be beneficial, and ultimately break down their constitutional barriers which neither we nor the congregation we represent can ever submit to.³³⁹

The Collegiate churches decided that their long history as a distinct entity, as well as their “internal distinctions,” entitled them to be their own organization.

Ultimately, the vestry board portrayed the union as a hostile takeover rather than a hospitable partnership. The vestry insisted that they could never ally with the Presbyterians because the Presbyterians had been vocal about their disdain for Dutch Reformed traditions. They could not, in good conscience, consider giving up their supposedly “non-essential” conventions because the conventions gave their denomination

³³⁹ May 2, 1800, *The Minutes of the Consistory of the Reformed Protestant Dutch Church in the City of New York*, Liber H, CCC.

its purpose. The Collegiate Church vestry board blankly rejected the proposal for union.³⁴⁰

The discrepancies between the Dutch Reformed lay leaders and one of their ministers about the subject of Christian union, and about the necessity and value of congregational divisions, seems stark. Was there, in general, a chasm separating the interests and outlooks of ministers and lay leaders in the Dutch Reformed Church? Not always, but in this case, yes. Part of the “internal distinctions” the vestry board wanted to preserve were their “constitutional barriers.” For the lay leaders, the ability to have self-governing, independent congregations, to create and maintain bylaws that combined the doctrinal and the structural commitments of the church, and ensure good government were inalienable rights.³⁴¹

Linn, on the other hand, had less invested in the independence of the denomination. He only joined the Dutch Reformed Church in 1786. Until that point, the Princeton-trained minister had served Presbyterian congregations in his native Pennsylvania. In the 1790s, Dutch Reformed churches were having trouble filling their pulpits. Most pre-revolutionary Dutch Reformed ministers had studied in the Netherlands. However, by the 1790s congregations were beginning to phase out the use of Dutch in their services, recognizing that most of their congregants no longer spoke the language. Though members of the church had chartered Queens College, later Rutgers University, in 1770 to train ministers, the college suspended its activities during the Revolution and did not resume its educational program until 1806. With no forum to

³⁴⁰ For discussions about the proposal to join with the Presbyterians, see *The Minutes of the Consistory of the Reformed Protestant Dutch Church in the City of New York*, Liber H. August 3, 1797; August 24, 1797; March 20, 1800; May 2, 1800; August 19, 1802; September 16, 1802; November 6, 1802.

³⁴¹ I explain the significance of congregational constitutions in Chapter Two.

train their own ministers, congregations solicited Presbyterian clergymen to serve their congregations. At least two other ministers in the Collegiate Churches, John Romyn and Philip Milledoler, followed Linn from the Presbyterian Church to the Dutch Reformed Church in the last decade of the eighteenth century and first decades of the nineteenth century. These men built their careers on finding points of common ground among the various Reformed traditions, allowing them to justify to themselves and their congregations their decision to move among them.³⁴²

Phillip Milledoler in particular, who began his career in the German Reformed Church before taking a position with the Presbyterians and subsequently in the Collegiate Churches where he rose quickly through the ranks, eventually becoming president of Rutgers, was almost fanatic in his crusade for religious unity. Milledoler and his colleagues railed against the “monster discord” taking root in congregations. What Milledoler hated most of all was intra-congregational disunion and disharmony. He consistently refused to return to the German Reformed Church because he believed that the congregation was too divided. One of the reasons why he left the Presbyterian Church, accepting a call from the Dutch Reformed, was because he was convinced that the Presbyterians were becoming too lax in their discipline. Presbyterian leaders were allowing ministers and laymen and women to interpret the faith too broadly. As a result, people who supported the idea of innovation both in church government and doctrine were overtaking the leadership.³⁴³

³⁴² *History of Rutgers College: or an Account of the Union of Rutgers College, and the Theological Seminary of the Reformed Dutch Church* (New York: Anderson & Smith, 1833), 1-21.

³⁴³ Elders of the German Reformed Church to Phillip Milledoler, February 13, 1804, in Phillip Milledoler Papers, NYHS; Phillip Milledoler to J.J. Janeway, August 26, 1800; Phillip Milledoler to the New York German Reformed Church, May 14, 1801; Elders of the German Reformed Church to Phillip Milledoler, February 13, 1804, in Phillip Milledoler Papers, NYHS; To Henry Rutgers, April 7, 1812; Phillip

One of Milledoler's friends wrote a letter, which Milledoler kept among his personal papers, where he expressed his concerns about the laxness. He warned, "Arminians, socinians, arians, and Pelageans, may all be admitted into the Bosom of the Presbyterian Church for upon such principles, heresy...is irreproveable!" Milledoler and his friends did not believe that variety within churches was a symbol of an enlightened and liberal environment that helped religion grow and prosper because it encouraged individual freedom. Instead, variety in religion paved the road to infidelity and heresy. Once he joined the Dutch Reform Church, he continued to be wary of Presbyterians, suspecting that the growth of their congregation was due in part to the way they encouraged divisions and schisms in other churches. Writing notes to himself in his journal, he admitted his suspicion that there were too many Presbyterians who "would rather be disposed to increase than to heal our difference that their own church might be advantaged by it." In Milledoler's opinion, churches needed unity not to legitimize dissent, but to end it.³⁴⁴

Like Milledoler, even Linn's calls for religious unity contained within them sentiments that fused fundamentalism and liberality. Deep within his pamphlet, "Discourses on the Signs of the Times," Linn bluntly elaborated what he meant by authoritarian regimes. The tyrants who gave their people a brand of religion that dazzled and duped them were, specifically, Catholics. For Linn, political tyranny and Catholicism were the same thing. Authoritarian regimes were forged the moment when, centuries earlier, the pope combined religious and civil authority into a single person.

Milledoler's Journal, October 13, 1814; Phillip Milledoler's Journal, January 31, 1814, in Phillip Milledoler Papers, NYHS.

³⁴⁴ To Henry Rutgers, April 7, 1812, in Phillip Milledoler Papers, NYHS; Phillip Milledoler Journal, October 13, 1814, in Phillip Milledoler Papers, NYHS.

Tyranny deepened when European kings used that same overlapping power to subjugate the people in their lands, particularly Protestants. Therefore, in Linn's mind, when the French Revolutionaries attacked authoritarianism, they were also waging a war against Catholicism.

Catholic tyranny was so unjust and so corrupting that Linn suspected that the escalating violence of the French Revolution—the execution of Louis XVI the year before in 1793, and the guillotine that revolutionaries constructed in the middle of Paris to eliminate enemies of the Revolution—might be necessary. While he admitted that “the news of blood and carnage shock the feelings of our nature,” Linn was also certain that “the victims which have been offered up on the altars of tyranny are still more dreadful.” Catholics had upheld their “wretched system” by the “tears, and the groans, and the blood of millions of human beings.” They had “butchered” 100,000 Protestants in France on St. Bartholomew's day, and 150,000 more in Ireland. Linn proposed that humans would find peace, witness the end of war, cease to acknowledge differences that divided them, recognize “the pure doctrines of Christ,” and “live together as brethren of the same family,” only when revolutionaries succeeded in stamping out Catholicism.³⁴⁵

Linn and many of his clerical contemporaries were staunch promoters of nascent liberal principles—championing a citizenry that acknowledged that the universal beliefs they shared were more important than the formal differences that divided them—while at the same time holding illiberal prejudices. They insisted that these universal rights should be protected through a separation of church and state, democratic-republican government, and, when necessary, collective action. Still, while they positioned their definition of “universal beliefs” as something essential, self-evident, and indeed God-

³⁴⁵ Linn, “Signs of the Times,” 83-86.

given, they derived their conception of “universal beliefs” in large part from the culture they inhabited. Men like Linn and Milledoler built their careers on their ability to move among pulpits in different Reformed Churches. Their fundamental beliefs in the need for Christian unity were constantly reacting and responding to, and sometimes provoking, factionalism, innovation, and challenges to authority spurred by the adoption of corporate constitutional church government. Furthermore, these men had weekly platforms in their churches and regular invitations to speak in other venues, granting them a listening audience and a degree of celebrity, and giving them access to a large readership to circulate and perpetuate their definitions of “universal beliefs.”

Throughout the post-revolutionary period, leaders in the New York Dutch Reformed Collegiate Churches persistently invoked Christian union and Christian universalism. More importantly, they regularly did so not to reflect a material reality or a coherent movement, but rather as a reflection of moments when their organization was divided internally or when they felt threatened from without. Championing the end of religious difference, congregational leaders evoked a message that was simultaneously liberal and fundamentalist. Christian Union would accommodate diverse populations within a single polity. It would emphasize the “essential” things that united people rather than the “inconsequential” things that divided them. However, when someone called for Christian union, that person implicitly insisted that he had the authority to define which beliefs were “essential” and which were “inconsequential.” For example, when Linn insisted that republican government would end religious differences, his assertion contained within it two assumptions. First, he insisted that his own hybrid church was the one that best reflected the moral values and structure of the republic. Second, he

intimated that the universal religion that everyone would embrace when entering into Christian union would be his own.

Protestant leaders in Charleston also embraced the mission to forge a united body of believers. For example, in their inaugural edition of the *Southern Evangelical Intelligencer*, a newspaper serving Charleston's Presbyterian and Congregationalist communities founded in 1819, the editors exalted their coreligionists for embracing a spirit of "zeal and unanimity." The editors admitted that religious institutions had, justifiably, earned a bad reputation in the previous generation, alluding to infighting and factionalism within churches and to churches' abuses of political power. The time was ripe to combat that bad reputation. As the editors put it, "the convulsions of the world have subsided, the storms of war have gone by; and a pacific period...has invited friends...to awake from their long slumber and redeem their character." According to the article, Reformed Protestants were reviving their churches and exhibiting their zeal and unanimity through their participation in charity projects meant to spread virtue and piety across the nation. Furthermore, the Presbyterian and Congregationalist editors believed that their paper would "do away existing prejudices and jealousies," and "diminish, soften down, and if possible, extirpate the spirit of bigotry already on the wane in the Christian world." Through their efforts, the editors would contribute to this movement already underway to unite Christians under a single banner.³⁴⁶

Nevertheless, similar to the Dutch Reformed in New York in the 1790s, the 1819 editors of the *Southern Evangelical Intelligencer* disseminated their comments that the United States had entered a period of unknown peace, free from bigotry and prejudice,

³⁴⁶ March 27, 1819, "Editors to the Christian Public," *The Southern Evangelical Intelligencer*. Charleston, SC.

while Charleston's Reformed community was in turmoil. By 1819, Reformed Charlestonians were witnessing two schisms. In 1817, the Congregational Church split when one of its ministers, Anthony Forster, became a Unitarian. Unitarians differed from other Protestants in their beliefs about universal salvation. They also rejected the Trinity—the idea that God existed in three forms; favoring instead an understanding that God was a single, united figure. Around 40 percent of the congregation from the Congregationalist Church accompanied Forster to form a new religious society in the city.³⁴⁷

The Presbyterians experienced their own divisions in 1817. Caroline Howard Gilman, the wife of Anthony Forster's successor at the Unitarian Church, noted the schism in a letter to her sister in Massachusetts, explaining "The City is on fire with Clerical disputes...[particularly] among Presbyterians," due to conflicts over "church Government and personal animosities." The Presbyterian denomination was founded in Charleston in 1731 when Scottish settlers broke off from the Congregationalist Church to form a religious society where they could worship according to the traditions of Scottish Presbyterianism rather than New England Congregationalism. In the second decade of the nineteenth century, a faction within the church believed that their minister, Aaron Leland, was trying to "undermine the Scotch interest." They feared that Leland was trying to introduce new members from New England into the church with the plan of creating a Yankee majority that would assault the church's long Scottish traditions.³⁴⁸

³⁴⁷ George Edwards, *A History of the Independent or Congregational Church of Charleston South Carolina, Commonly Known as Circular Church* (Boston: The Pilgrim Press, 1947) 60-64. Edwards estimates that 89 active members stayed at the Circular Church and 62 left to join the Unitarian Church.

³⁴⁸ Caroline Howard Gilman to Mrs. Ann Marie Whites, May 24, 1819, Caroline Howard Gilman Papers, SCHS.

Tellingly, Leland's opponents argued that "modes of worship" and the "particular forms of prayers and praise" that they used at First Scots Presbyterian could not be changed under any circumstance. The Scottish faction insisted that the forms of worship may be "unessential or unnecessary," but the rituals were the reasons why they went to Scots Presbyterian Church and not the Congregationalist Church in the first place. Leland's opponents pointed to a gaping hole in the concept of Christian union. The different "modes of worship" and "particular forms" were important reasons why people chose to attend a certain church in the first place. The governing board of the church forced Leland to resign, and Leland took a position at Charleston's Second Presbyterian Church, perpetuating and entrenching the tensions among Charleston's Presbyterians.³⁴⁹

Significantly, the editors of *The Southern Evangelical Intelligencer* were ministers from the Congregationalist and Presbyterian Churches experiencing the destabilizing turmoil. Benjamin Palmer, minister of the Circular, or Congregationalist Church offered his services to the publishing project, as well as George Reid from First Scots Presbyterian. Throughout the publication, the editors were adamant that the best way to overcome divisions within their communities, and to unite Christians more widely, was through print. While there were currently few denominational periodicals in the South, Reid and Palmer were certain that there was "a correspondent avidity in almost every community," for congregational newspapers and that in the North, "Various papers, under different titles...have accordingly sought, and immediately obtained powerful

³⁴⁹ *Documents Relative to the Controversy in the First Presbyterian Church of the City of Charleston, which terminated in the resignation of their pastor*, (Charleston: Printed by A.E. Miller, 1817), SCHS, 9, 33-34.

patronage and extensive circulation.” The editors suspected that newspapers would play an important role in the movement for unity.³⁵⁰

The work individuals were doing, spreading Christianity, reviving churches, and most importantly, combating “bigotry, superstition, and prejudice,” only did minimal good if no one knew about those acts. While each edition of *The Southern Evangelical Intelligencer* included notes and commentaries from the editors on local events, the issues largely contained articles compiled and reprinted from newspapers and magazines originally published in the North and in Europe. The articles recounted the success of missionary societies that organized missions to the western states and territories to minister to Indians and to white settlers, and local and national Bible societies, which printed and distributed Bibles. Palmer and Reid were certain that by advertising these activities as widely as possible, readers would be “excited to an interest in the subject” and want to read further. In encouraging people to commit weekly to read about those interesting subjects, the editors would be able to truly contribute to both the growth and spread of Christianity, and the dissolution of “the formidable barriers prejudice, bigotry, superstition, error, apathy, and listlessness.” In fact, they hinted that the patterns newspapers promoted—prompting people to sit down weekly and read religious news—were just as important as the content of the news they circulated.³⁵¹

³⁵⁰ April 10, 1819, “The Southern Evangelical Intelligencer,” *The Southern Evangelical Intelligencer*, Charleston, SC. This article lists Palmer and Reid as the editors; March 27, 1819, “Editors to the Christian Public,” *The Southern Evangelical Intelligencer*, Charleston, SC.

³⁵¹ March 27, 1819, “Editors to the Christian Public,” *The Southern Evangelical Intelligencer*, Charleston, SC.; April 3, 1819, “Evangelical Intelligencer,” *The Southern Evangelical Intelligencer*, Charleston, SC.; April 3, 1819, “Sketch of British Missionary Societies,” *Southern Evangelical Intelligencer*, Charleston, SC.; July 3, 1819, “Extract of a Letter to the Students of Divinity in the Seminary of the Associate Reformed Church, New York,” Charleston, SC; August 14, 1819, “Death Notice,” *The Southern Evangelical Intelligencer*, Charleston, SC.

Furthermore, the two editors were also adamant that their paper itself was a material emblem of Christian union. Newspapers were a way to encourage the community of readers to feel complicit in the religious project. Palmer and Reid solicited all readers to send in contributions, and to “feel a lively interest in this publication...by contributing his proportion of...intelligence” to the editors. The paper was an ordered space that could provide coherent boundaries to contain and make sense of the vast activities of a wide range of individuals and congregations. The editors used the metaphor of a massive river fed by tributaries to make their point, urging readers to imagine “that the mighty torrent is fed by rivulets, so the broad river of beneficence, which is to flow into every land, must be formed by the confluence of innumerable, and in themselves inconsiderable, streams, all combining their waters in one vast channel.” *The Southern Evangelical Intelligencer* provided a medium for all of those disparate passions to join together and become a powerful force for a single, united project of growth and progress.³⁵²

Many Protestant leaders in Charleston and New York agreed that by employing the discursive strategy of loudly and publicly invoking Christian union, and announcing that communities were successfully confronting and overcoming religious difference, they could make that dream a reality. Focusing on Christian union drew attention away from the very real divisions that continued to torment urban Reformed Churches. Furthermore, communities could do even more good by assembling these pronouncements in print.

Print was a useful medium because it was material and because it was malleable. Editors could compile information and reports from disparate sources about inspiring

³⁵²April 10, 1819, *The Southern Evangelical Intelligencer*, Charleston, SC.

tales and successful accomplishments and circulate that message widely. In this way, they signaled to a community or to a public that may or may not have existed, but that found a form in the terms the papers used to describe it. At the same time editors, reporters and pamphleteers were able to mediate, or craft, that information into a coherent message. By projecting a message of union and Christian universalism, religious leaders turned pamphleteers and newspapers editors gave form to an alternative narrative to describe their community. They circulated an account of tolerance and unity that could exist side by side the physical reality of schism and conflict.

IV. Bible and Tract Societies

While some people, such as William Linn and the editors of the *Southern Evangelical Intelligencer*, wrote about ending religious divisions, others projected their energy in different ways, hoping to demonstrate that such a dream was possible. Religious leaders and laymen and women gathered together to do benevolent work at home and abroad. Some of the most popular and extensive interdenominational charitable societies in the early nineteenth century were organizations that looked beyond the scope of the cities, namely, Bible and Tract Societies.

New York and Charleston were important sites for interdenominational proselytizing. New York housed the national headquarters of the American Bible Society and the American Tract Society. Charleston was often the first stop for northern missionaries on their journeys into the American south and west, particularly into Indian territories and into lands where Americans were forcing Indian removal. These interdenominational organizations gave participants a way to define and elaborate what

constituted universal, or mainstream American religion. Bible and Tract societies were an effective way for urban denominations to unite, without, in fact, surrendering their differences, because they directed the focus away from themselves and projected the goal of religious unity onto the West.

Bible societies dreamed of providing Bibles to all Americans, while Tract Societies distributed sermons and devotional literature. Both organizations purported to produce texts “without note or comment,” trying to avoid any sectarian edge, intending to give people unmediated access to scriptural truth.³⁵³ New Yorkers sponsored a local Bible Society in 1809, and Charlestonians chartered their society in 1810. The various regional societies united in 1816 to form the American Bible Society, headquartered in New York. The American Tract Society was also based in New York after its founding in 1825.

Bible and Tract societies had multi-denominational memberships and professed, in the words of the *New-York Missionary Magazine*, “the plain, genuine and unadorned gospel of Christ.” The original board of directors of the American Bible Society published a statement addressed to “the people of the United States,” promising that “local feelings, party prejudices, sectarian jealousies, are excluded by its very nature.” While most Bible and Tract Societies were ecumenical in spirit, they were fundamentally Protestant, bringing together Christians who could agree on the authority of the King James Bible. The delegations to the constitutional convention of the American Bible Society had twenty members from ten different states and at least four denominations:

³⁵³ Nord, *Faith in Reading*, 67.

Episcopalian, Dutch Reformed, Presbyterian, and Congregationalist. The first board of directors included representatives from every state in the Union.³⁵⁴

Two of the founders of the American Bible Society were Dutch Reformed/Presbyterian ministers Philip Milledoler and John Romyn. These men were joined by New York political leaders including John Jay, Rufus King, Leonard Bleeker, DeWitt Clinton, Henry Rutgers, and Charlestonian Charles Cotesworth Pickney. Benjamin Palmer, one of the editors of *The Southern Evangelical Intelligencer* was an active member of the South Carolina auxiliary branch of the American Tract Society. Propagating what they claimed to be an unadorned message of the gospel, Protestant reformers active in Bible and Tract Societies worked to forge a religious culture that would be based on common ground.³⁵⁵

Early national observers rightly noted that Bible and Tract Societies were vague about whether their intention was to encourage the cooperation of different denominations, or to end denominations entirely. Some contemporaries suspected that the organizations were primarily programs to dissolve denominations, at best undermining people's commitments to their own communities by redirecting the conversation externally, and at worst projecting Reformed Protestantism as the normative

³⁵⁴ *The New-York Missionary Magazine, and Repository of Religious Intelligence*, (New York: T. & J. Swords, for Cornelius Davis, 1800), 28. The New-York Missionary Magazine was largely a project sponsored by the city's Presbyterians; American Bible Society, *Constitution of the American Bible Society: formed by a convention of delegates, held in the city of New York, May, 1816: together with their Address to the people of the United States : a notice of their proceedings : and a list of their officers* (New York: Printed for the American Bible Society by G. F. Hopkins, 1816), 3-4, 7, 9-12, 16.

