

Appendix 2

Disestablishment Lesson Plan: Historical Scope, Primary Source B Congregationalism in Massachusetts

Excerpted from Gaustad, Edwin, editor. *A Documentary History of Religion in America to the Civil War*. Eerdmans Publishing Co.: Grand Rapids, 1982. Pages 319-21.

Massachusetts

"In Massachusetts the overthrow of the 'standing order' took even longer and grew even more complicated. Not until 1833 was the separation between church and state finally accomplished. Legal complications arose from disputes internal to Congregationalism itself: the sharp quarrels between Trinitarians and Unitarians that started in a disagreement over theology and ended in a fight about property. Well before that tangle was thrown to the courts to unravel, John Leland (1754-1841), a Baptist itinerant preacher and native son of Massachusetts, called for the complete disestablishment of the long-favored church. A Jeffersonian Republican (and later a Jacksonian Democrat), Leland saw no consistency whatsoever between the nation's First Amendment and the state's continued insistence on playing favorites among the several denominations. In a 'fashionable fast-day sermon' delivered in 1801, Leland declared that all religious oppression, whether in the Old World or New, derived from that single 'rotten nest-egg, which is always hatching vipers: I mean the principle of intruding the laws of men into the Kingdom of Christ....' Like the deist Jefferson, the pietist Leland would gladly trade the vile principle for a far superior voluntary one.

'How just is this remark, that 'Religious opinions are not the objects of civil government, nor in any way under its control.' If that part of the world which become Christian, (so called), had attended to this remark, what infinite evils would have been avoided? Had Spain harkened thereto, two hundred thousand South Americans would not have been slaughtered as they were. For what of this, in France, in the reign of Charles IX, A.D. 1751, a persecution began, which in thirty years destroyed thirty-nine Princes, one hundred and forty-eight Counts, two hundred and thirty-four Barons, one hundred and forty-seven thousand five hundred and eighteen gentlemen, and seven hundred and sixty thousand of the common people; and in Ireland, in the day of Charles I. of England, above two hundred thousand Protestants were cruelly murdered in a few days.

I suppose that all Protestants, will unite in condemning this cruelty in Papists, because Papists are such blood-thirsty bigots; but pray have not Protestants done the same, whenever they have established their religion by law, and supported their preachers by tax?

In the reign of the two Charleses, in England, two thousand preachers, and six thousand privates lost their livings, and the chief of them their lives, for non-conformity. But leaving these distant nations, let us turn our eyes on our own country.

[Source: L.F. Greene, ed., *The Writings of the Late Elder John Leland...*(New York: Arno Press, 1969 [1845]), pp. 240-42, 251-52.]

The first settlers of Massachusetts had left the rod of oppression in England, and fled to America for freedom; but not fully understanding that religious opinions were not under the control of civil government, in 1635, they passed a sentence of banishment against Roger Williams, because he opposed the interference of law in matters of religion; and three month afterwards, they made an attempt to seize him, and send him back to England; but he fled to Providence, and obtained a grant of land from Narraganset Indians....

About sixty years past, a very general revival of religion took place in New England; soon afterwards, a very considerable separation from the established religion followed, which occasioned abundance of restraints and imprisonments. For about forty of the last years, the Baptists have chiefly borne the lash; for no other society has arisen to any considerable importance. The point in debate is this: the law of the state says that, where the majority of a town, parish or precinct, choose a preacher, and contract with him for his hire, it shall be levied upon all within the limits of said town, parish or precinct, according to poll and property; and that it shall be collected in legal form, and distrained for, if not paid without. It also makes the same provision for building and repairing meeting-houses. It has hitherto been the case, that in most of the towns the Baptists have been the minority; consequently, they have been distrained upon, and imprisoned, because they would not pay their money voluntarily to preachers in whom they did not place confidence, nor approve of their sentiments; and to build meeting-houses where they did not choose to worship. He must be a poor logician, who does not trace this oppression back to its origin, to that rotten nest-egg, which is always hatching vipers: I mean the principle of intruding the laws of men into the kingdom of Christ, which kingdom is not of this world.

But all the art and force that is used, neither effect uniformity nor stop the increase of Baptists. In the beginning of the last century, there were but four Baptist churches in Massachusetts; but now there are one hundred and thirty-six churches, in which are eight thousand four hundred and sixty-three members, besides all their adherents; and in which churches there are one hundred and five ministers.

The religious laws of Massachusetts are frequently varying, but the stump is always preserved with a band of iron. Legal force is always used in directing the worship of God, as if human law was the mainspring of the gospel...

I shall now proceed to offer a number of reasons why religious laws and test oaths should never be woven into constitutions, or mixed with the laws of state.

First. It makes a constitution, or statute law book, look more like a catechism than a rule of political life. Some have placed Apocrypha in the Bible, where it should not be; but, in this case, religion becomes prostitute among the laws of state.

Second: It makes the opinions of fallible men, the test of orthodoxy for all the people. View such laws in the most favorable light, they are but the opinions of their makers; and shall the judgment of one man in a thousand, be the rule for the faith and worship of the whole thousand?

Third: A religious establishment, reduces religion to a level with the principles of state policy, and turns officers of the church into ministers of the state.

Fourth: It holds forth a tempting bait to men to embrace *that* religion which is pampered by the law, without searching after truth conscientiously.

Fifth: It checks all rational conviction of the errors in the national creed; for if those errors are arrested and condemned by a man, he must be proscribed and legally persecuted.

Sixth: It raises the uniformists to arrogance and superiority, and sinks the non-conformists into disgrace and depression; and, thereby, destroys that confidence and friendly equality, which is essential to the happiness of any state.

Seventh: It creates and upholds a power, which Jesus Christ has never ordained, either for the civic or ecclesiastical department.

Eighth: It tends to keep people in ignorance. By implicitly believing what the ruler and the priest says, they, give up their own judgments, and suppose it is a crime to think and speak for themselves.

Ninth: It is the parent of all the legal persecution, for conscience sake, that has been on earth, and has drenched the world in blood.

Tenth: It is every way calculated to destroy those peaceable, harmless, amiable qualities among men, which religion, in its simplicity, inculcates.

Eleventh: It tends to make Deists, and support infidelity, more than any one cause. Nothing tends so much to convince candid spectators, that there is nothing in a religion, as to see the disciples of that religion inattentive to its rules. I will here confine myself to the Christian religion. It is confessed by all, in our land, that the precepts of the New Testament exceed everything that ever appeared among men, of the kind. The common failings of the professed followers of Christ, greatly weaken the faith of serious inquirers; but, when those who profess to be his greatest friends, break over all the bounds of justice, humanity and pity; and, because they have the power in their hands, will proscribe, imprison, banish, rob, hang, and burn all those who differ with them in judgment; and all this under pretence of serving the meek, harmless, just, holy, and compassionate *Prince of Peace*; what strong arguments these are to convince men, who are not void of all humanity, that the religion of Jesus is only a mask to cover the most atrocious crimes that were ever committed.'"