³⁵⁵ American Bible Society, *Constitution of the American Bible Society: formed by a convention of delegates, held in the city of New York, May, 1816 : together with their Address to the people of the United States : a notice of their proceedings: and a list of their officers* (Printed for the American Bible Society by G. F. Hopkins, 1816) 3-7; American Tract Society, *Annual report of the American Tract Society* (New York: printed at the Society's House, 1823) 43; Nord, *Faith in Reading*, 52. Nord reveals that evangelicals developed extensive technologies allowing them to broadly circulate printed material. Print help to create an idea of a religious community far more extensive than local, physical connections, uniting evangelicals into expansive virtual communities.

and universal American religion. John Henry Hobart, the Bishop of the Protestant Episcopal Church in New York, urgently solicited Episcopalians not to participate in or contribute to the American Bible Society, entreating them instead to put their time and resources toward Episcopalian publishing schemes such as the Society for Promoting Christian Knowledge. He suspected that participation in ecumenical societies would “weaken the zeal” of Episcopalians, especially when the Protestant Episcopal Church was having enough trouble forging its own unity. He believed that his parishioners should focus their energy on spreading the Episcopal faith, not on opening themselves up to the potential for greater divisions. Furthermore, since the American Bible Society mostly met in Reformed Protestant Churches and the constitutional convention of the ABS was held at a Dutch Reformed Church, Hobart suspected that Reformed Protestants would dominate the meetings, allowing them to present their caucus as the representatives of the religious concerns of the nation.³⁵⁶

The American Bible Society did initially attract a wide membership, including Episcopalians, Reformed Protestants, Baptists, and Methodists. Nevertheless, members found that they could not perpetually overlook doctrinal issues, especially when the ABS expanded its mission, aiming to distribute Bibles abroad as well as domestically.

Doctrinal differences became critical when the ABS translated the Bible into foreign languages. Decisions about how to translate the word “baptism” devastated the organization. Baptists pushed for “immersion” and Calvinists insisted on “sprinkling.” By the 1830s, denominational presses poured out tracts and pamphlets, largely

³⁵⁶ John Henry Hobart, *An Address to Episcopalians on the Subject of the American Bible Society* (New York: T & J Swords, 1816); William Jay to John Henry Hobart, *A letter to the Right Rev. Bishop Hobart: in reply to the pamphlet addressed by him to the author, under the signature of Corrector* (New York: J. P. Haven, 1823), 9; William Berrian, *A memoir of the life of the Right Reverend John Henry Hobart* (New York: Swords, Stanford, and co., 1833), 176-179.

outstripping the nominally ecumenical presses. In fact, denominations developed their own proselytizing presses even while participating in ecumenical publishing projects.³⁵⁷

The American Tract Society had an even harder time presenting, and realizing, a mission of universal Christianity. Although the American Tract Society promised to deliver uncontroversial material on the “simple gospel,” that goal was impossible because religious tracts—short essays, narratives, or homilies—were laden with doctrinal messages. The membership of the American Tract Society never expanded much beyond Congregationalists and Presbyterians. While some Methodists, Baptists, and Episcopalians did participate in the American Tract Society, they put a more concerted effort into competing organizations, including the Methodist Book Concern, the American Baptist Publication Society and the Protestant Episcopal Society for Propagating the Gospel.³⁵⁸

Still, at least in the short term, ecumenical proselytizing organizations were successful at using the promise of the American West to support their vision of a nation united by its beliefs. For example, missionary societies raised money to sponsor preachers to minister to Indians and white settlers in the West. They also solicited funds to publish and circulate the news of the imminent triumphs. Participants in missionary societies saw both danger and promise for the future of religion in the West. While urban

³⁵⁷ Kyle Roberts, “Urban Evangelicals: Popular Religious Belief in New York City, 1783-1845” (PhD diss., University of Pennsylvania, 2007) 149-150; Brown, *The Word in the World*,” 39, 51.

³⁵⁸ Nord, *Faith in Reading*, on the American Baptist Publication society, 78, 110, 117, 125, 155-156; On the Methodist Book Concern, 11, 78, 98, 110, 117, 156, 183; For the Presbyterian and Congregationalist domination of evangelical societies, for discussions of Episcopal publishing, and for information about cooperation among denominational missionary societies see Diana Hochstedt Butler, “The Church and American Destiny: Evangelical Episcopalians and Voluntary Societies in Antebellum America,” *Religion and American Culture: A Journal of Interpretation*, Vol. 4, No.2 (Summer, 1994), 199, 200, 208-209; “Present State of Religion in America,” *The New York Missionary Magazine and Repository of Religious Intelligence for the Year 1800*, Volume 1 (New York: Printed by T. & J. Swords for Cornelius Davis, 1800), 446-447; “Instructions to the Missionary (Rev. Joseph Bullen) of the New York Missionary Society hired to minister to the Chocktaws in Georgia, *New York Missionary Magazine*, 20-21.

congregations struggled to fill their pulpits, the minister shortage was even more extreme in rural areas. At the same time, settlers were unaccustomed to entrenched denominational divisions characteristic in older cities. Publishing their instructions in *The New York Missionary Magazine*, the New York Missionary Society urged its first missionary, Joseph Bullen, not to speak “of the divisions which so shamefully prevail in the Christian world.” Instead, he should emphasize essential, shared beliefs and develop the “subject of union.” Newspapers in both Charleston and New York celebrated Bullen’s success. Bullen began in Georgia, where he was sent to minister to the Choctaw. For contemporaries, his greatest success occurred when he moved on to Mississippi, where in 1818 he presided over a widely publicized convention of ministers from different denominations “to promote a spirit of mutual forbearance and brotherly affection.” The convention issued a series of resolutions—encouraging temperance, eschewing profanity, and catechizing children—which all the participants agreed they would promote as they founded new churches on land that they perceived to be untainted by schism and disunion.³⁵⁹

The efforts these ecumenical societies made to try to forge a world free from bigotry and prejudice intertwined the tools of both liberalism and evangelicalism. For example, Bible and Tract Societies encouraged reformers to develop extensive markets and print technologies, allowing them to broadly circulate printed material. Historian David Nord has argued that Christian presses were instrumental in the development of

³⁵⁹ April 3, 1819, “Christian Union,” *The Southern Evangelical Intelligencer*, Charleston, SC; April 6, 1818, “Intelligence,” *New York Christian Herald*, New York, NY. In his autobiography, Methodist itinerant minister Peter Cartwright describes his experience participating in revivals in Kentucky and Tennessee. He reveals that the American West was space embroiled with religious conflict, not an Eden of Conformity as urban reformers portrayed it. Cartwright bemoaned the “dreadful diversity of opinion” among the people he encountered. Peter Cartwright, *The Autobiography of Peter Cartwright, Backwoods Preacher*, W.P Strickland, ed. (New York: Carlton and Porter, 1857), 32.

the logic and practices of business corporations in the early nineteenth century, even though they often subverted the logic of the market. The American Bible Society and the American Tract Society were among the first organizations to develop the mechanics of managerial capitalism. Even before railroads required large and extensive systems of management, Bible and tract societies set up complex and far-reaching channels that needed efficient management. These societies were vigilant about investing in and inventing new technologies. As a result, print helped to create an idea of a religious community far more exhaustive than local, physical connections, uniting evangelicals into far-ranging virtual communities.³⁶⁰

Moreover, most Protestant participants in reform movements and charitable work in Charleston and New York were genuinely committed to religious liberty, or equality under the law, and their understandings and explanations about the role of difference in a republic took into account legal pluralism. However, religious communities, and factions within religious communities, were fundamentally divided over whether religious liberty applied to individual rights or corporate rights, and whether equality under the law meant that the law should protect minority rights.³⁶¹

At the same time, Protestant New Yorkers' and Charlestonians' conceptions of a society united by its beliefs, that is, a society trying to reconcile and overcome its difference by focusing on universals, was shaped just as much by evangelical postmillennial missions to unite the country under the banner of Christianity.

³⁶⁰ For a discussion about distribution technology in the religious print industry see chapter 5, "The New Mass Media; Systematic," in David Nord, *Faith in Reading*, 88-111; Nathan Hatch discusses evangelical print communities in Nathan Hatch, *The Americanization of American Christianity*, 141-146; Candy Gunther Brown discusses how the expanding print market encouraged personal connections among evangelicals, Brown, "*The Word in the World*," 13, 39, 40.

³⁶¹ I explain this dynamic in chapter 3.

Evangelical impulses influenced virtually every American Protestant denomination. They motivated people to look inwardly, encouraging them to read the scriptures for themselves in order to discover an unmediated, unadulterated faith. Evangelicalism worked hand in hand with political and constitutional innovations to embolden more individual, lay participation in organized religion. Evangelicalism also inspired large-scale missionary movements and passionate revivals designed to convert the nation to Christianity. Many early national evangelicals were energized by postmillennial beliefs that they had entered a period of Christian ascendancy, prosperity, and beneficence preceding the second coming of Christ. During this period, Christians would expand the kingdom of God as widely as possible. American postmillennialists saw signs of Christ's impending return in the vigilant work of Protestant reformers projects to spread the gospel.³⁶²

While evangelicalism could contribute to a cooperative environment among different congregations and denominations—evangelicals wanted to include as many people as possible in a united body under the banner of Christ to instigate Christ's return to earth—it was also fundamentally competitive. Early national Protestant Christianity required that its members proselytize unceasingly, both internally and externally. They had to bring the Gospel to the unchurched and lead those already taking part in organized religion to individual rebirth. Participants in organized religion, particularly in Protestant Christianity, managed a commitment to freedom of conscience and an acceptance that religious affiliation was a matter of personal choice, alongside a faith that required constant evangelizing and an environment inspiring vigilant competition.

³⁶² George M Marsden, *Fundamentalism and American Culture: The Shaping of Twentieth Century Evangelicalism, 1870-1925* (New York: Oxford University Press, 1980), 49.

Political scientist Alan Wolfe has identified three separate conceptual strands within liberalism that help schematize how religious leaders and laymen and women in early national New York and Charleston could have operated within these two perceived extremes of liberalism and evangelicalism: substantive liberalism, procedural liberalism, and temperamental liberalism. According to Wolfe's schema, the "core substantive principle" of liberalism is a political commitment to liberty and equality. People cannot be free to have direction over their lives or expect equal treatment without rules enabling "competing interests within society to peacefully negotiate their differences." Procedural liberalism, then, is a "moral idea" guiding the belief that everyone should be treated fairly under the law. It is a commitment to due process and the rule of law, given that the law is based on a constitution and founded on the sovereignty of the people. Lastly, liberalism also connotes a sense of openness, a "temperamental" or a psychological understanding that inclusion is better than self-protection.³⁶³

When early national Charlestonians and New Yorkers used the term "liberal," which they often did when discussing religion in the early republic, all three meanings were present. By parsing the definitions of liberalism, it is possible to consider the ways in which religious leaders and laymen and women might have moved within the interstices of liberal convictions that were only just being articulated, and how those convictions could be layered upon traditional understandings about political and religious difference. Navigating through and taking advantage of the incongruities characteristic of liberalism, religious leaders and commentators still launched sometimes subtle, sometimes barefaced attacks at their competitors. While Americans embraced the right of multiple religious groups to worship publicly, religious societies could comfortably

³⁶³ Alan Wolfe, *The Future of Liberalism* (Alfred A. Knopf: New York, 2009), 10, 16, 19.

rally for religious freedom at the same times as they worked to limit which groups lasted long enough to exercise that right.³⁶⁴

Ultimately, the belief in a universal Church promoted through multi-denominational benevolent work was as much of a Protestant evangelical post-millennial dream than an actual program of ecumenism.³⁶⁵ Nevertheless, through ecumenical proselytizing organizations, Reformed Protestants could cast themselves as open and moderate. They joined together in an inclusive effort to end bigotry, superstition, and to concertedly move beyond the formal differences that divided people of faith. Though they presented themselves as a comprehensive movement, proselytizing organizations contained within them the tools for marking new boundaries of religious difference. Urban Protestants had a hard time reconciling the liberal, pluralist environment they inhabited with the political and evangelical unity they craved. New Yorkers and Charlestonians eager to witness a sort of Christian federalism could image a real future for Christian union in the West, and used missions to the West as an uncontroversial touchstone to organize their own internal efforts to unite.

V. Defining Universals

When Reformed Protestants discussed how to be stewards for the end of bigotry and prejudice, they did so by insisting that they were more interested in the universal beliefs that united people, than in the formal or ritualistic differences that divided them. However, that position meant that the people promoting unity were also defining which

³⁶⁴ For another discussions about the development of the concept of liberalism, see Mika Lavaque-Manty, *Arguments and Fists: Political Agency and Justification in Liberal Theory* (New York: Routledge, 2002), 1-15.

³⁶⁵ I am indebted to Professor David Nord for this point.

practices were substantive, and which were merely formal and ritualistic. In this way, they insisted that their particular beliefs and practices were not beliefs and practices at all, but rather non-political, non-cultural, and essential. Many Protestants championing the end of bigotry continued to attack and challenge and claim the excuse *not* to tolerate individuals and groups who refused to give up their divisive and dangerous beliefs and accept their definition of universal beliefs and principles.

At several points in his career, Samuel Gilman, who succeeded Anthony Forster in 1819 as the minister of Charleston's Unitarian Church, found himself and his Unitarian congregation the target of Reformed Protestant efforts to unify their community and project their beliefs as the normative model of American religion. In his personal correspondence, he related one occasion when the ladies at the Unitarian Church organized a fair to pay down the church debt. They raised \$1,100 and donated \$100 to the Mariners Church. After the fair, a group of Presbyterians provoked a minor public scandal accusing Gilman and the Unitarians of misdirecting the funds, and not giving the Mariners the donation they promised.³⁶⁶

Caroline Gilman proposed that to some extent, the disdain Unitarians experienced in their interactions with neighbors from other churches was a result of "style of living & standing in Society." She explained in a letter to her sister that while Charleston Unitarians were "highly respectable," they were rarely included in the "fashion & aristocracy of the place." She had the impression that "Episcopacy takes the lead & there is unquestionably a slight feeling of contempt among them" for other denominations.³⁶⁷

³⁶⁶ Samuel Gilman to Martin Hurlbut, May 27, 1832, Unitarian Church Records, SCHS; Samuel Gilman to Eliza Gray Loring, April 12, 1832, Samuel Gilman Papers, American Antiquarian Society.

³⁶⁷ Caroline Howard Gilman to Harriet Fay, March 4, 1821, Caroline Howard Gilman Papers, SCHS.

Samuel Gilman was not convinced that social standing fully explained the moments when relations strained among his parishioners and their neighbors. For example, even though Gilman was friendly with Reverend Buist, a minister of First Scotts Presbyterian Church, and Gilman was sure that he was “very liberal minded,” Gilman lamented that Buist had “some stiff old elders, who would resist any ecclesiastical intercourse between us.” Gilman suspected that despite the constant insistence that formal differences did not matter and that bigotry and prejudice were quickly vanishing, that did not mean that people in the city actually intended to stop caring about doctrinal differences.³⁶⁸

Gilman was right to suspect that religious leaders promoted openness and moderation by invoking the specter of sectarians and bigots. If dissidents of any variety—infidels, heretics, heterodox Protestants, Jews, or Catholics—rejected the offer to be included in a Christian Union and in Protestant-directed missions, then those dissidents could be construed as the bigots who wanted to break apart the unity Protestants had so tenuously forged. The Presbyterians who verbally assaulted Gilman and his congregation could argue that they were not the source of divisions; rather, their organization was at risk from assaults by fanatics who threatened American civil and religious institutions through their schismatic tendencies.

The most serious incident where Charleston’s Reformed Protestants tried to assert a definition of American Christianity and announce their unity by casting Unitarians as sectarians and bigots occurred in 1822. That year, *The Southern Evangelical Intelligencer* published excerpts from a book by New York Presbyterian Minister Samuel

³⁶⁸ Samuel Gilman wrote a note in the margin of Caroline’s letter where she commented about social standing, teasing, “I doubt it;” Samuel Gilman to Susan King, November 13, 1821, Samuel Gilman Papers, American Antiquarian Society.

Miller, which vilified both Unitarian doctrine and its people. The editors and contributors to *The Southern Evangelical Intelligencer* took up Miller's mantle. They started to launch scathing and remorseless condemnations of Unitarians, intimating that Unitarians were not, in fact, Christians; they were "infidels" and "heretics."³⁶⁹

Samuel Gilman started his own newspaper, *The Unitarian Defiant*, in order to systematically counter *The Southern Evangelical Intelligencer's* characterization of Unitarians. Gilman wanted to expose his critics' hypocrisy. He was acutely and consciously aware that *The Southern Evangelical Intelligencer* was trying to claim the term "Christian" for the exclusive use of Reformed Protestants. Gilman admitted that Unitarians were not "entitled to the narrow and more sectarian application" of the phrases "orthodox Christian," or "Christian in the Calvinist sense of the word." However, when contributors to the *Southern Evangelical Intelligencer* accused him of not being a Christian, Gilman pointed out that their definition of Christianity was not broadly based, focusing on universals, encompassing all the followers of Jesus Christ. For them, Christianity only encompassed those who held a very narrow understanding of the Trinity and accepted Calvinist doctrines. He mocked *The Southern Evangelical Intelligencer* for printing missives glorifying "harmony and delighted unity in the Christian world."³⁷⁰

According to Gilman, Reformed critics of Unitarianism defined orthodoxy not on any basis of scriptural soundness, but rather by summarily excluding and denouncing

³⁶⁹ June 22, 1822, July 6, 1822, July 20, 1822, August 3, 1822, *The Unitarian Defiant*, Charleston, SC; Copies of the *Southern Evangelical Intelligencer* are only available up to 1821. However, the *Unitarians Defiant* references, quotes, and republishes the articles from the *Southern Evangelical Intelligencer* attacking Unitarians. The *Southern Evangelical Intelligencer* did not name Unitarians "infidels" or "heretics." They reserved these term for their discussions of Jews and Muslims. However, they reserve the same contempt for Unitarians as they do for this Jews and Muslims.

³⁷⁰ August 3, 1822, "On the Attempt to Deprive Unitarians of the Name of Christians," *The Unitarian Defiant*, Charleston, SC.; August 31, 1822, "The Southern Intelligencer," *The Unitarian Defiant*, Charleston, SC.

everyone who did not share their specific beliefs, beliefs that were not “universal” in the first place. Gilman noted the danger at stake for his community if their critics succeeded in missions to control the definitions of such important terms. He fretted, “we do cordially protest against this modern device of entrapping unreflecting people into a sudden and illegitimate abhorrence of a class of men, by wresting from them a name which in its general acceptance they have never forfeited.”³⁷¹

Ironically, if Gilman wanted to insist that Unitarians were squarely a part of mainstream American religious culture and not on the heterodox fringe, he had to draw on the same terms and tropes as his critics—for example, unity, schism, and the end of prejudice and bigotry. The tension between unity and diversity ran deep in *The Unitarian Defendant*. While berating his opponents for savagely denouncing his beliefs while at the same time they insisted they were the best party to lead the nation to Christian union, Gilman, in fact, played the same game. Not to be outdone, Gilman suggested that no one who believed in the Trinity could truly pave the way to union, explaining, “In religious and moral subjects, no less than material, to divide is to weaken.” The Trinity was fundamentally divisive. Unitarianism had no such weakness since it rejected the Trinity and preached universal salvation. Gilman did not try to dissuade readers to abandon the project for religious unity. Instead, he proposed that Unitarians, not Calvinists, were the natural leaders of the movement.³⁷²

³⁷¹ July 20, 1822, August 3, 1822, “On the Attempts to Deprive Unitarians of the Name of Christians,” *The Unitarian Defendant*, Charleston, SC.

³⁷² October 12, 1822, “On the Practical Tendency of Trinitarianism,” *The Unitarian Defendant*, Charleston, SC.

Gilman even went so far as to insist that Calvinism was a perversion of Christianity, the same charge *The Southern Evangelical Intelligencer* lodged against him.

He bluntly stated in one of his articles:

We do in our conscience regard the Calvinistic system as an utter perversion of the gospel of Christ. We believe that its representation of the divine character, and of the character of man, have a natural tendency to make men hate God, and hate each other and despise themselves. We believe that, if it were universally and heartily believed, and permitted to operate unchecked, and unmodified, it would render life intolerable, and throw into chaos the very elements of society.”

Accompanying his reproof of Calvinism, Gilman also argued that Unitarians were still willing to accept that the Gospel could “operate...powerfully...on the life of this class of Christians,” demonstrating that Unitarians, not their Presbyterian neighbors were truly the ones who cared more about shared beliefs than about formal differences.³⁷³

Consequently, he reinforced the fact that for many religious leaders, an important phase of transcending religious difference and focusing instead on universal beliefs or principles was establishing who got to set the terms in the first place. In a July 1822 issue of *The Unitarian Defendant*, Gilman wrote gleefully that “The S.I. [Southern Intelligencer] has started making reference to the U.D.’s existence,” a fact that made him “very happy.”³⁷⁴ *The Southern Evangelical Intelligencer’s* acknowledgement of *The Unitarian Defendant* meant that the Unitarians’ responses were threatening enough to be acknowledged directly.

In the same way, the aptly named Universalist Church in New York appropriated the tropes and definitions of universal religion in order to minimize the distance between itself and older, more established Protestant religious societies in their cities, and to position itself squarely as part of mainstream religious culture, rather than as heterodox

³⁷³ August 17, 1822, “The Southern Intelligencer,” *The Unitarian Defendant*, Charleston, SC.

³⁷⁴ July 6, 1822, “The Southern Intelligencer,” *The Unitarian Defendant*, Charleston, SC.

schismatics. Nevertheless, the Universalists were just as concerned with religious unity, both within and without their denomination and the nation at large as their Reformed Protestant contemporaries. They were also convinced that any universal faith should be their own.

In 1801, Jacob Clinch, a vestryman at the Universalist Church in New York, discussed the name of his denomination with his friend John Murray, one of the leaders of the Universalist movement in the United States. Similar to Unitarianism, Universalism sprang from Reformed Protestant traditions but rejected Calvinist predestination believing instead in universal salvation. As well as embracing controversial doctrinal views, most Universalists also espoused controversial political views and were early adopters of abolitionism. Universalists' theological rejection of the Trinity was deeply troubling to Reformed Protestants, and many Reformed Protestants believed that like Unitarians, Universalists were not true Christians at all.³⁷⁵

Clinch was not convinced that tensions between his coreligionists and other Protestants were the result of the church's radical convictions. He suspected they were the fault of "wild ranting" extremists who claimed to associate with their church. Murray and Clinch were certain that these fanatics were ruining their church by causing divisions within the denomination and discrediting it in the eyes of Reformed Protestant churches, who purported to hate schisms and disunion. Modifying the title but retaining the spirit, they had begun referring to their church as the "United Christian Friends" in order to distance themselves from people who called themselves "Universalists" but who Murray

³⁷⁵ Nathan Hatch recounts Universalist and Methodists crusade against Calvinist orthodoxy, Hatch, *Democratization of American Christianity*, 170-172.

and Clinch viewed as extremists. The two friends maintained that their organization did not threaten other Protestants; they were simply part of the united body of Christ.³⁷⁶

Murray and Clinch's conversations are a good example of how clerical and lay leaders in early national denominations were simultaneously constructing and challenging the boundaries of what constituted Christian union. Even though Murray and Clinch's beliefs about doctrine and politics were radical for the time, and they wanted to help guide the church from the heterodox fringe to the mainstream, they were no more yielding in their conviction that their views were universal because they were correct than their Reformed Protestant counterparts. In fact, Murray even insisted that Calvinists were just as insidious and dangerous enemies of religion as Muslims, Catholics, Deists, and Atheists. Competing Protestant sects, Murray explained, were "not ashamed of the false Christ that is everywhere preached." Calvinists maintained that they based their doctrine solely on the Bible, yet they perpetuated beliefs like predestination that had no grounding in scripture. For Murray and Clinch, discursively universalizing their experience and beliefs, and positioning themselves as enlightened enemies of division and discord, they denounced extremists who opened them up to criticism by their Reformed colleagues and who undermined their ability to project their vision and definition of Christian Union more widely.³⁷⁷

Ultimately, the Charleston Unitarians and the New York Universalists painted a bleak picture of Protestant solidarity. As Gilman framed it, Reformed Protestant communities were rife with dissent and in order to overcome their anxiety about their internal divisions, they tried to recast religious difference, projecting the boundaries

³⁷⁶ John Murray to Jacob Clinch, February 18, 1809 and April 22, 1811, *John Murray Letters to Jacob Clinch, 1799-1811*, NYHS.

³⁷⁷ John Murray to Jacob Clinch, March 10, 1801 and April 16, 1801.

externally rather than internally. He had observed that Protestant communities damned Methodists as heretics, declared that Unitarians and Universalists were not Christians, yet warred among themselves. In one of his most baleful articles in *The Unitarian Defendant*, he issued a warning to Reformed Protestants:

Depend upon it, you hang together by an imaginary thread. The elements of discord are even now fermenting among you. Explain yourselves to each other, and that moment you break into new divisions...Princeton scowls doubt and suspicion on Andover, and Presbyterianism glares awful surmises against Congregationalism. Calvin, Arminius, and Hopkins are on the point of mutual excommunication. Whenever Unitarians shall cease, either by its insignificance, or its overwhelming success, to be a rallying point of your monstrous alliance and co-operation, you must either crush the spirit which has banished *us* from your place, or fall into an irretrievable mass of chaotic atoms.³⁷⁸

Gilman's warnings in some ways undermined the whole project of Christian Union.

Protestants needed Unitarians. They needed Unitarians to define themselves *against*.

They united over common enemies rather than common ground.

VI. Conclusion

When the battlegrounds of religious conflict fixed themselves in the realm of print, religious leaders had at least three new weapons at their disposal to repair the rifts under their roofs, and to ensure that their organizations continued to grow. First, religious periodicals gave form to coherent communities that only existed in the terms newspapers and magazines used to describe them. Second, periodicals provided an optimistic alternative narrative of cooperation and tolerance, or a narrative that relocated the physical promise of union in order to counter the reality of schism actually taking place within religious societies. Third, participants in textual debates about universal

³⁷⁸ August 31, 1822, "The Southern Intelligencer," *The Unitarian Defendant*, Charleston, SC. For example, the Presbyterian Church in the first decades of the nineteenth century was involved in an interdenominational conflict instigated by Rev. Samuel Hopkins, who rejected the idea of original sin. August 3, 1822, "On the Attempt to Deprive Unitarians of the Name of Christians," *The Unitarian Defendant*, Charleston, SC, 13.

religious culture established that victory was incumbent on fixing the definitions of what constituted universal beliefs.

Different Protestant churches tried to dominate the conversation about what constituted normative American religion and eclipse their internal fractures by simultaneously totalizing and circumscribing Christianity. They posited a vision of a nation united by its beliefs, but one that was always at risk from infringing heterodox sects. When religious leaders contended that there was no longer difference in religion, and that the forms and ceremonies made no difference as long as the truth and essence was the same, their optimism contained a caveat. They must remain ever vigilant because their inclusive circles were constantly threatened from the outside by sectarians and bigots. Framing the language in this way, Americans' characterizations of who comprised universal religion and who threatened it had significance beyond the level of the congregation. Intra- and inter-congregational conflicts over Christian union provoked a larger question about who belonged to the polity, and who should be excluded.

Chapter 6

Christian Pluralism

In the fall of 1794, a writer for Charleston's *South-Carolina State-Gazette* attended the consecration of the new Jewish synagogue, Kahal Kadosh Beth Elohim. Charleston's Jewish community had raised £4,000 among themselves to construct their new center, located in the heart of the city on Hassell Street. The inside of the synagogue looked like a traditional Sephardic Jewish house of worship, with seating for men on the ground floor facing a large desk in the center for the reader, and a second floor balcony for women. The members and subscribers of KKBE took particular care with the synagogues' façade. The building had rows of large windows and a tall, lithe steeple. Contemporaries described the building as "spacious and elegant." In fact, the Georgian-style architecture made the synagogue indistinguishable from any Protestant church in the city.³⁷⁹

The reporter wrote about the event in glowing terms. Looking around him at the "numerous concourse of ladies and gentlemen," Jewish and non-Jewish alike who attended the consecration ceremonies, including Governor William Moultrie, he

³⁷⁹ Charles Reznikoff and Uriah Zevi Engelman, *The Jews of Charleston* (Philadelphia: Jewish Publication Society of America, 1950) 56; "Judaic Treasures of the Library of Congress: Charleston's Beth Elohim Synagogue," Jewish Virtual Library, accessed May 11, 2011, <http://www.jewishvirtuallibrary.org/jsource/loc/Elohim.html>

applauded the inclusive ethos of the city. In the article, the writer extolled the achievements displayed by the event, noting, “We can perceive those little prejudices and weaknesses that have for ages, disgraced the human character, to be wearing off, and safely pronounce that injured people, in the blessed climes of America, have realized their promised land.” Inspired by the event, the reporter effused, “The shackles of religious distinction are now no more.”³⁸⁰

On first glance, the article looks like evidence that Charleston Protestants were making a concerted effort to forge a universal religious culture. However, a closer look reveals a much more complex attitude about religious difference. While the article’s writer was impressed at the diverse group that had gathered to commemorate the day and support their neighbors, he did not use the phrase, “the shackles of religious difference are now no more,” to mean that Charleston Protestants were content to live in a world that valued multiculturalism and not just accepted but celebrated the validity of multiple worldviews. Nor did he use it to mean that Charleston Protestants intended to integrate Judaism into the infrastructure of a universal American religious culture.

Instead, the reporter used the phrase to mean that the Jews had wisely unshackled themselves from their insistence on being different when they constructed a house of worship where “the style of the building and the splendor of its ornaments,” fit in so well with its surroundings. The “prejudices and weaknesses” that had worn off were not the Protestants’ “weaknesses.” He intimated that the Jews had been the ones to cast off their “prejudices,” by tempering the visual assertion of difference in the architecture of their building. The writer approved of his Protestant neighbors’ demonstrations of support, “bid[ding the Jews] fair to be happy and flourish,” not because they accepted Judaism as

³⁸⁰ September 20, 1794, *South-Carolina State-Gazette*, Charleston, SC.

an equal partner and therefore legitimated their differences, but because they had forgiven the Jews for their past insistence on being different and were allowing their Jewish neighbors the opportunity to fit in.³⁸¹

As open and moderate as Charlestonians fashioned themselves, they still took to the streets when offended by outsiders. A few years earlier, two Algerian Jews dressed in “Moorish habit” arrived in the city after they were taken into custody in Virginia and subsequently. When a young Charleston law student came across the two men wandering through the downtown, he approached the travelers and questioned them. Their answers offended the hot-headed student, which he took to be laden with “impertinence and vulgarity.” A mob assembled, “the men were taken up,” and the law students beat the two Jews. Additionally, throughout the 1790s, the synagogue continued to have problems with vandals throwing stones and destroying windows during services.³⁸²

While it was far from evident that gentile Charlestonians had broken the shackles of religious distinction, the reporter’s gesture of inclusion to Charleston’s Jewish community, however tempered, was significant. The writer suggested that there was nothing essential or innate about Jews that made them different from American Protestants, or that made them any less capable of full citizenship, or full participation in public political, cultural, and social institutions. Their differences were external and they could make the choice to abandon them. At the same time, making this distinction, the reporter highlighted both the promises and limitations of pluralism to explain religious

³⁸¹ Ibid.

³⁸² *Charleston Morning Post*, Charleston, SC: March 15, 1786; *City Gazette*, Charleston, SC: September 5, 1797. The two Algerian Jewish travelers likely attracted negative attention for several reasons. The article pointed out that the men were notable both because they were Jewish, but also because of their “moorish habit,” accusing them of being both Jews and Muslims. Their “Algerian” provenance was also significant. In 1786, the United States was involved in a conflict with Barbary pirates from North Africa.

difference in the early national United States. His words carried an implicit threat. If Jews chose not to abandon their differences and join Protestants in a project to forge a united Christian nation, then they gave up their right to toleration.

Revolutionary Americans had identified and codified radically innovative doctrines validating the existence of multiple worldviews, but they had left open to interpretation how to put those principles into practice. When translating these processes, Charlestonians and New Yorkers demonstrated that the mechanics of liberalism could be used against themselves. Print was the space for diverse opinion, but also the space to combat diverse opinion. Universalism provided the intellectual tools to include more people in the polity, but it also allowed people to claim that they did not have to tolerate those outside of the polity. Religious liberty guaranteed equality under the law, but it did not prevent people from trying to make sure their rivals did not last long enough to receive that right.

Just as importantly, as churches and synagogues would demonstrate in the decades following the consecration of KKBE, religious liberty contained a fundamental paradox. It required people to be both the same and different. Nothing within the principles, or within the policies, Americans invented to substantiate religious liberty specified whether, in practice, religious communities would worship side by side, if religious differences were less important than the Enlightenment universalism that connected all beings, or if religious liberty was fundamentally competitive and essentially sanctioned different groups to try to capture market shares. Religious liberty was easily manipulated, consciously and unconsciously, as a justification for exclusion, as well as a tool for social cohesion.

Nevertheless, as this chapter argues, while Protestants were jockeying to define which of their differences were substantial, and which were merely formal, Catholics, Protestants from emerging sects, such as Methodists, and Jews, also negotiated how to constitute their churches and synagogues in a pluralist society. Throughout the first decades of the nineteenth century, culminating in the 1820s, Catholics, white and black Methodists, and Jews used the same strategies as their Protestant counterparts to carry out their reformations from colonial to American institutions: representative government, print culture, and liberal principles such as universalism. They also witnessed the same consequences of those reforms, including intense partisan competition, conflicts over the appropriate balance of power and popular participation, and discursive maneuvers to portray an atmosphere of calm cooperation in the face of fracture and fragmentation. Catholics, Methodists, and Jews did not simply borrow these strategies. Rather, Catholic, Jewish, and Protestant institutions all grew out of the same post-revolutionary reforms and they occupied a shared, if fractious, political culture where participants tested how to make an American church and how to practice American politics.

Still, just as Protestants were defining mainstream American religious culture, they were substantiating its margins. In the years following independence and coalescing in 1820s, Protestants were forging a “Protestant” or “Christian” identity that did not naturally come into being after the American Revolution. Rather, it emerged through Protestants’ efforts to overcome their internal divisions in part by identifying and policing common enemies, using weapons ranging from pamphlet wars to violent exclusion. Importantly, Catholics, Jews, and other Protestants finding themselves pushed to the margins and cheated out of the promises to participate in a nation founded on the

principles of religious liberty, constantly and self-consciously challenged Protestants efforts to forge a religious culture, and a polity, that found its cohesion by keeping them out.

II. Paper Wars: Catholic Newspapers

In 1826, a New Yorker writing under the pseudonym of “Plain Sense,” wrote a letter to the editor of *The Truth Teller*, New York’s first Catholic newspaper. In the letter, Plain Sense explained that he had traveled extensively throughout the United States and he had found “as many religious divisions in this country, as opinions on any other subject; yet all and each justify their divisions and opinions on the authority of the bible.” Plain Sense alluded to a belief commonly held among Protestants, that Catholicism was a human, not a divine, creation. Protestants often claimed that Catholicism combined scripture with tradition, and was therefore heretical. Protestantism, on the other hand, was based solely on scripture, and therefore, by reading the Bible, Protestants had unmediated access to the word of God. Plain Sense railed against this line of argument, inveighing, “Don’t smile Mr. Editor, because you know that the creed of every Protestant (if he has any) is to believe that his own single noddle is as capable of understanding the Bible as the traditionary collected wisdom of ages and nations, called the Catholic Church.” Plain Sense continued his vituperation, bemoaning, “Did God write any book? Well, then, to be found in the written words of his disciples. But if so, it remains where they found it, since no two of them can agree to take it *out in the same way*, nor by what name to call it.”³⁸³

³⁸³ Plain Sense. “To the Editor of the Truthteller.” *The Truthteller*, NY, NY: January 7, 1826 volume II, 6-7.

Plain Sense deplored how Protestants were so fractured yet they still claimed that Protestantism was the universal Christian Church. Exasperated by Protestant claims to hold the single, unique, and God-given truth, when they could scarcely agree on anything, Plain Sense made one final observation:

In concluding, permit me to remark that we live in a very droll age—it is not that of gold, for gold is precisely the article we find most difficult to obtain; neither will our constitutions, physical, *moral*, or intellectual, permit us to call it the age of iron—what is it then? Why to be sure this is the age of paper! We have paper money—paper faith—paper hope—paper charity—in short, a paper religion [called] the bible—as yet thanks be to God—only paper wars about its meaning....

Plain Sense speculated that the authority in which so many Americans placed their trust—civil and spiritual—was artificial. It was easily printed, easily constructed, easily revised, and easily tossed away. Protestants put unyielding, uncompromising faith in the documents they printed to represent their religious, political and financial systems. Even worse, he alluded, they cared more about the physical documents than the traditions that informed them and the people they affected. For Plain Sense, nothing about these documents' meanings was self-evident or inalienable. They were written by humans. They were always contestable. Their value came from both the substance of the words on the page, but also from the trust those institutions had earned from the people over time.³⁸⁴

Plain Sense made an important observation about early nineteenth-century patterns of religious conflict in his diatribe about Protestants. Whether or not they consented to it, Catholics were involved in a “paper war” with Protestants. In the late eighteenth and early nineteenth centuries ministers and lay leaders vigorously exploited the technologies of print—pamphlets, newspapers, and magazines—to engage in or incite

³⁸⁴ Ibid.

discussions and controversies within and across their denominations. Print was the critical battlefield for heady debates over the role of religion in the pluralist environment of the early nineteenth century. Religious leaders composed eloquent and remorseless attacks, questioning, challenging, and ultimately seeking to discredit the beliefs of their competitors to the benefit of their own, accusing their opponents of zealotry, bigotry, and sectarianism.

Catholic congregations found themselves the subject of discursive, partisan, and violent intra- and inter-denominational conflict during the early national period. St. Mary's Church in Charleston was the site of particularly intense contests in the decades following the Revolution, though paper wars among Protestants and Catholics were also common in New York. Looking at these different types of conflicts in Catholic institutions reveals three important facets about early national religious culture. First, Catholic institutions grew out of the same reforms as Protestant institutions and they faced their own partisan battles. Second, similar to Protestants, Catholics also used universalism as a discursive strategy to unify and give coherence to their embattled and fractured ranks. Third, while Catholics were actively negotiating how to reconcile Roman orthodoxy and liberal republicanism, they were being pushed to the margins by Protestant partisans trying to reconcile orthodoxy and innovation. Early national religious culture involved the constant collision of religious societies, and factions within those organizations, attempting to construct a civic ethos with themselves at the center.

From 1793 to 1820, Charleston's St. Mary's Catholic Church was in open schism. The schism crisis began when the first American Archbishop John Carroll appointed a French priest to the city to serve the new population. About 500 French planters and

slaves, most of whom were Catholic, had recently settled in Charleston, fleeing the Haitian Revolution. The vestry board of the existing Catholic community, mostly of English and Irish origin, objected to Carroll's appointed priest. They insisted that the vestry, who were elected by the congregation to serve their needs and interests, not the bishop in distant Baltimore, should choose their leaders. The vestry dismissed the French priest in favor of their preferred candidate, Simon Felix Gallagher. When the bishop continued to press St. Mary's to accept his appointment, the vestry threatened to raze the church rather than yield.³⁸⁵

Relations between the Archbishop in Baltimore and Charleston remained strained for the next twenty-five years. The vestry, emboldened by their defiance, rallied for greater lay authority in their church. In 1810 they passed a resolution declaring that priests were employees of the congregations, meaning that priests did not belong to the vestry and they could not legislate the secular, or the spiritual, affairs of the congregation without the vestry's approval. The declaration only served to antagonize clerical officials in Baltimore, who redoubled their efforts to bring the Charleston congregation under control, continuing to send their anointed priests to the rebellious city.³⁸⁶

The third archbishop of Baltimore, Ambrose Maréchal, was particularly interested in appointing French priests to Charleston. Maréchal, who was French himself and believed that Irish priests tended to be revolutionaries, assigned the Reverend Joseph de Clorivière to minister to the community. De Clorivière was a French monarchist and he had been exiled from France during the Revolution, after organizing a band of royalist sympathizers during the Terror and participating in a conspiracy to assassinate Napoleon.

³⁸⁵ Richard Madden, *Catholics in South Carolina: a Record* (Lanhan, New York, and London: University Press of America, 1984) 39.

³⁸⁶ *Ibid.*

When de Clorivière arrived in Charleston at the bishop's behest in 1812, the congregation received him coolly. After Napoleon's defeat in Waterloo, rumors began to circulate that the priest ran through the streets in buoyant celebration. Though the rumors were likely false, de Clorivière further alienated the congregation when he mandated that the congregation hold a special service of Thanksgiving. De Clorivière explained that he was celebrating the release of the pope, whom Napoleon had captured and imprisoned, not the restoration of the monarchy. Still, his explanation convinced few Charleston Catholics, even provoking a small band of detractors to attack de Clorivière during the Thanksgiving service.³⁸⁷

Ultimately, St. Mary's refused to acknowledge de Clorivière. The congregation recognized Gallagher as their priest even after the ecclesiastical officials in Baltimore stripped Gallagher of his position. The bishop barred Gallagher from using the Charleston church for mass, and locked the mutinous congregation out of the building. The punishment only seemed to energize their resistance. The congregation moved into a new building and they continued their weekly activities, in defiance of Baltimore.³⁸⁸

Despite their fervent protests, the vestry insisted that they had no intention of flaunting Catholic discipline. In an open letter sent to church officials in Baltimore, St. Mary's lay leaders pledged that they dearly wanted to "bend the knees of their devotion." They assured the bishops that the members of St. Mary's were not trying to assume more lay authority and subvert traditional structures of government. The problem was not hierarchy, they maintained, it was logistics. The Baltimore officials had no first hand knowledge of local circumstances, and the priests they sent had no incentive to be

³⁸⁷ Ibid., 26-29, 39.

³⁸⁸ Ibid.

sensitive to the particular characteristics of the Charleston community. According to the St. Mary's vestry, Baltimore's policies demonstrated not that the system was flawed, but that their leaders were flawed, because they "shew[ed] great ignorance of...the spirit of our Institutions; by virtue of which, all public functionaries, both civil and religious, are elected." Already, their far away leaders had unwittingly sent them someone who was "unfit and objectionable," and who had the "avowed purpose of establishing over them a tyranny of the most onerous and odious nature...totally repugnant to the spirit of freemen and of Christians." Even worse, St. Mary's had no means for redress or referendum.³⁸⁹

In their campaign against Baltimore, Charleston Catholics employed tropes mirroring forms of speech common in civil political discussions and actions mirroring forms of protest common in civil political movements. Their defense mimicked arguments for home rule that colonists had adopted during the American Revolution and they started to gesture towards arguments for nullification. Lay leaders explained that they did not want to be autonomous; they simply wanted the person ruling over them to reside closer to home. Partisans from St. Mary's polemically avowed that corrupt officials "vainly rely[ed] on our distance from spiritual tribunals." Consequently, "the dogmas and practices of the darkest ages of Christianity, when the laity became ignorant of their rights, are now attempted to be enforced on American republicans." St. Mary's insisted that they whole-heartedly supported their church, but they needed to balance hierarchal government with local government. Throughout nearly a decade of open

³⁸⁹ "Documents Relative to the Present Distressed State of the Roman Catholic Church in the City of Charleston," (Charleston, J. Hoff, 1818) 2.

resistance, Catholic lay leaders continually importuned that all they wanted was their own bishop, who would understand their particular, local needs.³⁹⁰

Finally, in 1820, Baltimore conceded and gave the Charleston Catholics what they wanted, or at least what they said they wanted: establishing the Diocese of Charleston with jurisdiction over North Carolina, South Carolina, and Georgia. Officials in Baltimore called on the Irishman John England to lead the new bishopric. England was a good choice for Charleston. He had both strong republican sympathies rooted in his Irish past, and he maintained a strict adherence to Catholic discipline and government. England quickly became a national spokesman for Catholic republicanism. While passing through Washington D.C. in 1825, England preached a sermon responding to a comment John Quincy Adams had made four years earlier slandering Catholics. This was a bold, and perhaps foolhardy, move, given that Quincy Adams was currently president. Nevertheless, England's gamble paid off. A number of politicians invited him to address their colleagues on January 8, 1826, making him the first Catholic to ever to speak before Congress. In his speech, England corrected Protestant misconceptions of Catholicism, outlined some reasons why Catholicism was compatible with U.S government and society, and passionately defended religious liberty and the separation of church and state.³⁹¹

In Charleston, an important part of England's job involved proving to his parishioners that they could embrace a commitment to Catholic worship that was both consistent with American political culture and civic values and that did not sacrifice strict Catholic discipline. England devoted himself to a plan to reestablish orthodoxy in

³⁹⁰ Ibid., 5

³⁹¹ Madden, *Catholics in South Carolina*, 38; John England, *The works of the Right Rev. John England, first Bishop of Charleston*, ed. Ignatius Aloysius Reynolds, (Baltimore: J. Murphy, 1849), 172-190.

American Catholicism. Among his first acts as bishop, he mandated that all Charleston Catholics strictly adhere to the Lenten ceremonies that local Catholics had been neglecting, including fasting and personal denial.³⁹² Concurrently, England moved to abolish pew rents in Charleston's new Catholic Church, consecrated in 1822. England proposed that members should contribute to the church based on the value they believed it provided them, rather than purchase a place to sit as a marker of their social status. Without pew rents, priests were not guaranteed a particular sum each year. Their salary would come from voluntary contributions from the congregation. England believed that this change marked a positive challenge for priests—they would only get paid if their congregations were happy. Most importantly, England maintained that with no pew rents, everyone would be welcome in the church, and “no member of the congregation [had] a right of precedence.” Consequently, Charleston Catholic churches would demonstrate their commitment to American civic values, which he implicitly defined through his actions to include simplicity, openness, a refusal to give undue authority to someone based on wealth, and a partnership between ruler and ruled.³⁹³

England also proposed a new plan for church government. He supported the tradition that churches should have constitutions that outlined the nature and limits of ecclesiastical government. However, unlike their neighboring Protestant congregations, all Catholic parishes had to be consistent both with the laws of the state and the Articles of Faith of the Roman Catholic Church. England did not try to unilaterally impose the plan of government. He based his case on constitutional grounds. He argued that the

³⁹² John England, “Pastoral Letter of the Right Rev. Dr. England, Roman Catholic Bishop of Charleston,” in Ignatius Aloysius Reynolds, ed. *The Works of the Right Rev. John England, First Bishop of Charleston* Vol. IV (Baltimore: John Murray & Co., 1849), 232-235.

³⁹³ “New Church in Charleston,” *United States Catholic Miscellany*. Charleston: June 5, 1822.

original charter and bylaws gave the congregation the right to form its own government, acknowledging that, “by the virtue of its charter this Corporation which consists of all the Roman Catholics in Charleston has been empowered to make such Bye Laws for its own government...as it shall think proper.” However, neither the original charter, nor its revisions after the 1810 schism gave the *vestry* the power to make laws. England testified that “no temporal government could or can give us authority in matters of religion,” but that “it was not the intention of the legislature in giving a Charter to maintain a Roman Catholic Church, to regulate that it should not be Roman Catholic.”³⁹⁴

England’s reforms suggested that he believed that churches should be consistent with civic values, but civic values did not mean lax discipline. England acknowledged that churches were neither strictly public nor strictly private entities. Assembling together in a space open for public worship, Catholic churches asserted that they subscribed to the rule of law and that they were committed to upholding a shared commitment to religious liberty. However, by choosing to enter into a voluntary association, members had to obey the rules of the institution. According to England, it was the responsibility of good Catholic leaders in the United States to work with the congregation to clearly outline how power worked, ensure that members had channels to express grievances and make sure that leaders did not overreach their power, and guarantee that individuals could contribute to the congregation and participate actively in the spiritual and secular affairs of the community. The vestry, who had been so adamant that all they wanted was local government did not have grounds to object to this reorganization of power.

³⁹⁴ Mary Lucinda Morgan ed., *The Vestry Records of St. Mary’s Roman Catholic Church, Charleston, South Carolina, 1806-1823*, SCL, 242-245.

Through his political reorganizations and his spiritual revitalizations, John England negotiated the establishment of an American Catholic orthodoxy, bringing together embattled individuals and communities in ways that would balance long held traditions with local conventions. Print was one of his most powerful tools in this project. In 1822, England launched his own newspaper, *The U.S. Catholic Miscellany*, to serve as the official mouthpiece of the dioceses of Charleston. With the help of his sister Joanna, England edited the paper, and wrote most of the commentaries until he died in 1842. England had initially tried to publish commentaries in the city papers, but editors largely refused to publish his submissions. For a few months he resorted to paying for advertising space to publicize the activities of the church to Charleston Catholics. By 1822, England had the resources to begin a distinctly Catholic paper for his community.³⁹⁵

Bolstering the mission of their colleague in Charleston, the editors of *The Truth Teller* also intended to use their paper to unify the disparate Catholic population in New York. *The Truth Teller* first appeared in bookshops in 1825 after its founder, William Eusebius Andrews, arrived in New York from London. Andrews had published several Catholic newspapers in Britain before he emigrated, including *The Catholic Vindicator*, *The Catholic Advocate of Civil and Religious Liberty*, and *The Catholic Miscellany*.³⁹⁶ Andrews and his collaborators George Pardow and William Denman, who took over the publishing duties after the sixth issue, likely saw that their paper responded to a niche, since Catholics were a nationally growing minority population. Throughout the 1820s, New York accommodated the first of the century's waves of immigrants from Ireland,

³⁹⁵ Madden, *Catholics in South Carolina*, 33.

³⁹⁶ Leslie Stephen and Sidney Lee, *The Dictionary of American Biography: Abbadie-Beadon* Vol. I (New York: Macmillan Company, 1908) 410.

many of whom were attracted to the state by the promise of employment in the states' many infrastructure projects, such as the Erie Canal. While not all Irish immigrants were Catholic, the Catholic population of New York grew significantly as the Irish population increased. Pardow and Denman were unapologetic about their Democratic sympathies and they used the paper to confront local opposition to foreigners in general and Catholics in particular.³⁹⁷

The editors of *The Truth Teller* and *The U.S. Catholic Miscellany* were explicit about their purpose. Their papers would act as a rallying point for the Catholic communities in their respective cities, and for the American Catholic population at large.

As England outlined in the *U.S. Catholic Miscellany's* prospectus:

Almost every division of Christians here has its peculiar publication, for the expositions of its doctrines, the communication of facts, and if necessary, the vindication of its tenets. The Roman Catholics of those states form a considerable portion of the citizens; it is natural they should be desirous of having a similar publication for like purposes...By its means the thousands of Roman Catholics spread through those states...may hold constant communication; by its means they may also learn the state of their brethren in communion with them in the other quarters of the globe...³⁹⁸

The papers published local information about worship services and community activities. England also regularly wrote essays and commentaries about the situation in Ireland and explained points of Catholic doctrine and history. *The Truth Teller* had a popular feature where new arrivals to New York could submit personal ads in order to locate family and friends who they believed were already in the city and to track down information about their fates.³⁹⁹ In addition, *The Truth Teller* regularly reprinted England's writings, and

³⁹⁷ Paul A. Gilje, "The Development of an Irish American Community in New York City before the Great Migration," in Ronald Bayor and Timothy Meagher, eds., *The New York Irish* (Baltimore: The Johns Hopkins University Press, 1996) 74.

³⁹⁸ "Prospectus," *United States Catholic Miscellany*, Charleston, SC: June 5, 1822.

³⁹⁹ Diane Fitzpatrick Haberstroh and Laura Murphy Degrazia, eds, *Voices of the Irish Immigrant: Information Wanted Ads in Truth-Teller, New York City 1825-1844* (New York: The New York Genealogical and Biographical Society, 2005).

The U.S. Catholic Miscellany published original pieces from *The Truth Teller*. Both papers reprinted what they considered edifying and instructive observations from Catholic periodicals in Ireland and Britain. While it is difficult to know how widely these papers circulated or how many people read them, John England provided a clue when he announced that his paper had 600 subscribers after six months.⁴⁰⁰ Given the culture of reprinting, it is likely that many more people read England's commentaries in different periodicals. Also, given the prevalence and popularity of controversial religious literature and denominational periodicals, it is likely that *The Truth Teller*, the only Catholic newspaper in New York at the time, would have found an audience.⁴⁰¹

The papers also had a second, no less important, purpose. The editors intended to use their papers as watchdogs. They reprinted and publicized every attack, misrepresentation, and slander Protestants launched in British and American newspapers against Catholics or Catholicism. Sometimes the editors addressed or rebutted the critiques, other times they simply republished an attack but remained silent, suggesting that the slanderer's own blatant bigotry was enough to discredit his argument. The publications functioned in similar ways to political blogs today, where bloggers vigilantly monitor the statements of politicians, pundits, and other public figures, pointing out hypocrisy and dissecting and challenging problematic and misleading terms circulated by the media.

⁴⁰⁰ "To The Roman Catholics of the United States of America," *United States Catholic Miscellany*, Charleston, SC: November 27, 1822.

⁴⁰¹ For the religious press see, David Nord, "Printing, Religion, and Reform," and Andie Tucher, "Newspapers and Periodicals," in Robert Gross and Mary Kelley, eds. *A History of the Book in America Volume II: An Extensive Republic, Print, Culture, and Society in the New Nation, 1790-1840* (Chapel Hill: Published in Association of the America Antiquarian Society by the University of North Carolina Press, 2012) 221-246, 389-407.

For example, the editors of *The Truth Teller* thanked their friends for transmitting “numerous journals, pamphlets, and periodicals, containing charges against Catholics, written in language the most disgusting and...degrading,” and they begged that their readers “continue to do so, as it gives us an opportunity of learning the actual state of the press in this country, of which we had no conception when we first commenced our editorial labors.” England wanted the tone of his paper to be open, civil, and modest. He hoped that through the efforts of Catholic editors, “those persons who have been misled into erroneous opinions of principles of their neighbors, will be enabled to judge correctly their tenets, and to form rational opinions of their practices.” He insisted that “controversy” was not his intention. Nevertheless, England admitted, “we prefer being controversial to being calumniated.”⁴⁰²

The editors and contributors to *The U.S. Catholic Miscellany* and *The Truth Teller* were acutely aware that they were involved in a paper war with Protestant editors. Protestant and Catholic editors tried to position their papers and their communities at the center of a conversation about what constituted American religion, largely through invoking their own tolerance in the face of rampant bigotry and prejudice. Different communities battled to set the definitions of the terms partisans used to characterize religious politics, such as “liberal,” “tolerant,” “bigot,” “sectarian,” and “tyrant.”

To that end, *The Truth Teller* often used ironic humor when it defended Catholicism against Protestant barbs. In one article, a contributor celebrated a beautiful new Catholic Church recently built on extensive grounds. A wealthy Catholic man from

⁴⁰² *The Truthteller*, New York, NY: April 1, 1826, 102. *The U.S. Catholic Miscellany* also solicited its readers to send in “every public fact regarding religion.” “United States Ireland,” *United States Catholic Miscellany*, Charleston: June 5, 1822; “Prospectus,” *United States Catholic Miscellany*. Charleston: June 5, 1822; “The New Year,” *United States Catholic Miscellany*. Charleston: Jan 5, 1824.

Baltimore had donated the land and the resources, wishing to use his fortune for acts of “charity and religion.” *The Truth Teller* commended the new church, proud that neither the church nor the benefactor sought publicity or recognition. The writer ended the piece joking that if the same generosity “were afforded by some opulent Protestant, it would be rung in our ears in an endless variety of ways by the *Bible Societies, Tract Societies, &c. &c.*” In his riposte, the writer announced his perception that Protestants believed publicity and self-promotion were a necessary part of charity, while Catholics were more modest, virtuous, and reasonable, and therefore better citizens.⁴⁰³ On other occasions *The Truth Teller* took a direct approach, bluntly drawing attention to Protestant attacks against Catholics. In one 1825 issue, the editors suggested some new reading material for their subscribers, urging, “Should any of our Readers happen to spare a half hour, we would recommend them the perusal of a canting, hypocritical Paper published in this city called the “New-York Observer.”⁴⁰⁴

Protestant and Catholic editors lay in wait in ambush, hoping to lure their opponents into traps that would reveal the others’ hypocrisy and fanaticism. One of England’s favorite feints in *The Catholic Miscellany* was to call out Protestant editors for over-playing their hand, allowing him to demonstrate the modesty, civility, and openness of Catholics in response to Protestants’ blatant bigotry. In a September 1822 issue, England drew readers’ attention to a Charleston weekly paper that criticized Irish Catholics. The article accused Catholics of whining that they were persecuted on account of their religion. The writer sneered that Catholics were not the persecuted; they were, in fact, the persecutors, citing the example of violence against Protestants in France. In

⁴⁰³ “Liberality,” *United States Catholic Miscellany*. Charleston: September 21, 1825.

⁴⁰⁴ *New-York Truth-Teller*, New York, NY: June 11, 1825.

response to the criticism, England offered a single remark: “Of what value are the statements of such a print?” England’s response suggested that he believed the different tones, one hostile and confrontational, the other measured and reasoned, was enough to point out the ridiculousness of the exchange.⁴⁰⁵

Protestant editors knew the game just as well as *The Truth Teller* and the *U.S. Catholic Miscellany*. *The Southern Evangelical Intelligencer*, Charleston’s Reformed Protestant newspaper, was particularly aggressive, trying to trap England and expose him as a tyrannical fraud. In 1822, a contributor to the paper who called himself “A Liberal Gentleman,” spent several columns developing, in England’s words, a “long tirade” against Catholicism. The writer insisted that the principles of Roman Catholicism were “the same in every country and in every age,” meaning that all Catholics secretly supported the Spanish Inquisition and further violence against Protestants. Catholics only kept their true feelings secret because they did not have the power to enforce them, which they inevitably would if Protestants stopped their vigilant interrogations of Catholics. Perhaps most insidiously, “A Liberal Gentleman” insisted that Catholics were only waiting for the right moment to begin a nunnery in Charleston, to see “the fair daughters of Carolina seduced or torn from the domestic relations, and sacrificed on the altar of a dull and lifeless celibacy!”⁴⁰⁶

It is possible to speculate that “A Liberal Gentleman” knew that *The Catholic Miscellany* made it a point to answer controversial statements made about them in print.

⁴⁰⁵ “Extraordinary News,” *United States Catholic Miscellany*, Charleston: September 25, 1822. The commentator was likely referring to the Revocation of the Edict of Nantes. In 1685, the King of France, Louis XIV revoked the edict of Nantes, essentially outlawing Protestantism in France.

⁴⁰⁶ “A Liberal Gentleman,” *United States Catholic Miscellany*, Charleston: June 19, 1822.

Therefore, “A Liberal Gentleman” structured the real substance of the article in a way that limited how England and his congregation could respond:

It is too late a day for controversy with Catholics—we will have none—but we desire a plain and fair avowal of their sentiments in reply to the above queries, or in some other shape. It ill becomes people to talk of liberality who have none in practice or in principle. We again repeat, that we intend no controversy on the doctrines of the church of Rome but as long as we have management of a public Journal, error shall not stalk abroad with impunity under the garb of truth—if fanaticism and tyranny shall assume the cloak of liberality and candour, they shall be publicly exposed—And whatever shape the great enemy of man shall assume, to instill his artful poison, we trust the spear of Ithuriel will always be read to expose the hideous monster.⁴⁰⁷

“A Liberal Gentleman” did three important things in his final verbal parry. First, he slung a brutal attack at Catholics by questioning their fitness as citizens in a liberal republic. In this way he tried to publicly reinforce that Protestants in general, and Reformed Protestants in particular, were the defenders of a country free from fanaticism and tyranny. Second, he insisted that the reason why his statements had value was because they were endorsed by a “public journal.” Print was the appropriate realm for religious conflict, since it was the space for reasoned and civil discourse. Third, he tried to tie England’s hands, preventing him from responding. “A Liberal Gentleman” bluntly stated that he had no interest in spurring controversy. In his declaration, he intimated that if England responded, England would only prove that *he* was the one provoking controversy, validating “A Liberal Gentleman’s” claims that Catholics were fanatical, tyrannical, and incapable of taking part in civil discourse. While “A Liberal Gentleman” legitimized his words by putting them in print, England would discredit his own if he used the same medium, because England would be corrupting and manipulating the space for reasoned discussion.

⁴⁰⁷ Ibid.

England responded by not responding. He simply published a transcript of “A Liberal Gentlemen’s” observations in the *U.S. Catholic Miscellany* without any commentary or any response of his own. After two weeks of silence on the subject, he cannily struck back. He developed a six part series to dissect the meaning of the term “liberality” and probe its use and misuse. England explained that his inquiry was driven by his “desire to fix some meaning for the expression *a liberal man* in a religious sense, for we know of no phrase more frequently used and less understood.” The investigation led him into a quagmire of defining, realizing that in order to define liberal he also had to define “bigotry,” “intolerant,” “reasonable” and “persecutor,” explaining:

This intolerant or that bigot injuring the person who he hates, is a persecutor. All persons are agreed, that the persecutor is not a liberal man. Now, as liberality is a quality of the soul, and as persecution is but the evidence of qualities of the soul exhibited by acts, the disposition which produced those acts is incompatible with the disposition of a liberal man. Hence, we may conclude that neither the bigot, nor the intolerant, nor the persecutor, can lay claim to liberality.

After six parts, England managed to pose a generic definition of “liberality.” He reflected that liberality was “a rational attachment to doctrine, without hatred or dislike of those who differ from, or reject, that doctrine.” England likely knew that composing a definition for the term “liberal” would not stop Protestants from condemning and misrepresenting Catholicism. However, he was trying to obstruct a pattern of religious conflict where Protestant newspapers and magazines launched attacks at their competitors by laying claim to the qualities of tolerance and broadmindedness. He called out Protestants for playing the victims of bigotry and prejudice by questioning Catholics’ American mettle.⁴⁰⁸

⁴⁰⁸ “Liberality,” *United States Catholic Miscellany*, Charleston; November 20, 1822; “Liberality,” *United States Catholic Miscellany*, Charleston: November 27, 1822; “Liberality,” *United States Catholic Miscellany*, Charleston: November 27, 1822.

Drawing attention to these paper wars, the editors of and contributors to *The Truth Teller* and *The U.S. Catholic Miscellany* likely did more good forging a sense of unity among Catholics than changing the minds of Protestants who vilified their competitors. Catholic papers insisted that they were leaders in a movement to construct a civic ethos. After all, *they* were the ones defending the nation from bigotry and prejudice. Through these publishing projects, Catholics tried to position themselves as the proper representatives of American religion by demonstrating that they understood liberty and tolerance better than their opponents. In the processes, Catholic newspapers named and gave a face to a common enemy. They attempted to materialize a diverse, far flung, and disconnected Catholic community into something coherent when they signaled to it in print.

The editors and contributors of *The Truth Teller*, and its counterpart in Charleston, *The U.S. Catholic Miscellany*, were vividly aware that while print could be a forum for reasoned debate, it was also a medium that could be easily manipulated.⁴⁰⁹ In both cities, Catholics founded their own newspapers to confront and correct misconceptions that Protestant editors circulated about their history, their beliefs, and their members. In New York and Charleston, Catholics used these newspapers to expose, or even frustrate, Protestants efforts to forge a Christian union—a normative version of American Christianity—built not only without Catholics, but against Catholics.

⁴⁰⁹ Several scholars have argued that in the nineteenth-century market economy shifted American's sense of subjectivity. They transitioned from an Enlightenment culture concerned with reason and authenticity, to an understanding that an urbanizing, commercializing world was full of hoaxes and deceptions. See James Cook, *The Arts of Deception: Playing with Fraud in the Age of Barnum* (Cambridge, MA: the President and Fellows of Harvard College, 2001) 16; Karen Halttunen, *Confidence Men and Painted Women: Study of Middle Class Culture in America, 1830-1870* (New Haven: Yale University Press, 1982) xiv-xvii.

Catholics used the same discursive strategies as Protestants to attempt to create unity among their ranks. They did so not because these techniques were inherently Protestant, but because the institutions of American Protestantism and American Catholicism at the local level emerged from the same post-revolutionary moment. Many Catholic and Protestant congregations adopted similar structures of government and had similar struggles with intra-denominational partisanship. Moreover, Catholics were no more cohesive than their Protestant neighbors. While Catholicism was not composed of different denominations, it did include various priestly orders and different national traditions. Similar to Protestant churches, participants in Catholic congregations held competing beliefs about the boundaries between the religious and secular arenas and about who should participate and in what ways in the spiritual and secular affairs of the church. *The Truth Teller* in New York and *The U.S. Catholic Miscellany* in Charleston gave Catholics a way to identify themselves as part of besieged yet unified group by naming and policing their enemies.

Nevertheless, the paper wars demonstrated that Catholics were fully conscious that Protestants were doing the same thing—publicly shifting focus away from their internal divisions by developing a conversation about Christian unity. Protestants and Catholics both understood that the key to their success in the paper wars lay in taking possession of the labels “reasonable” and “liberal” while strapping their opponents with the tag “bigot,” “fanatic,” and “intolerant.” Even before Protestant nativism grew into a powerful political movement with the founding of the American Protestant Society and the Know Nothing Party, and before the Temperance movement gained momentum,

Catholics were strikingly aware of Protestant tactics to exclude them from public culture, even while maintaining that religious differences no longer mattered.

III. Ritual, Race, and Rebellion

In Charleston, members of the city's Methodist congregations—a denomination relatively new to the United States—also asserted their intention to contribute to the city's mainstream religious culture. Rather than attempting to mold the meaning of the terms deployed in print, many white Methodists focused instead on establishing who should be excluded from that culture. Charleston Methodists participated in a project of reinterpreting religious difference that was already widespread among the city's denominations. Throughout the first decades of the nineteenth century, white Protestants in Charleston managed to transcend many of their differences when they marked race, not ritual, as the critical category of religious difference, as well as the key to political participation. The growth of Zion African Methodist Church, the city's first and only black church before the Civil War, gave many black Charlestonians a temporary platform for autonomous organization and self-government. However, it also gave white Methodists a way to present themselves not as religious radicals relegated to the margins of society, but as vigilant protectors of the city's civic ethos.

Methodism in Charleston had a rocky start. Few ministers and missionaries launched regular efforts to establish a Methodist community in the city until after the Revolutionary war. Once they did, Charleston Methodists faced an uphill battle for acceptance. Charlestonians may have been skeptical of Methodism for at least three reasons. First, many Methodists had remained loyal to Britain, or at least neutral, during

the American Revolution, preaching spiritual freedom over political freedom. Second, in a culture of corporate, constitutional churches, Methodists alone adopted a different organizational structure. The Methodist Church was composed of a hierarchical system of bishops. Methodist ministers belonged to a circuit of churches, and moved regularly among them; in general, they did not foster the growth of a single congregation. Third and perhaps most significantly, many early Methodists supported abolition and made a point to minister to and baptize slaves.⁴¹⁰

When Francis Asbury, the first American Methodist Bishop, preached in Charleston in 1788, a large and hostile group gathered to protest the meeting. The gathering quickly escalated into a riot after the crowd surged and broke down the door of the meetinghouse. Not intimidated, Asbury preached again that same evening, and again, a violent crowd interrupted the gathering, throwing stones and bricks at the speaker and the audience. A year later in 1789, another Methodist divine, Thomas Coke, led a conference in Charleston where he fervently condemned the institution of slavery. Coke's speech spurred a series of attacks and ferocious denunciations against Methodism in print and in public. Violence against Methodists in the city continued throughout the decade. When Asbury returned to the city in 1800, Charlestonians disrupted his visit with verbal insults and physical assaults.⁴¹¹

Within this context of instability and animosity toward Methodism in Charleston, William Hammet, Coke's protégé, arrived in the city in the spring of 1791. The two men—Coke and Hammett—had traveled together from England to Jamaica where they

⁴¹⁰ Dee Andrews, *The Methodists and Revolutionary America, 1760-1800* (Princeton: Princeton University Press, 2000) 50, 54, 61, 123-150.

⁴¹¹ Francis Asbury Mood, *Methodism in Charleston: A Narrative of the Chief Events Relating to the rise and progress of the Methodist Episcopal Church in Charleston, S.C.* (Nashville: E. Stevenson & J.E. Evans, 1865) 42-45, 86-88.

tried to establish a ministry before moving on to the United States. Hammet fell ill on the journey and he remained in Charleston to recover. While he convalesced, Hammet ministered to local Methodists. Initially, Coke and Asbury were happy to support Hammet's work, counting on him to be their ally in the American South. However, Asbury and Coke overestimated Hammet's obedience. The bishops began to doubt Hammet's stability when they learned that Hammet had been positioning himself to move north, at the same time that he insisted that Asbury and Coke allow him to stay in Charleston. Concerned with Hammet's deception, Asbury and Coke removed Hammet from the Charleston circuit.⁴¹²

Hammet, who had become socialized into the urban church setting where congregations were fighting for autonomy and constitutional rights, began to condemn Asbury as a monarchical tyrant. He admonished his fellow Methodists for giving Asbury "an unlimited power" which had allowed Asbury to "rival their chains on them and their posterity." Hammet remarked in his personal journal, "It is a matter of surprise, that the Americans, who before the War, could not bear the Idea of a Bishop, can suffer themselves to be trammelled with the most rigid Episcopacy in the world except that of the Church of Rome!!!" In the fall of 1791, Hammet fell out with Coke and broke away from Charleston's Cumberland Methodist Episcopal Church. He started his own brand of Methodism, which he called primitive Methodism, centered in his new Trinity Methodist Church.⁴¹³

⁴¹² Hammet's contemporary, Methodist itinerant Jesse Lee, described the conflict in Charleston in his journals. See Leroy Lee, *The Life and Times of the Rev. Jesse Lee* (Nashville: Southern Methodist Publishing House, 1860), 316-317.

⁴¹³ February 24, 1793, Diary of William Hammet, in William Hammet Papers, 1787-1825, SCL.

Hammet found that the question of slavery was critical as he tried to build his church in a way that connected Methodist doctrine and discipline with his perceptions of the wider values of the community. Trinity Methodist and Cumberland Methodist Episcopal were especially popular among slaves and free blacks from the city and its environs because the churches freely baptized blacks and encouraged both blacks and whites to take on roles of spiritual leadership. Hammet noted in April of 1793 that his congregation had 100 white members and 114 black members. That month alone he baptized twelve new black congregants. Throughout the first decades of the nineteenth century, Charleston's Methodist church attracted both white and black adherents. For example, in 1811, 81 new white members and 415 black members joined Methodist churches in the city.⁴¹⁴

Hammet had broken away from the Methodist orthodoxy to create a church reflecting his personal ambition and was more structurally similar to that of his neighbors. However, he regularly became the whipping boy for white anxieties about black Christianity and about blacks creating autonomous spaces within religious societies. On a number of occasions, white Charlestonians reacting to the Methodist Church's willingness to minister to slaves and free blacks verbally and physically assaulted Hammet. In one instance, Hammet reported meeting Philip Hart, a prominent member of the Jewish community and a slave trader, on the street. Hart, incensed at Hammet for allegedly allowing his slaves to attend services and take communion at Trinity Methodist, publicly beat the minister in the street.⁴¹⁵

⁴¹⁴ April 14, 1793; April 21, 1793, Diary of William Hammet, SCL; Mood, *Methodism in Charleston*, 116-118.

⁴¹⁵ May 14, 1793; August 26, 1793; August 27, 1793; August 29, 1793; September 5, 1793; September 22, 1793

Fundamentally, Hammet was confused by these hostile welcome parties. He had no intention of posing as an anti-slavery activist. He reflected on the institution in his diary:

My thoughts on slavery, as to its lawfulness or unlawfulness, are few on this occasion. I cannot think the trade justifiable on general principles, but in a country where the custom has been handed down from generation to generation, and where free people cannot be hired as servants, and servants are necessary it is as innocent to hold as to hire slaves, and rather more so, as a good man may render his slaves every opportunity of improvement and may free them if he please, whereas if fired the money goes to extravagances.

While Hammet never stopped ministering to blacks or baptizing blacks into his church, his views on slavery quickly hardened. He claimed to oppose the slave trade, but he did not see anything wrong with enslaving men and women to work as servants. By 1795 he had even become a slave owner himself.⁴¹⁶

Hammet revealed in his personal diary that some members of his congregation did object to his decision to purchase and own slaves. The minister responded to his critics by “overthrow[ing] our church government.” Hammet, who had been a vocal critic of Asbury’s hierarchical church, ran Trinity Methodist with an iron grip. He dissolved the board of trustees, rewrote the constitution and restructured the corporation to include only “the Minister and pew renters.” He held the church property in his name rather than in the name of the corporation, and he bequeathed the property and funds to his deputy after his death.⁴¹⁷

Though his governing style was questionable, Hammet’s staunch proslavery agenda set a pattern for Charleston Methodists. Over the course of the following years, they would be able to ally themselves with elite interests in the city by making slavery the main focus of conversations about religious authority, rather than the peculiarities of

⁴¹⁶ November 2, 1793; January 15, 1795; Diary of William Hammet, SCL.

⁴¹⁷ January 18, 1795, Diary of William Hammet, SCL.

Methodist orthodoxy or Hammet's own self-aggrandizing. In fact, Charleston Methodists stood at the forefront of developing extralegal strategies to reinforce restrictions on black autonomy. In 1815, the Methodist Church ended its practice of permitting blacks to host their own conferences, separate from white meetings. In part, white Methodist leaders claimed they were concerned that free black lay leaders were diverting the funds they collected at their conferences to purchase the freedom of enslaved congregants.⁴¹⁸

Frustrated by the church's new coercive measures, in 1817 over 4,000 enslaved and free black Methodists, about four-fifths of the total population of the church, left to form their own congregation: Zion African Methodist Episcopal. The members of AME remained strikingly sensitive to their precarious place as the city's only autonomous black church and they made a point to assure their white neighbors that their community was not a threat to the status quo. Free black leaders petitioned the state legislature for official permission before they began gathering in their newly constructed meetinghouse. The petitioners assured the state that they would always keep the doors open during services, that they would always welcome white ministers and guests, that they would not allow slaves to become members unless their masters specifically sanctioned it, and that they would not harbor radicals from out of state. Ministers from Charleston's Presbyterian and Congregationalists churches enthusiastically supported the new church, convinced that any movement of public piety was promising. Nevertheless, on several occasions, white authorities invaded AME meetings and arrested all of the worshippers. City officials and residents harassed the new congregation, trying to shut it down.⁴¹⁹

⁴¹⁸ Lacy Ford, *Deliver us from Evil: The Slavery Question in the Old South* (Oxford and New York: Oxford University Press, 2009) 181-182.

⁴¹⁹ *Ibid.*

Likewise, white Methodists instigated creative projects to demonstrate that even though their denomination hosted the only autonomous black church in the region, they staunchly objected to any degree of black independence or self-government. For example, in 1821, Benjamin Hammet, William Hammet's son, initiated a scurrilous lawsuit against the Connecticut-born Methodist itinerant and passionate abolitionist, Lorenzo Dow. In the tradition of John Wesley, Francis Asbury, and other Methodist divines, in 1804 Dow had published a volume of his memoirs based on the diary he had kept while traveling through the country on a preaching mission. In his reflections about his journey through Charleston at the end of the eighteenth century, Dow mentioned that Hammet had "made crooked work" of his church and he reported that he had heard rumors that William Hammet was a notorious drunkard. Seventeen years after Dow published his memoir, Benjamin Hammet sued Dow for libel, arguing that Dow had spread malicious slander about his father's legacy.⁴²⁰

The trial was largely symbolic. The legal grounds were shaky and the court had no real jurisdiction over the quarrel. Lorenzo Dow petitioned that the case should be moved to federal court, since he was not from South Carolina, nor had he published his memoirs there. Unconcerned that they might be overstepping their authority, the city court refused to let the case drop. Testifying before the court, Dow argued that he had never known Hammet personally, that he had "no ground for malicious feelings toward him," and that he had no intention to offend. In his writings he had only acted as "an historian," who did not witness the facts, "but communicates them according to the evidence he has, as given to him." The district attorney representing the Hammets demanded that William Hammet's memory trumped Dow's freedom of speech. When

⁴²⁰ Lorenzo Dow, *The Life and Travels of Lorenzo Dow* (Hartford: Lincoln and Gleason, 1804), 146, 192.

Dow put the words into print, the DA argued, the “form is permanent, it may not only outlive the generation, but may live to the end of the world, and not only destroy the reputation of the person attacked, but may entail disgrace on his posterity to the remotest generations.” The judge ruled in favor of Hammet, stating his opinion that Dow had tried to hide behind “a religious cast” in order to speak ill of the dead. Charleston newspapers slung mud at political opponents and competing religious sects on a daily basis with no consequences, but a seventeen-year-old, two-line critique from a Connecticut abolitionist fired up the city’s courts.⁴²¹

Dow’s punishment was also largely symbolic. The judge sentenced Dow to twenty-four hours in jail and a steep fine. South Carolina Governor Thomas Bennett Jr. immediately stepped in and released Dow from jail and waived his fine. While Bennett was more Southern paternalist than radical abolitionist, he did harbor some abolitionist sympathies. He suspected that slavery was a necessary evil, but hoped that economic necessity and westward expansion would soon lead to its end. Bennett had spoken openly that same year, denouncing the traffic in slaves and two years earlier in the state legislature he had cast one of only ten votes against reopening the slave trade in the state. It is likely that Governor Bennett recognized that the case had no grounds and that it was a flagrant stab at a northern abolitionist.⁴²²

Ultimately, Dow and the elder Hammet had no real quarrel. In fact, the two men shared many of the same beliefs about church government. Like Hammet, Dow attacked the hierarchical structures of the Methodist Church, and railed against “the despotic

⁴²¹ Lorenzo Dow, *The Stranger in Charleston: or the Trial and Confession of Lorenzo Dow, Addressed to the United States in General, and South Carolina in Particular* (Boston: Printed for the Purchaser, 1821) 11, 24-25, 74-75, 80-81, 87-88.

⁴²² Ford, *Deliver us from Evil*, 192.

government too much exercised everywhere among the clergy.” Dow was even a champion of the primitive Methodism Hammet had established Charleston.⁴²³ All the same, Dow’s name was tarnished in the South as a libeler, a liar, and a threat to peace and stability. Though their sister congregation AME Zion was successfully raising funds, constructing their own building, and poaching members from other churches, through the trial white Charleston Methodists fortified their credentials as a powerful force against abolitionism.

The following year, in the summer of 1822, white Charlestonians accused Denmark Vesey, a free black member of AME Zion, of masterminding a plot to lead thousands of black South Carolinians in open rebellion. Charleston authorities caught wind of a plot from a third-hand rumor, and quickly acted upon the report. After possibly intimidating and threatening the accused plotters, some named names. In the end, city authorities tried, convicted, and executed 35 and deported 34 free and enslaved blacks who white authorities suspected had been the leaders of the insurrection.

Significantly, recent historians have argued that no such plot actually existed, and if it did, city authorities overestimated its scope.⁴²⁴ Even contemporaries suspected that ambitious and fearful city leaders took advantage of the situation to scaremonger.

Shortly after the trial, Governor Thomas Bennett published a commentary in the

⁴²³ Nathan Hatch, *The Democratization of American Christianity*, (New Haven: Yale University Press, 1989) 131-132.

⁴²⁴ Historians Michael Johnson and Richard Wade argued against the reality of a slave insurrection, proposing a combination of small acts of rebellion on the part of Charleston blacks, and harsh interrogation techniques to force confessions among white authorities. Richard Wade, “The Vesey Plot: A Reconsideration,” *Journal of Southern History* 30 (May 1964) 143, 148; Michael P. Johnson, “Denmark Vesey and His Co-Conspirators,” *William and Mary Quarterly*, 3d ser., 58, no. 4 (October 2001): 915-976. On the other side, Douglas Egerton and James O’Neil Spady have argued that a slave conspiracy did, in fact, take place, or at least that white officials firmly believed it had taken place. Douglas Egerton, *He Shall Go Free: the Lives of Denmark Vesey* (Lanham, Maryland: Rowman & Littlefield Publishers, 2004) 240; James O’Neil Spady, “Power and Confession: On the Credibility of the Earliest Reports of the Denmark Vesey Slave Conspiracy,” *The William and Mary Quarterly*, Vol. 68, No. 2 (April 2011) 287-304.

Charleston Courier where he acknowledged an insurrection scare in Charleston, but insisted that city officials had exaggerated the threat and issued punishments to Vesey and his supposed conspirators beyond the scope of the evidence.⁴²⁵

Though the insurrection has never been authenticated, the uprising reverberated throughout the American South. The Denmark Vesey plot was an important turning point in the city. In pamphlets, newspapers and personal correspondence, South Carolinians formally communicated what historian Edward Pearson has described as “an early articulation of proslavery thought in the early republic.” Southerners imagined that the plot was only the beginning of a full-scale rebellion on the magnitude of the Haitian Revolution. Rumors flew that the conspirators had planned to poison the city’s wells, murder whites in their beds, and rape women.⁴²⁶

Interrogators of the plot suspected that AME had been the headquarters of the rebellion. James Hamilton, the city intendant, was convinced that “religious fanaticism” was the root cause of the insurrection. He even implicitly accused whites who had supported AME of facilitating the rebellion, charging that they had permitted the improper supervision of black Christianity. The city razed the church and set the legal machinery in motion to outlaw black churches. While some members from AME returned to the white Methodist church, many of them spurned their former home, joining First Scots Presbyterian instead.⁴²⁷

Since AME featured so heavily in Charlestonians’ perception of the events, religious leaders in Charleston contributed to the response to the plot. In the wake of the

⁴²⁵ Ford, *Deliver us from Evil*, 228.

⁴²⁶ Edward Pearsons, *Designs against Charleston: the Trial Record of the Denmark Vesey Slave Conspiracy of 1822* (Chapel Hill: University of North Carolina Press, 1999) 154; Ford, *Deliver us from Evil*, 226-227.

⁴²⁷ Mood, *Methodism in Charleston*, 133; Ford, *Deliver us from Evil*, 232.

insurrection scare, Episcopal ministers Fredrick Dalcho and Theodore Dehon were adamant that blacks should not have their own, autonomous institutions. In their eyes, the alleged plot was proof that only rigorous religious training under constant oversight from whites would make blacks obedient, tame their “malignant passions,” their “ignorance and superstition,” and safeguard against rebellion.⁴²⁸

These men exploited the fear and suspicion surrounding the affair to promote their churches. The Episcopalian leaders were especially proud that few, if any, black members from their churches were found guilty. They took it to mean that their churches’ particular laws and traditions successfully reinforced the proper order of society and that their institutions should hold an exalted place in the community. For example, St. Michael’s rector Theodore Dehon mused that while attending the Episcopal Church, blacks must have received a “general character for orderly conduct...attributed to the excellent foundation which was laid for their moral and religious instruction.”⁴²⁹ Likewise, the St. Philip’s vestry board noted, “during the insurrection of the Negroes in Charleston in 1822, not one belonging to the Episcopal Church [was] found in the ranks of the Insurgents.” In fact, the slave who had reported the alleged plot attended St. Philip’s. Consequently, the clergy and lay leaders “felt assured that [black members] are at least as well instructed in their moral & religious duties in the Episcopal Churches as in those of any other denomination of Christians,” boasting that St. Philip’s black members were “the most orderly & well behaved in this Community.”⁴³⁰ Despite their confidence, the St. Michael’s vestry board passed a resolution prohibiting blacks from attending the church’s Independence Day ceremonies, even placing a guard at each door “to prevent

⁴²⁸ Pearsons, *Designs against Charleston*, 157-158.

⁴²⁹ *Ibid.*

⁴³⁰ August 22, 1828, *Journal of the Proceedings of St. Philip’s Church, 1823-1831*, SCL, 98-104.

the introduction of people of Colour.” The vestry hinted that they thought it was unwise to allow slaves to listen any speeches about independence in the wake of the crisis.⁴³¹

Another group of the city’s ministers took a different approach. Congregationalist Benjamin Palmer, Presbyterians Arthur Buist and Artemis Boies, and Baptist Richard Furman feared that the affair would turn Southerners against efforts to Christianize slaves and minister to blacks. Collectively using the infrastructure of the Charleston Bible Society, the men petitioned the government, lobbying the legislature not to pass any measures limiting blacks’ access to scripture and religious instruction. At the same time, the clergymen were perfectly aware that in order to convince the government and the public of the urgent need to continue their missions, they had to be clear that they did indeed support the institution of slavery. In a circular letter sponsored by the Charleston Bible Society but most likely penned by Richard Furman, the group condemned the “late scheme of massacre,” calling it “madness,” “folly,” and “Wickedness.” Specifically, they argued that slave owners could be good Christians and that Christians could be good slaves, asserting that they had “no doubts concerning the Moral & Religious Right of holding slaves, lawfully obtained.” Establishing their credentials, the circular letter urged Charlestonians to continue to promote Christian education for slaves and free blacks, insisting that participating in religious activity was “a good influence on the general state of Society, by the promotion of good morals, as well as Piety among that Class of People.”⁴³²

⁴³¹ June 30, 1822, *Minute Book, St. Michael’s Church, 1759-1824*, SCL, 467.

⁴³² September 23, 1822, Charles C. Pinkney to Governor Thomas Bennett Ford, Charleston Bible Society Records, 1815-2010, SCHS, 43; *Deliver us from Evil*, 254.

Significantly, Furman, Palmer, Buist, Boies, and their colleagues in the Charleston Bible Society, echoing their Episcopal colleagues Dalcho and Dehon, placed the blame for any treacherous activity squarely on AME:

Though it is true that a considerable Number of the Persons who were concerned in the late Conspiracy professed to be of a religious character; yet it is also true, that the most leading Characters among them, & chief of the rest, were members of an irregular Association, which called itself the African Church...Whose Principles are formed on the Scheme of general Emancipation, which they are zealous advocates; & [which] they endeavour to support, by a misconstruction, or Perversion of the Scriptures.”⁴³³

The city’s religious leaders rallied around their shared condemnation of the African Church as the fundamental source of political instability, spiritual perversion, and social disunion. Through the crisis they found a common enemy that appeared far more threatening than radical evangelicalism or alternative forms of church government. The alleged Denmark Vesey insurrection did not end religious conflict among Protestant sects in the city, but it signaled a new theme in the quest for Christian union—race was a more significant factor than ritual or doctrine when defining religious difference and participating in publicly sanctioned organizations.

Nineteenth-century Methodist historian Francis Asbury Mood reported that after 1822, assaults and harassment against Charleston’s white Methodists ceased, and through the rest of the decade Methodist congregations were “generally large, attentive, and respectful.”⁴³⁴ Charleston Methodists were just as concerned with religious unity as their neighbors, and like many of their neighbors, Methodist lay leaders positioned themselves as part of a movement for religious unity by drawing attention to those whom the boundaries excluded. They focused attention on the place of blacks in the church, both welcoming them and insisting on their subordinate position. Whether trying to shape the

⁴³³ Ibid., Charleston Bible Society Records, 47-48.

⁴³⁴ Mood, *Methodism in Charleston*, 141.

definition of what particular doctrines or beliefs constituted universal religion, or emphasizing who was excluded from Christian Union, Protestants and non-Protestants alike reinforced that invoking unity was fundamentally competitive. Consistently posing as stalwart soldiers in the movement to entrench racial slavery in the United States, Charleston Methodists were able to simultaneously preserve many unique features of their rituals and organization and portray themselves as a central institution in the city's public culture.

IV. The Reformed Society of Israelites

Early national American Jews also explored the question of how the new political and cultural environment changed the terms of their worship. Some American Jews suspected that their ancestors had developed many of their rituals and traditions in order to survive persecution in dangerous environments. Reformers proposed that in the post-revolutionary United States, the times were ripe for change. Jews in New York and Charleston had powerful new tools at their disposal to assert themselves as irreplaceable partners in a national project to forge a nation united by its beliefs: constitutional guarantees, access to print, and a culture concerned with religious unity. However, like their non-Protestant neighbors, Jews had an added challenge. Their negotiations pointed to an ever-present contradiction between legal pluralism—that is, the constitutional guarantees of equality under the law, and local pluralism—the ways in which diverse communities actually competed and coexisted on a local level. Jews in Charleston and New York consistently faced the contradictions embedded within the promise of their liberal reforms.

In 1784, the board of trustees of Congregation Shearith Israel in New York sent their blessings to the new state governor, George Clinton. The trustees reminded the governor of their congregation's contributions in the colonial era and their unwavering support for the Revolution and swore allegiance to the new government, especially proud that the New York state constitution extended religious liberty to Jews. The congregation phrased their moral commitment to the state in spiritual terms, but they stressed a common legal culture rather than a fragmented religious culture. Combining language from seventeenth-century Puritan covenant theology, the Hebrew Bible, and Jewish liturgy, they thanked the "Almighty Arbiter of Events," the "Divine Legislator," and the "Supreme Governor of the Universe," for Clinton's success, the strength of the nation, and their own role as good citizens. In their letter, New York Jews were establishing that, like Protestant Americans, they could publicly call on shared terms and symbols in order to establish that Jews were partners, not subordinates, in the mission to secure the nation's political and moral future.⁴³⁵

Jews in Charleston took the message even further in a campaign for union and unity. In 1824, a large community from the Jewish congregation Kahal Kadosh Beth Elohim, perhaps as many as 200 out of the congregation's total population of about 600, joined together in a movement that would change the face of American Judaism. The group, calling themselves the Reformed Society of Israelites, embarked on a project to impose simple, yet substantial reforms on Jewish worship in the United States.

Charleston Jews had integrated themselves into the city's political, social, and cultural

⁴³⁵ "Address of Israelites to Governor George Clinton, signed and presented by Hayman Levy, Myer Myers and Isaac Moses, in January 1784, pursuant to a Resolution of Congregation Shearith Israel, December 9, 1783" in Jacques Judah Lyons et al., *The Lyons Collection* Vol .II No. 27 (Publication of the American Jewish Historical Society), AJHS, 33-34.

life since the late seventeenth century. Most had strong roots in the region and had spoken English as their native language for several generations. Raised in a culture of religious reform, the younger generation in particular continued to advance ideas about how to make their worship more consistent with the contemporary environment. Members of the Reformed Society of Israelites wanted to worship in English, rather than Hebrew, or at least use English alongside Hebrew. They wanted to shorten the services, include a discourse or a sermon, and integrate more music into their worship. These reforms became the basis of Reform Judaism in the United States.⁴³⁶

During the first anniversary celebrations for the Reformed Society of Israelites in 1825, Isaac Harby, one of the founders of the society, delivered a moving address, touching on the subject of union. The text was later published and circulated as a pamphlet. Isaac Harby was one of Charleston's prominent newspaper editors, and throughout his career he published a number of the city's successful periodicals. In his speech, Harby insisted that certain facets of Jewish *worship* were not essential to the Jewish *faith*. These points of worship were merely conventions that Jews had embraced in the past in order to secure their faith and identity in hostile environments when they had needed to survive and coexist under foreign governments and cultures. Since American Jews were no longer in a hostile environment, they had the opportunity "to abolish [those] profane offerings."⁴³⁷

⁴³⁶ Michael Meyer, *Response to Modernity: a History of the Reform Movement in Judaism* (Detroit: Wayne State University Press, 1995) 228. Deborah Dash Moore observes a generational divide between Charleston Jews who joined the Reformed Society of Israelites and those who did not, Deborah Dash Moore, "Freedom's Fruit: the Americanization of an Old-time Religion," in Theodore Rosengarten and Dale Rosengarten eds., *A Portion of the People: Three Hundred Years of Southern Jewish Life* (Columbia: University of South Carolina Press, 2002) 10-20.

⁴³⁷ Isaac Harby, "A Discourse Delivered in Charleston, S.C. on the 21st of Nov. 1825, Before the Reformed Society of Israelites, for Promoting True Principles of Judaism According to its Purity and Spirit, on their First Anniversary," (Charleston, Printed by A.E. Miller, 1825), 5.

Harby and his colleagues suspected that when they stripped away all of the unnecessary conventions, they would find that their fundamental beliefs were, in fact, the universal, shared beliefs that would provide the foundation for American morals. Jews wanted the same thing as their neighbors: “true piety,” a faith “free from human error,” and religious institutions suited to “the circumstances of the times in which we live, and of the country in which we enjoy our liberties.” Charleston Jews would not be prisoners of “timidity or ignorance.” They would worship according to their conscience and exercise their inalienable rights protected by the “equality of law.”⁴³⁸

Importantly, Harby viewed the Society’s reforms as part of a larger movement to forge a nation united by its beliefs, not as an isolated movement to reform the Jewish tradition. The Reformed Society of Israelites proposed a bold new direction for Charleston Jews, a direction that many members of Beth Elohim opposed. Still, Harby was emphatic that the activities of the Society were not schismatic. They were not a breakaway group or renegade congregation. They were not seeking “the establishment of a new sect.” The Reformed Society of Israelites was paving the way to greater unity and union by participating in “the great cause of IMPROVEMENT in Government, in Religion, in Morals, [and] in Literature,” that were driving back “bigotry and despotism,” in “this happy land.” Harby was certain that, “Nothing causes men more to resemble each other, and to feel for each other, than EQUALITY OF RIGHTS. Prejudices vanish when we are not molested for them.” He predicted that the Reformed Society of Israelites would play a central role in the movement to end bigotry, prejudice, and therefore disunion forever by making their forms of worship consistent with their environment and supporting liberal freedoms. Similar to his contemporaries, Harby

⁴³⁸ Ibid., 3, 5, 24.

believed that liberal rights and republican government did not legitimize diversity; they were the key to ending difference.⁴³⁹

At the same time, Harby had no intention of stewarding the end or the dissolution of Judaism, even as he actively engaged in a pan-denominational exploration of religious unity. In fact, he attested that Jews were better positioned than any other denomination to fully realize unity and union. As Harby explained, over the centuries Jews had remained united in their faith, even as they found themselves “scattered over the whole earth by the winds of heaven, divided from each other by interminable oceans and trackless deserts.” Yet even in diaspora, Jews “preserv[ed] and venerat[ed] the religion, the customs, the antique simplicity, after a lapse of nearly eighteen hundred years.” For centuries, Jews had demonstrated that they could remain a united people and preserve a religious community and identity, despite “the manifold oppression” they had faced. In Harby’s eyes, Jews had proven their special capacity for union, concluding: “Let other systems of religion split into a thousand schisms.”⁴⁴⁰

When championing national religious unity, Harby made an implicit jab at Christianity. While Jews believed in a single instantiation of God, Christians believed in the Trinity, meaning that the Christian God was inherently divided into three parts. Jews, on the other hand, did not have to make an intellectual leap. Harby professed, “it is the glory of the Jewish faith that its followers worship ONE God...they regard only the God of the Fathers, the Lord of all creation, the Supreme Jehovah. This be your boast, this be

⁴³⁹ Ibid., 3, 5, 25.

⁴⁴⁰ Ibid., 5, 17-18.

your bond of union.” It was no wonder that Christianity was so fractured, Harby resolved, when Christians based their faith on a God with an identity crisis.⁴⁴¹

Harby was so certain that Jews were the quintessential people and Judaism was the quintessential faith to realize the national unity that had eluded all other American churches that he ended his speech with an even bolder assertion. Jews should stop seeking a homeland in Palestine—Israel existed in the United States. Harby confidently proclaimed, “Thus enjoying the natural and political blessings of our country, we are willing to repose in the belief that America truly is the land of promise spoken in our ancient Scriptures; that this is the region to which the children of Israel, if they are wise, will hasten to come.” In the United States Jews were not outsiders; they were spiritually tied to the land. Jews, who had already demonstrated a special capacity for unity, would be leaders in the project to secure the future of American morals, politics, and culture.⁴⁴²

In New York, Mordecai Noah, a prominent Jewish lay leader and popular newspaper editor, anticipated Harby’s sentiments. Delivering a speech at the 1818 consecration of the new synagogue for the congregation Shearith Israel, Noah naturalized, or rather, sanctified, Jews’ presence in the United States. He was convinced that Jews had every right to assert themselves as inalienable, natural, and God-sent members of the polity. Noah enthusiastically proclaimed to Shearith Israel that the Jews were “the first nation who acknowledge[d] the unity of God.” As a result, they would be the last group to “Share his attributes with mortals,” meaning that Jews had proceeded

⁴⁴¹ Ibid., 5. It is not an accident that Harby’s defense of Judaism sounds similar to Samuel Gilman’s defense of Unitarianism. Jonathan Sarna discusses the connection between reform Judaism and Unitarians in Jonathan D. Sarna, “The American Jewish Response to Nineteenth-Century Christian Missions,” in *The Journal of American History*, Vol. 68. No. 1 (June 1981) 44-45; and Jonathan D. Sarna, *American Judaism: a History* (New Haven: Yale University Press, 2004) 132-133.

⁴⁴² Harby, “Discourse,” 27.

Christians and they would ultimately outlast them. Noah postulated that for too long Jews had been forced to think only about the future, not the present, a requirement in an environment of constant persecution. Miraculously, Noah predicted, their day had finally come. In the United States, “dignity is blended with equality,” and “no invidious distinctions exist.” Noah declared that God, “whose unity and omnipotence we have acknowledged and defended,” had led the “chosen people to this land of toleration and liberal principles.” Like Harby, Noah was convinced that Jews had found a homeland in the United States, heralding, “Until the Jews can recover their ancient rights and dominions, and take their ranks among the governments of the earth; this is their chosen country.”⁴⁴³

Mordecai Noah was both an appropriate and a controversial figure to lecture Jews about their place in American society. Noah had a long personal history negotiating how and where Jews fit in the polity. Born in Philadelphia, he spent his adolescence in Charleston where he cultivated commercial, political, and literary aspirations. After developing a career in trade and in the print business, he committed himself to politics. In 1813, Noah became the first Jew to hold a U.S. diplomatic position when he accepted a post as the consul to the kingdom of Tunis. Noah’s diplomatic career was short lived. In 1815, the secretary of state, James Monroe, removed him from his post.⁴⁴⁴

Monroe defended his decision by making two seemingly contradictory statements. He was adamant that Noah’s removal had nothing to do with anti-Semitism, even while he maintained that Noah’s religion prevented him from doing the job. First, Monroe

⁴⁴³ Mordecai Noah, “Discourse Delivered at the Consecration of the Synagogue of K.K. Shearith Israel: in the City of New-York, on Friday, the 10th of Nisan, 5578, Corresponding with the 17th of April, 1818,” (New York: Printed by C. S. Van Winkle, 1818) 3, 9, 10, 19.

⁴⁴⁴ Jonathan Sarna, *Jacksonian Jew: the Two Worlds of Mordecai Noah* (New York and London: Holmes & Meier, 1981) 1-34.

stated that the diplomatic core learned that Noah's religion was an "obstacle to the exercise of [his] consular functions." Second, the secretary of state hedged, "the religion of Mr. Noah, so far as it relates to this government, formed no part of the motive to his recall." Monroe reconciled these two statements by explaining that everyone in the government was aware that Noah was Jewish, and that they had appointed him "with a knowledge of his religion." Unfortunately, the diplomatic core had not thought through how Noah's Tunisian hosts would receive the Jewish consular. The secretary of state maintained that the "prejudice of the Mahometan's and the Moors" against Jews made it impossible for Noah to continue in the post and represent the United State's interests in that part of the world. The problem, according to Monroe, was Muslim intolerance, not Christian intolerance.⁴⁴⁵

Noah quickly recovered from the event, perhaps because, according to historian Jonathan Sarna, Noah was not a faultless victim. While in Tunis he had been involved in flagrant mismanagement of the mission's funds. Back in civilian dress, Noah's new-found notoriety might have even helped him in the next phase of his life and career. Noah moved to New York in 1817, where he took the helm of *The National Advocate*. Noah allied himself with Democratic-Republican factions in the city, and his paper received generous patronage from Tammany Hall, the political machine that would influence New York Democratic politics throughout the nineteenth century.⁴⁴⁶

⁴⁴⁵ Quoted in Paul Johnson, *A history of the Jews* (New York: HarperCollins, 1998), 376; James Monroe to Mordecai Noah, October 16, 1816, Mordecai Manuel Noah; P-75, Box 1, Folder 1, AJHS; Noah reacted to his dismissal by going on the offensive. He circulated a pamphlet titled *Travels in England, France, Spain and the Barbary States in the Years 1813-14 and 15* (New York: Kirk and Mercein, 1819) publicizing the scandal, and calling on Jews and Christians alike to reproach the government for his treatment.

⁴⁴⁶ Sarna, *Jacksonian Jew*, 15-37.

Noah's dismissal from the Foreign Service vividly illustrated how many Americans understood the promises and limits of the United States as a tolerant nation. Noah received an outpouring of support after his dismissal. Friends cried that Noah's recall set a bad precedent. One of Noah's supporters contended that "being [of] the Jewish faith is considered by Mr. Monroe as an objection to...representing the U.S. in a foreign country."⁴⁴⁷ Noah's friend made an important point. If the United States upheld Jews' rights as citizens to serve their country, but to ensure the safety of Jews, and for diplomatic efficacy, they refused to allow Jews to work for the government in places where the population broadly held anti-Jewish attitudes, then Jews would, for all intents and purposes, be unofficially excluded from the foreign services.

Noah, who throughout his career tried to bridge the gap between the demands of his faith and the demands of his political ambition, keenly recognized this contradiction. Noah constantly echoed the refrain that American Christians openly embraced Jews as equals. He continually insisted that Christianity and Christian missions were benign and no threat to American Jews. Noah was confident that in the United States, all people could "calculate upon the friendly protection and zealous cooperation of every liberal and tolerant man, without reference to his faith." Still, he admitted that his mission to prove to Jews that Christians were their allies and partners would be much easier if "less asperity of opinion flowed from the ministers of a religion [which was otherwise] mild, persuasive, and tolerant."⁴⁴⁸

After reading a copy of Noah's 1818 "Discourse on the Consecration of the Synagogue," Thomas Jefferson sent Noah a letter agreeing with his assessment that the

⁴⁴⁷ South Carolina 1780 to 1781; Mordecai Manuel Noah Papers; P-75, box 1, folder1, AJHS.

⁴⁴⁸ Noah, "Discourse," 24.

U.S. still had a long way to go to bridge the gap between legal and local pluralism. Jefferson mused that while the laws were good, “Public opinion erects itself into an inquisition,” and that “prejudice still scowl[s] on your section of religion.” Jefferson hoped that in the future, “individual dispositions will at length mold themselves to the model of the law,” and that eventually, there would be a “reformation” of “public opinion” where differences in religion really would cease to structure social relationships. Jefferson agreed that the Christian public still had a long way to go before they materially recognized Jews as equals.⁴⁴⁹

Seemingly illustrating Jefferson’s observations, Protestants regularly parsed law and public opinion. Throughout the early nineteenth century, Protestant commentators conflated the concepts “Christian” and “civilized.” The conflation of these two terms has a long history in European and American justifications for empire and would continue to validate white Americans’ treatment of and policies toward Native Americans and other people of color at home and abroad in the nineteenth and twentieth centuries. However, early nineteenth century commentators increasingly used this language in discussions linking politics and morals. One commentator on the War of 1812 lamented the “sorrowful spectacle” that threw the “whole *civilized* world—the whole *Christian* world” into a “state of war.”⁴⁵⁰ James Madison railed against the English policy of impressment, insisting that, “the general tendencies of these demoralizing and disorganizing contrivances will be reprobated by the civilized and Christian world.”⁴⁵¹ The editors of *The Southern Evangelical Intelligencer* confidently asserted in an editorial that the

⁴⁴⁹ Thomas Jefferson to Mordecai Noah, May 28, 1818; Mordecai Manuel Noah Papers; P-75; box 1, folder 5, AJHS.

⁴⁵⁰ “Christian” *Western Star, and Harp of Erin*, New York, October 31, 1812, Vol 1, 199.

⁴⁵¹ *New-York Gazette*, New York, March 2, 1813.

mission of their newspaper would appeal to “every portion of the civilized and Christian world,” who felt, “this interest in the advancement of divine truth.”⁴⁵² Protestant writers demonstrated that popular exclusion was just as powerful and prevalent as legal exclusion, discursively pitting Christian Americans against the rest of the world. Normalizing this turn of phrase, Protestant commentators, wittingly or not, advanced a model to understand American politics that whitewashed the urban pluralism that most of these writers would have personally encountered and considered.

This model for explaining American politics was so ubiquitous that even Jews adopted this language. Mordecai Noah explained to Thomas Jefferson in his reply to the former president in 1818, “There are few in the Civilized, or if you please in the Christian world that can boast of having reached forth the hand of assistance towards these unfortunate and persecuted people [the Jews].”⁴⁵³ When Noah coopted the trope “Christian or civilized,” he reinforced that Protestants and Jews belonged to a shared culture of political, religious, and social reform. Noah’s adoption of the trope suggested that he meant to prove to Jefferson that he understood that “Christian” was merely a turn of phrase, and if he used it as well, then the concept could not be used against him. At the same time, these shared competitive strategies had their critics. Jewish newspaper editor Isaac Leeser was particularly skeptical of the conflation of “Christian” and civilized.” Leeser was certain that the assumption underlying the rhetoric was that universal religion only applied to Protestants, and there were limits around who and what constituted the Christian, or “civilized” public.⁴⁵⁴

⁴⁵² “Evangelical Intelligencer,” *The Southern Evangelical Intelligencer*. Charleston, April 3, 1819.

⁴⁵³ Mordecai Noah to Thomas Jefferson in Joseph L. Blau and Salo W. Barons (eds.), *The Jews of the United States 1790-1840: A Documentary History* (New York, 1963), I, 241.

⁴⁵⁴ Jonathan Sarna, *Jacksonian Jew: The Two Worlds of Mordecai Noah*, 133.

While conversations about religious universals were as popular and as powerful among Jews as they were among Reformed Protestants, they were just as layered and fraught. Reform Judaism in the United States emerged in this context of competitive inquiry.⁴⁵⁵ Jews like Harby and Noah voluntarily and emphatically engaged in the pan-denominational discussions about how to forge a nation united by its belief. They hoped to shift the terms in ways that would allow them to assert their place within the polity by expanding the boundaries of universal religion to contain Jews as well as Protestants. In reality, throughout the first three decades of the nineteenth century, Jews had to confront the fact that the tools they used in their reform projects were the same tools their competitors and critics used in their evangelical missions to keep them out.

V. Society for Meliorating the Condition of the Jews

Jews had reasons to be skeptical about Christian union. Many Protestant reformers were conflicted about the place of Jews in the polity. Popular millennial beliefs dictated that Israel had a special role in bringing about Christ's return to Earth. Some Protestant evangelicals suspected that Jews had to be restored to Israel before the Messiah would return. Once restored, they would suffer terrible persecution, but those who survived would accept Jesus as the Messiah on his return. This line of prophecy meant that Christians needed Jews if they were going to initiate the second coming of Christ.⁴⁵⁶

⁴⁵⁵ This broader American cultural movement for unity was just one of a number of impetus for reform Judaism. American Jews were also influenced by innovations taking place in Europe as well. See Meyer, *Response to Modernity*, 10-62.

⁴⁵⁶ Paul Boyer, *When Time Shall Be No More: Prophecy Belief in Modern American Culture* (Cambridge: The President Fellows of Harvard College, 1992) 183.

Another faction of Protestants also predicted that Jews would play a special role in American history, but they took a radically different approach. In 1823, a cohort of New York Protestant clergymen and lay leaders launched a new multi-denomination, nation-wide endeavor to reconsider how Jews fit in to American religious culture. They called their organization “The Society for Meliorating the Condition of the Jews.” The ASMCJ was based in New York and the founding members came from the upper echelons of the political and academic elite. Elias Boudinot, the former president of the Continental Congress, served as the society’s first president. Secretary of State John Quincy Adams, Peter Jay, William Philips, the governor of Massachusetts, future president James Buchanan, and former president John Adams, joined Boudinot to launch the project. Several clergymen also held leadership positions, including New York Dutch Reformed minister Philip Milledoler, who was currently serving as the president of Rutgers College, his colleague John Henry Livingston, Congregationalist Jeremiah Day, who was also the president of Yale, and Presbyterians Alex McLeod and Ashbel Green, the president of Princeton.⁴⁵⁷

Proclaiming that a spirit of liberality moved them and believing themselves to be “open-minded” and “free from prejudice,” the Protestant reformers radically proposed that Jews did not have to be restored to Israel to be full-fledged members of a united body of believers. Like Noah and Harby, they speculated that the United States was the new Promised Land, and that Jews and Christians could dissolve their differences immediately. The executive board of the ASMCJ regularly celebrated their great fortune,

⁴⁵⁷ David Gerber, “Cutting out Shylock: Elite Anti-Semitism and the Quest for Moral Order in the Mid-Nineteenth Century American Market Place,” in Jeffery Gurock, ed. *American Jewish History: an Eight Volume Series* (New York: Routledge, 1998), 38; “Officers of the A.S.M.C.J.,” *Israel’s Advocate*, New York, NY: June 1823, 99.

enthusiastically proclaiming in their first annual report that they lived in a land where “bigotry has no power, and even *toleration* is not an appropriate term.” The ASM CJ regretted that Europe was too riddled with dogmatism to reach out to victims of religious violence. Fortunately, the United States was in a position to atone for the centuries of violence Christians had inflicted against Jews.⁴⁵⁸

The goal of the society was simple. The leaders of the ASM CJ were convinced that the best way to include Jews in the republic was to launch a large-scale mission to convert Jews to Christianity. In its early years the ASM CJ was jubilant about its mission. Members widely agreed that “the prejudice and bigotry of Christians ha[d] limited the spread of the Gospel,” but that Americans, living in a “land of civil and religious liberty,” could recognize that Jews were “an ornament to society.” The participants in the ASM CJ ignored the reality of urban diversity they inhabited to assert a front of American Christian unity in opposition to a Europe fractured by sectarianism, prejudice, and violence.⁴⁵⁹

The idea for the society came from Joseph Samuel Christian Frederick Frey. Frey, a Jewish convert to Christianity, or as he called himself, a “Hebrew Christian,” converted to Christianity when he was a student in his native Germany. He eventually left his home and traveled to London where he worked as a missionary. In London, Frey helped found the London Society for Promoting Christianity among the Jews. The organization became so popular that Anglican members wrestled control of the leadership away from the Lutheran and Reformed representatives who built the organization. In

⁴⁵⁸ “American Society for Meliorating the Condition of the Jews,” *Israel’s Advocate*, New York, NY: April 1823.

⁴⁵⁹ “Extract from a Sermon Delivered in Lichfield on the 14th of April, 1823,” *Israel’s Advocate*, NY, NY: August 1823, 121-121; *Israel’s Advocate*, NY, NY: June 1823, 82, 94;

1815 the Anglican leadership expelled dissenters. Rejected from his life's work, Frey traveled to the United States to start again. In New York, he became involved in the city's Presbyterian community. He considered accepting a call to become a minister in a New York Presbyterian Church, but eventually decided to continue his mission to the Jews.⁴⁶⁰

Frey's new Presbyterian colleagues eagerly joined him in his pet project. The collaborators believed that they had a unique opportunity to provide a new sort of mission, something that would be impossible in Europe. They would raise money to buy land on which they would develop a colony, or a "Christian Jewish settlement," where Jews could go to live out two separate but related conversions. First, in a remote settlement, Hebrew Christians could experience their religious conversion without harassment. The board of the ASM CJ lamented that Hebrew Christians would originally have to live in isolation, but they believed that it was for their own protection. According to the ASM CJ, the converts needed to be sheltered from the "ungodly lives of nominal Christians," and, unfortunately, "the want of kindness among many who are true and sincere Christians, but whose heart the Lord has not yet stirred up to compassion towards this afflicted nation." Just as critically, in the settlement Hebrew Christians would be protected from the scorn, bigotry, and prejudice they were sure to receive from the "Jewish brethren." Once on the settlement, Hebrew Christians would be able to experience a second conversion—they would learn how to be Americans. They would become skilled in a trade, which would allow them to enter American society after their

⁴⁶⁰ Joseph Samuel Christian Frederick Frey, *Narrative of the Rev. Joseph Samuel C.F. Frey* (New York: Printed for the Author, 1834) 22-26, 117-148; Jonathan Sarna explains that Frey also left London to avoid a scandal caused by rumors that he had seduced one of his converts. Jonathan Sarna, "The American Jewish Response to Nineteenth-Century Christian Missions," *The Journal of American History*, Vol. 68, No. 1 (Jun., 1981), 37.

stay in the colony with the tools to be thrift, industrious, and to prosper as good citizens.⁴⁶¹

The American Society for Meliorating the Condition of the Jews proved to be one of the most popular benevolent societies of the 1820s. The society originally called themselves the “Society for Colonizing and Evangelizing the Jews,” but they were forced to change it when they submitted their application for incorporation to the state of New York. The legislature vetoed their original name, not willing to look like they sponsored state-sanctioned evangelism. The legislature granted the act of incorporation renaming them, “The Society for Meliorating the Condition of the Jews.” The ASMCIJ immediately started a monthly magazine, *Israel’s Advocate*, to serve as the mouthpiece for the organization. By 1823, the ASMCIJ had spawned the creation of 46 auxiliary societies in twelve states up and down the eastern seaboard, from New Hampshire to South Carolina, and by 1825 the number of auxiliary societies ballooned to 213. Between March and April of 1823, the Baptist, Methodist, Presbyterian, Congregationalist, and Lutheran congregations in Charleston solicited their members, ultimately collecting \$626 for the mission. By 1826 the ASMCIJ had raised \$16,000 to support the settlement, which they used to buy a 500-acre farm in New York.⁴⁶²

In general, the ASMCIJ ignored American Jews—their aim was to convert European Jews and had little to say about the condition of Jews already in the U.S., or whose families had roots in colonial America. Still, American Jews responded to the

⁴⁶¹ Frey, *Narrative*, 151; *Israel’s Advocate*, New York, NY: January 1823, 1-9.

⁴⁶² Frey, *Narrative*, 157-159; Sarna, “The American Jewish Response,” 38; “List of Auxiliary Societies,” *Israel’s Advocate*, New York, NY: March 1823, 47; “List of Auxiliary Societies of the A.S.M.C.I.J.,” *Israel’s Advocate*, New York, NY, May 1823, 79; “Report of Auxiliary Societies,” *Israel’s Advocate*, New York, NY: July 1825, 100; “Proceedings of the American Society for Meliorating the Condition of the Jews: Animadversions on the Fifth Report of the Board of Directors,” *Israel’s Advocate*, New York; NY: July 1827, 101.

project in different ways. Solomon Henry Jackson, a notable Jewish printer and community leader, began a newspaper, *The Jew: Being a Defence of Judaism Against all Adversaries, and Particularly Against the Insidious Attacks of Israel's Advocate*, to counter the message the ASMCJ promoted in its periodical, *Israel's Advocate*. While Jackson assured his readers that he preferred to avoid controversy, he believed that:

Caution is now fear, and instead of being a virtue, is in truth a weakness. In the present enlightened age, not to defend Judaism would be considered a tacit acknowledgement that it was indefensible, or at least that we thought so. Not to defend our character as a people, as Jews, by repelling detraction, would be a dereliction of duty, an might be considered as a proof either that we had not a character worth defending, or that we despised the good opinion of our fellow citizens and of the world...⁴⁶³

Jackson's paper had the same message and motivation as Samuel Gilman's *Unitarian Defendant* and John England's *U.S. Catholic Miscellany*. Jews could not let Protestants betray them for the sake of their own unity, and they could not let Protestants control the conversation about national religion in a way that summarily excluded them.

Though Isaac Harby and his colleagues made no direct statement about the ASMCJ, the Protestant reformers in the ASMCJ were very interested in Charleston's Reformed Society of Israelites. *Israel's Advocate* published several commentaries about Harby and his colleagues in Charleston. The ASMCJ saw in the Charleston reforms proof that Jews welcomed their work. However, the timing of the inception of the Reformed Society of Israelites, and their efforts to forge a new style worship in the midst of the growth of the ASMCJ, constituted, in some sense, a response to the colonizers. It is not surprising that the Reformed Society of Israelites would use that same moment to remind Protestants of their clarion call, that rituals, ceremonies and forms of worship

⁴⁶³ "Preface," *The Jew: Being a Defence of Judaism Against all Adversaries, and Particularly Against the Insidious Attacks of Israel's Advocate*, ed. S.H. Jackson (New York: Printed by Johnston & Van Norderm, 1824), vii.

were less important than essential shared beliefs. When all around them Americans were simultaneously championing Jews and rejecting them, the reforms in Charleston were significant efforts on the part of Jews to assert that they were equals in a shared national and religious culture.⁴⁶⁴

Characteristically, Mordecai Noah coopted the model proposed by the ASM CJ, trying to reinforce that Christians and Jews were partners and never combatants. Noah responded by instigating a plan to start his own colony in upstate New York. In 1820, the same year that the ASM CJ requested its charter, Noah petitioned the New York state legislature to grant him ownership of Grand Isle, the largest piece of land in the Niagra River, slightly northwest of Buffalo. According to his petition, Noah wanted the land in order to build a settlement for “emigrants of the Jewish religion from Europe.” While the state legislature explained that it could not give preference to any religious sect, they could enthusiastically grant Noah the land as an “asylum to the unfortunate and persecuted.”⁴⁶⁵

Noah’s settlement, which he named Ararat, had religious and economic goals. Noah wanted Ararat to replace Buffalo as the economic hub of northern New York and the point of entrance of the Erie Canal. Ararat would also serve as a destination for persecuted European Jews to seek refuge in the United States. In 1825 Noah staged a consecration ceremony for the colony and laid the corner stone for his settlement. Notably, the ceremony took place in Buffalo, rather than on Grand Isle, because there

⁴⁶⁴ “To the President and Members of the Adjunta of Kaal Kadosh Beth Elohim of Charleston, South Carolina,” *Israel’s Advocate*, New York, NY: January 1826.

⁴⁶⁵ January 24 1820, “Mr. Ulshoeffter from the Select Committee to whom was Referred the Memorial of Mordecai M. Noah, to the city of New York, Relative to Purchase of Grand Island,” *Publications of the American Jewish Historical Society* (American Jewish Historical Society, 1908), Mordecai Manuel Noah Papers; P-75; Oversized Folder, AJHS.

was no sufficient transportation to the island. At the ceremony, Noah appointed himself “Governor and Judge of Israel.” He then issued a proclamation where he announced the restoration of a Jewish state on the island, which would precede the restoration of a wider Jewish state.⁴⁶⁶

Despite the fanfare, Noah abandoned the project after the corner-stone ceremony and he returned to New York City where he resumed his political and literary career, but he did not abandon his efforts to prove that the United States was the true holy land for the Jews. Though he had relinquished Ararat, Noah turned his attention to an investigation into the history and culture of Native Americans, hoping to authenticate that they were descendants of the lost tribes of Israel. Such a discovery would validate his claim that the United States was the Jewish homeland and that Jews were naturally part of the American polity.⁴⁶⁷

Generally unconcerned with the actual state of Judaism in the United States, throughout the first half of the 1820s the ASMCI pursued its mission to create a colony for European Jewish converts. However, even as auxiliary societies formed throughout the country, and as they collected more donations, members of the central governing board began to bicker over both the nuances and the substance of the settlement project.

⁴⁶⁶ “A Grand Design for Grand Island,” Mordecai Manuel Noah Papers; P-75; Box 1; Folder 11; American Jewish Historical Society; Mordecai Noah, “Noah’s Proclamation to World Jewry, September 15, 1825 and “Noah Launches to Colony of Ararat at Buffalo, September 15, 1825,” in Joseph Rader Marcus, *The Jew in the American World: a Source Book* (Detroit: Wayne State University Press, 1996), 180-181, 182-183. Jonathan Sarna argues that Noah’s colony did not receive much support from the Jewish community at large. He suggests that many Jews opposed his autocratic tendencies, especially after he appointed himself “governor and judge,” Sarna, *Jacksonian Jew*, 73.

⁴⁶⁷ Sarna, *Jacksonian Jew*, 135-136; Mordecai Manuel Noah, “Discourse on the Evidence of the American Indians Being the Descendants of the Lost Tribes of Israel,” (New York, 1837)

In one recurring quarrel, the board clashed over whether the colony should devote itself to agriculture or experiment with manufacturing.⁴⁶⁸

Sparking another internal conflict, John Henry Livingston, the vice president of the executive board and the most respected Dutch Reformed minister in the New York, grew increasingly critical of the project. Livingston supported the plan to evangelize the Jews, but he strongly opposed the colonization scheme. He asserted instead that the converts should immediately acculturate into Christian communities. Livingston was so certain that “every foot of land” in the United States had been “consecrated by liberty,” that Americans would welcome converts into their cities with open arms. Moreover, Livingston’s strongest objection arose from his concern about what type of Christianity the converts would practice in the colony. Here was a chance to manifest a community where everyone “agree[d] as to the essentials,” and where “Christians no longer contend about mere forms, ceremonies, and metaphysical doctrines.” Yet Livingston was skeptical that his colleagues could actually realize that vision when they had not yet achieved unity among themselves. Livingston feared that “our differences on lesser points are a great stumbling point to [the converts].”⁴⁶⁹

The real blow to the ASMCJ came when the Hebrew Christian converts began to doubt the project. Since its founding in 1820, at least four converted Jews requested leadership positions. Erasmus Simon, Elias Wold, J.C.G.A. Jacobi, and Bernard Jadownicky joined Joseph Frey, volunteering to travel around the country, speaking and

⁴⁶⁸ “American Society for Meliorating the Condition of the Jews,” *Israel’s Advocate*, New York, NY: January 1824.

⁴⁶⁹ “American Society for Meliorating the Condition of the Jews: Report Plan,” *Israel’s Advocate*, New York, NY: February 1824, 20; “Extract from a Sermon Delivered in Lichfield,” *Israel’s Advocate*, New York, NY: August 1823, 121-122; “The Jewish Expositor, & Friends of Israel,” *Israel’s Advocate*, New York: NY: September 1823, 138-139.

lobbying on behalf of the mission. The executive board even arranged to send Jadownicky to Princeton where he received theological training. The men's disillusionment stemmed from concerns about authority and sectarianism.⁴⁷⁰

Simon, Wold, Jacobi, and Jadownicky had hoped that in the colony the converts would be "a free community and church among ourselves." They wanted the rights and privileges of a corporate, constitutional church, including the right to choose their own ministers, manage their finances and property, and collaboratively choose their own style of worship. In a joint letter to the board, the four men pleaded, "Where is there...a community to whom the privileges of choosing their own minister, and managing their own spiritual affairs is denied?" The converts maintained that they did not want special treatment; they wanted the same church government that every other religious society claimed as their inalienable civil right. Agreeing with Livingston, the Hebrew Christian leaders predicted that if the converts did not exercise autonomous authority, the community would necessarily become sectarian. The ASM CJ would have to appoint a minister, and that minister would have been trained in a particular denomination. Their choice would reveal, once and for all, that the society really did have a sectarian bent, and the minister they chose would prove which sect they favored.⁴⁷¹

The executive board flatly denied the converts' request for self-government. They balked at the very idea of compromise, explaining that even if they wanted to, they could not turn over control of the settlement to the converts. The board lectured the converts that the ASM CJ was "responsible to the public." The public had entrusted the ASM CJ with their donations on the premise that the society would develop and manage a

⁴⁷⁰ "For Israel's Advocate Philander," *Israel's Advocate*, New York, NY: January 1824.

⁴⁷¹ "Proceedings of the American Society: the Temporal Concerns Shall Be Under the Direction of Spiritual Schools," *Israel's Advocate*, New York: NY, August 1825, 115-116.

settlement for Jewish converts. It would be unconstitutional and unethical to essentially give away donations made in good faith by the Society's supporters to fund an entirely different mission.⁴⁷²

In its early years, members of the ASM CJ affirmed that Christians needed to atone for centuries of persecution, and that Jews were an impressive people for maintaining their faith and preserving their communities in the face of constant violence. As the ASM CJ became more disjointed and fractured, attitudes toward Jews on display in the pages of the society's journals and reports shifted. The ASM CJ's governing board grew frustrated with Jews, insinuating that through their intransigence and double-dealing the converts had demonstrated that they were "of the wrong stamp" of people. They did not deserve the help that so many people had laboriously offered them. In fact, the converts were even proving that Jews might be unworthy of special aid and attention.⁴⁷³

By the end of 1825, Simon, Wold, Jacobi, and Jadownicky had broken ties with the ASM CJ. Joseph Frey followed in 1826. In fact, Frey abandoned his Presbyterian colleagues entirely. He rejected his infant baptism and presented himself as a candidate for the ministry in the Baptist Church. Like Noah, Frey was fascinated with Native Americans, suspecting that they were the link to the ancient Hebrews. Frey embarked on several preaching tours through the southern and western United States, before joining the faculty of the University of Michigan as the first professor of Hebrew. Erasmus Simon, one of the converts, followed the same path, looking for physical proof that American Indians were the tribes of Israel. Simon and his wife traveled to upstate New

⁴⁷² "Proceedings of the American Society: the Temporal Concerns Shall Be Under the Direction of Spiritual Schools," *Israel's Advocate*, New York: NY, August 1825, 122.

⁴⁷³ "Proceedings of the American Society: Report," *Israel's Advocate*," New York, NY: October 1825, 147-148.

York where they settled on Onondago territory, spending the rest of their lives trying to set up a mission for the Wyandots, Tuscaroras, Senecas, Mohawks, Oneidas, and Onondagos.⁴⁷⁴

Though the members of the ASMCJ could agree that the Hebrew Christians were incapable of practicing self-government, they never reached consensus about what constituted legitimate government in religious societies. In fact, the ministers and laymen guiding the organization were just as conflicted about appropriate government as they had been when their congregations incorporated and wrote constitutions forty years earlier. The ASMCJ even found itself at a total impasse concerning the organization's own constitution, specifically, whether a constitution could evolve and change. One faction, led by New York Presbyterian minister Gardiner Spring, led a coup of sorts. He and his supporters took over the leadership of the executive board and attempted to amend the constitution and impose a new mission: abandoning colonization and focusing instead on evangelism and aid.⁴⁷⁵

Spring and his colleagues believed that as new circumstances arose that a constitution did not anticipate, a group should revisit and reconsider the substance of its governing documents. The reformers recognized that their original dream of building a Hebrew Christian colony was untenable. Still committed to the project of "meliorating the condition of the Jews," they proposed that the society should modify their agenda and make more realistic goals. Concerned with proper procedure, the innovators wanted to

⁴⁷⁴ "Proceedings of the American Society: Report," *Israel's Advocate*, New York, NY: October 1825, 146; Frey, *Narrative*, 160-162; For Frey's interest in the ten tribes of Israel, see George Berlin, "Joseph SCF Frey, the Jews, and Early Nineteenth Century Millenarianism," in *The Journal of the Early Republic*, Vol. 1, No.1 (Spring, 1981) 41-42. For Frey's work at the University of Michigan, see Jacob R. Marcus, *United States Jewry* Vol 1. (Detroit: Wayne State University Press, 1989) 376. For Simon's work with the Onondago, see *The Meeting for Sufferings, Tracts Relative to the Aborigines* (London: Edward Marsh, 1843) 42.

⁴⁷⁵ "History of the Controversy," *Israel's Advocate*, New York, NY: February 1827, 17.

make sure their actions were constitutional and amend the document before they embarked on the new program. They had no hesitations about changing the constitution, believing that the constitution was supposed to serve the goals and ends of society.⁴⁷⁶

The opposing faction fought and ultimately rejected the proposed changes to the constitution. For the strict constructionists, constitutions were inviolable. The defenders of the ASMCJ's original colonizing mission argued that if the organization kept its corporate name, yet agreed that it could change its structure and goals whenever it wanted, then nothing stopped dissidents from completely betraying the public trust by using the reputation of the society to pursue projects that defied and contradicted its original purpose. For example, if they changed their goals one time, they could do it again and again, and ultimately, the strict constructionists teased, "what is to prevent the members from cooperating in building *Ararat*, with the first Judge of Israel, or from attending with Mr. Simon to the Indians." Members of the strict constructionist faction insisted that an organization or community could not refuse the constraints that it put upon itself in the first place, lamenting, "It is a bad state of society if persons voluntarily associated cannot act together, under the sanction of public law, without being in fear of ruin to their plans at the hands of Christian men, who subscribe to their Constitution."⁴⁷⁷

Ultimately, the strict constructionists resolved to "adhere to our constitution and charter." They maintained that when an organization incorporated in "this land of civil and religious liberty," its "certain and defined principles" were sanctioned by the law from the "highest judicial source." However, unlike the justifications for church

⁴⁷⁶ "Proceedings of the American Society: Report," *Israel's Advocate*, New York, NY: September 1826, 18; "History of the Controversy," *Israel's Advocate*, New York, NY: February 1827, 32; "History of the Controversy," *Israel's Advocate*, New York, NY: April, 1827, 51-57.

⁴⁷⁷ "History of the Controversy," *Israel's Advocate*, New York, NY: March 1827, 33.

constitutions a generation earlier, which focused on making churches partners with the civil sphere to ensure good government and the proper use of power and authority, the groups' explanation of corporations and constitutions conflated business and government:

Man is to be protected both from friend and force in all this lawful pursuit; and men have a right to associate for any object not forbidden by law, and to protection in its pursuits. The articles of every company place an obligation on all the partners, and the company is protected from associates who enter with intent to set aside the articles... If men may combine, with impunity, to put down one society, and alienate its resources, they may do so in other cases. They may conspire to defraud a bank, by becoming themselves, or by making their creatures stockholders. They may ruin a church by professing its creed, and taking its pews, and then overturning both its doctrine and its order... If the principle of true adherence to written compacts be set aside, then are all the nations in error in striving to obtain definite constitutions of civil government, and the reign of written laws, instead of the arbitrary will of one man, or body of men.

The strict constructionists hinted that while the meaning of constitutions and government still divided religious communities, beliefs about church constitutions had changed since religious societies adopted the documents in the 1780s and 1790s. The ASM CJ gestured to a potentially new understanding of religious societies' relationship with the state: religious societies adopted constitutions to protect themselves, their goals, and their values against inevitable change, not as engines of change.⁴⁷⁸

Embittered and broken, by 1825 the ASM CJ started to blame the Jews for their situation. They suggested that Christians needed to help Jews not because Christians needed to atone for the centuries of violence and persecution Christians had inflicted on Jews but because Jews were "poor" and "deluded" and had "rejected and denied" God. While they still believed that Jews needed Christian aid, the Society maintained it was because Jews had brought misery upon themselves, yet proved they could do nothing to help themselves. Moreover, since factions within the ASM CJ had argued so strongly that Americans needed to help the poor European Jews, they set themselves up for a backlash

⁴⁷⁸ "History of the Controversy," *Israel's Advocate*, New York, NY: June 1827, 84, 87.

of public approval. Critics concluded, “to incline many Israelites to emigrate, is, as hath already been said, not desirable.” One-time supporters became concerned that the mission would open the door to a flood of impoverished European Jews with no means to support themselves.⁴⁷⁹

By 1826, the executive board issued an official statement explaining:

The committee do not think that the cause of the Jews at the present day is so peculiar as to indicate the necessity of any new dispensation in their conversion authorizing a deviation from the plan which Christ established before he ascended up on high for the conversion of the whole world.

Members of the executive board even intimated that allowing Jews and Hebrew Christians the opportunity to face persecution was a good thing in the long run. Persecution made martyrs. If converts had the chance to be martyrs they would encourage many more Jews to accept Christ. Persecution allowed adherents to demonstrate their faith, standing firm in the face of adversity. In January 1826, the board gave up the lease on the farm they were planning on using as the temporary site for the settlement. In 1827 the American Society for Meliorating the Condition of the Jews fractured permanently.⁴⁸⁰

Ultimately, refusing to allow the converts the opportunity to be a “free society,” the ASMCJ asserted that, in the public eye, religious difference was about more than membership in a voluntary society. Connecting civil and religious liberty so tightly, the Protestant reformers and local ministers responsible for the ASMCJ had convinced themselves that representative government was the exclusive territory of Protestants. The

⁴⁷⁹ “Second Annual Report of the Liberty County (Georgia) Society, *Israel’s Advocate*, New York, NY: September 1825, 133; “Extract from the Report of the Warwick Auxiliary Society,” *Israel’s Advocate*, New York, NY; February 1824, 26-27; “Extracts of a Letter from J.D. Marc to the ASMCJ,” *Israel’s Advocate*, New York, NY: December 1825, 180.

⁴⁸⁰ “Proposed Alteration to the Constitution of the ASMCJ,” *Israel’s Advocate*, New York, NY: May, 1826, 68; “Proceedings of the American Society,” *Israel’s Advocate*, New York, NY: January 1826, 4.

ASMCIJ adduced that Jews were innately incapable of self-governance in a way that had nothing to do with worship, rituals, or traditions. Therefore, it was the responsibility of liberal, tolerant Protestants to act benevolently and provide aid for those who were incapable of providing it for themselves, at home and abroad. Supporters of the colonizing project alluded to an environment where race, not faith, was the essential factor determining an individual, or a community's status in the American republic. The ASMCIJ did not cause this reimagining of religious difference, but it contributed to a pattern where Americans could claim that the wrong faith was a marker of a deeper degeneracy. The failure of the ASMCIJ provoked members to argue that Jews had rejected American Protestants' efforts to welcome them into the polity, choosing not to belong in a nation united by its beliefs.

VI. Conclusion

When *The Truth Teller* engaged in paper wars, when white Charlestonians united over their fear of an autonomous black church, when the Reformed Society of Israelites defied tradition and worshipped in English, and when Protestants committed themselves to ending bigotry by colonizing converted Jews, New Yorkers and Charlestonians were experiencing the aftershocks of their reformation from colonial institutions to American institution. The shifting post-revolutionary political, social, and cultural environments required Americans to disavow religious difference, at the same time that it gave religious difference a new significance. Religious societies needed to be able to express what made them unique in order to compete and coexist in a voluntary church system, and many Protestant denominations tried to discard or transcend seemingly

inconsequential differences among and within their ranks by marking outsiders as irredeemable.

In these contests, some discursive and some physical, New Yorkers and Charlestonians demonstrated both the promises and limits of liberal pluralism. When competing to draw boundaries around what constituted religious difference, Americans—Protestant and non-Protestant alike—were making a statement about participation in civil life. Since religious societies became microcosmic political communities when clergy and lay leaders reformed their churches and synagogues from colonial institutions to republican institutions, these exchanges did not operate in a special realm separate from other concerns of the state. Ultimately, through moments of intra- and inter-denominational conflict, New Yorkers and Charlestonians were establishing patterns where liberal principles such as tolerance and liberty could be called on to mark certain people as a danger to the nation while simultaneously heralding the potential for broader participation.

Conclusion

In a July 1822 issue of *The Unitarian Defendant*, Samuel Gilman reflected on his critics' common characteristics. He mused that one of the reasons why his Presbyterian and Congregationalist assailants were so misguided was because they had no real sense of history, especially when it came to the history of the Reformation. In particular, they had "confounded the principles which *actuated* the reformation, with the doctrines *taught* at the reformation." His neighbors had "mistaken certain private opinions of the first reformers for the true doctrines of the reformation."⁴⁸¹ Gilman's opponents maintained that since Unitarians did not believe in the Trinity, they were not true Protestants, nor true Christians. Gilman found this whole premise absurd because the Trinity was not, in fact, a Reformation doctrine. Trinitarianism preceded the Reformation and could therefore be considered a Catholic doctrine, not a Protestant one.

However, for Gilman, this game of trying to fix the Reformation to a certain doctrine, or set of doctrines was a useless exercise. If Reformation beliefs constituted beliefs that were in existence at the time of the Reformation, then "witchcraft, ghosts, and astrology" would be Reformation doctrines as much as Trinitarianism. If Reformation beliefs constituted the "particular speculative doctrines" of the Reformers—Luther, Melancton, Calvin, Knox, and Cranmer—then they were still no better off since these men's beliefs were "widely contradictory." Given the overwhelming inconsistencies,

⁴⁸¹ July 6, 1822, "Southern Intelligencer," *The Unitarian Defendant*, Charleston, SC.

Gilman had come to believe that the only true fundamental of the Reformation was that it had established that Christians should bring their “sacred faculty of reason” to the interpretation of the Bible. He concluded, “Unitarians hold, that the reformation is not a fixed and limited event, but that it is still going on.”⁴⁸²

While Gilman was engaging in a 300-year old debate about the essence of the Protestant Reformation, his views were informed just as much by the “American Reformation.” When Americans adapted their religious societies from colonial institutions to republican institutions, and when they decided that this process should take place according to a model of incorporation, they had to confront questions raging from who should sit where and who should pay for what, to the various roles of religious and civil institutions, to the relationship between ruler and ruled, to the extent to which church government could adapt to suit a changing society. Indeed, when self-consciously considering what sort of an institution a church should be in a republic, clergy and laymen and women acknowledged that they had to be involved in the process of defining the boundaries of civil society and civil participation more broadly. They had to reconcile passionately held beliefs with loosely defined and easily manipulated concepts such as liberty and tolerance. Through this experience, Americans established that early national churches would be important sites where the language, patterns, and strategies of American politics were invented.

Just as, in Gilman’s eyes, the Protestant Reformation had not ended after the fracturing of Catholicism in the sixteenth century, the American Reformation did not end when religious societies adapted new forms of church government after the Revolution. In fact, the continuing aftershocks revealed themselves in moments ranging from the

⁴⁸² Ibid.

1832 nullification crisis to the founding of the New York's first nativist society. In 1832, South Carolinians protested a national tariff that the newly elected president, Andrew Jackson signed into law. They had expected Jackson to reject the tariff, which was a revised version of an economic policy adopted by his predecessor and rival, John Quincy Adams. Outraged, the state's political leaders, led by the ex-Vice President John C. Calhoun, articulated a plan of resistance. They argued that states had the right to declare null and void any national law they believed were unconstitutional.

For John C. Calhoun, who is buried in the graveyard of Charleston's St. Philip's Protestant Episcopal Church, and his supporters in Charleston, these battles over federalism would have been very familiar. Factional contests in religious societies had kept alive tensions over the appropriate jurisdictions of local organizations, state organizations, and national organizations. Since the Revolution, participants in and observers of organized religion regularly debated which branch of church government—local, state, or national—could appoint ministers, which branch could write and amend constitutions, which branch could dictate worship practices, and which branch could veto laws. When Calhoun and his allies proclaimed the right to nullify national laws, they were channeling a conversation in which South Carolinians had been engaging in their churches and synagogues for fifty years. In moments such as St. Michael's defiance of the state convention and its insistence on the right to pen by-laws, and when the St. Mary's vestry board refused to welcome a bishop sent to them by a distant authority with no knowledge of local situations, Charlestonians were making a bridge between Revolutionary-era arguments for home rule and the demands for states' rights that would be so formative to the Civil War.

Similarly in New York, some of the major political moments of the 1830s, 1840s, and 1850s, particularly nativism, had their roots and took their shape in early national religious politics. In 1831, George Bourne founded the New York Protestant Association. Bourne, who had been de-frocked by the Presbyterian Church for his anti-slavery activism in Virginia in 1818, moved north to New York, where he took orders in the Dutch Reformed Church. While serving as a much-maligned Presbyterian minister in the South, he had experienced first-hand the bitter divisions fracturing American Christians.

Though Bourne saw himself first and foremost as an anti-slavery activist, in New York in the 1830s he took on a mission to heal the divisions and unite Christians. The New York Protestant Association, designed to achieve those ends, identified Catholicism as the source of Protestant disunion, and urged all Protestants to come together to oppose the Catholic Church's "present enterprising efforts to recover and extend its unholy dominion."⁴⁸³ Bolstered by its weekly magazine, *The Protestant*, the Association was confident that it would heal the rifts within Protestantism if they could convince their rivals that their real enemy was the Catholic Church-not their Protestant Brethren.

The rise of nativist societies in New York, leading to the formation of the Know-Nothing, or "American" Party in the 1840s, is often attributed to the millennialism, enthusiasm, and aggressive reforming spirit spurred by the Finney revivals; the waves of Catholic immigration corresponding with Rome's support for anti-democratic governments in Europe; and the rise of anti-Catholic literature responding to Catholic

⁴⁸³ Ashbel Green, ed., *The Christian Advocate*, Volume 2 (Philadelphia: A. Finley, 1829), 576.

Emancipation in England in 1829.⁴⁸⁴ However, these early nativist societies were responding to the same anxieties that led to the creation of the American Society for Meliorating the Condition of the Jews—the tension between urban pluralism and Christian Union. In fact, the New York Protestant Association was the direct descendant of the ASMCJ. Like the ASMCJ, the Association saw itself taking part in a project to show that the United States was “the cradle of civil and religious liberty for the human race.” They intended to do so by demonstrating how capable they were at overcoming their differences and “sail[ing] pleasantly along under the broad banner of Protestantism.”⁴⁸⁵ George Bourne’s organization brought together many of the same men from New York’s Presbyterian and Dutch Reformed Churches who had parted so bitterly when the ASMCJ disbanded in 1827. The New York Protestant Association demonstrated not only that the reformation of American religious societies was still going on, but also underscored the extent to which Americans’ understandings and uses of concepts such as religious liberty and toleration were historically contingent. They were inextricably connected to particular local political battles.

In fact, this reformation of American religious societies continues to this day. I carried out much of the research for the New York portion of this project in the summer and fall of 2009. Since many New York churches still hold their historic records, my research took me into the archives, conference rooms, attics, and storage units of different congregations. While working through the records of the Collegiate Churches, or the Dutch Reformed Churches of New York, I was surrounded by the employees of the corporation as they developed two important projects. First, the corporation was drafting

⁴⁸⁴ Edwin G. Burrows and Mike Wallace, *Gotham: A History of New York City to 1898* (Oxford and New York: Oxford University Press, 1999) 554.

⁴⁸⁵ *The American Protestant Magazine* Volume 1 (New York: The American Protestant Society, 1845) 1.

a statement officially apologizing for the role the Dutch Reformed Churches had played in the genocide of Native Americans in Manhattan in the seventeenth century.⁴⁸⁶

Understanding and confronting the multiple places their churches had occupied in the city and the consequences of their decisions are very much living issues for members and employees of the Collegiate Churches. Second, the Collegiate Churches were in the process of developing and sponsoring a non-profit organization called “Intersections International” intended to help the people make sense of and embrace the multiculturalism and pluralism surrounding them. Intersections raises awareness about the systematic discrimination that often accompanies universalizing missions.

While I was working in the archives of the Corporation of Trinity Church, the Episcopal Church was engaged in its general conference. In the 2009 convention, the church intended to outline their position on the ordination of gay bishops. In the conference’s wake, the church had to confront many of the same problems their predecessors did when they broke away from the Anglican Church and formed their own denomination in the 1780s. For example, when the Episcopal Church decided to ordain gay bishops, several congregations broke away and allied themselves with coalitions abroad. Collectively, Episcopalians had to determine who owned the property—the local congregation or the denomination—and whether an international organization could control the resources and make the laws for a domestic church. They had to revisit the questions about jurisdiction that their revolutionary predecessors also confronted: were congregations voluntary associations or were church networks somehow sacred and

⁴⁸⁶ Verena Dobnik, “Collegiate Church Apologizes to Native Americans,” *The Huffington Post*, November 27, 2009, accessed December 8, 2011, http://www.huffingtonpost.com/2009/11/27/collegiate-church-apologize_n_372458.html.

unbreakable? In the Episcopal Church, the question of how to constitute a religious community when the values of the nation are in flux is alive and well.

Ultimately, I hope that this project has provided an alternative way to understand the historic relationships and boundaries between religion and government. The assertions of Thomas Jefferson and other architects of the United States' founding documents have sustained a collective ideology that certain "self-evident truths" – equality and liberty—provide the foundation of the nation's political culture and that those truths were rooted in the beliefs and actions of the revolutionary generation. While this ideology has provided a model that different groups have used to demand more rights, it has also regularly allowed people to demand rights at the expense of others. Moreover, if these concepts are self-evident, it is impossible to have an open dialogue about what the terms actually mean to different people, past or present. Far from self-evident, religious liberty, religious toleration, and even the promises of liberalism have always been a constant sphere of negotiation and contention within the dynamic cultures of local politics.

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