

The Roots of the Liberty of Conscience in the American Society

Dr. Houria Mihoubi University, Msila

Abstract

The present article undertakes the roots of religious freedom in the American society. The primary focus of the paper is to demonstrate that the liberty of conscience enjoyed by the Americans is the result of the struggle of religious radicals who made sacrifices in order to separate the church and government. Roger Williams and Anne Hutchinson were among the first Americans who called and worked for religious freedom in the New World.

Key words: Religion, freedom, American, society

الملخص

يهدف هذا المقال إلى دراسة جذور الحرية الدينية في المجتمع الأمريكي حيث لا يخفى علي أحد أن هذا المجتمع كثيرا ما يفخر بحق الفرد في حرية العقيدة. هذا المبدأ الذي يعتبر أحد أهم ركائز الديمقراطية الأمريكية. والذي كان نتيجة كفاح طويل مرده إلى ما قبل نشأه الدولة الأمريكية. حيث نخلص في الأخير إلى أن المجتمع الأمريكي هو مجتمع عقائدي بامتياز.

الكلمات المفتاحية: الدين، الحرية، المجتمع، الأمريكي.

Introduction

It is undeniable that liberty of conscience constitutes a wide space of debate in recent years. Scholars all around the world have shown a special interest to this important topic. The present paper is an attempt to trace the roots of religious freedom in the USA. But before delving into debating the roots of liberty of conscience in the American society, it might be useful to clarify what is meant by religious freedom. In reality, freedom of religion or freedom of belief is often defined as :

a principle that supports the freedom of an individual or community, in public or private, to manifest religion or belief in teaching, practice, worship, and observance. It also includes the freedom to change one's religion or belief (1)

This is the reason why freedom of religion is considered by many people and nations to be a fundamental human right.(2) In a country with a state religion, freedom of religion generally requires the government to permit religious practices of other sects besides the state religion, and does not give itself the right to prevent believers in other faiths from practicing their religion.

There is no denying that in the United States of America, religious freedom is guaranteed because America as a nation was first settled by religious groups who sought liberty of conscience to be a fundamental right in society. In his essay, "What I Saw in America", the English author and broadcaster G.K. Chesterton notes that "America is the only nation in the world that is founded on the creed". "That creed", he adds, "is set forth with the lucidity of the Declaration of Independence".(3) One can observe that the Americans are always proud of this priceless right. The present article will demonstrate that religious freedom in the American society was the result of a long struggle of some religious radicals who worked hard in order to make liberty of conscience one of the fundamental constitutional rights in the American society . .

1- The United States :a Creed Based Nation

Interesting is the idea that the United States of America is just like Israel a religion based nation .In fact, America as a newly settled land was a shelter for a religious group called the Puritans who were rejected and persecuted by the British monarch and authorities In reality, those Puritans sought to reform the protestant religion and purify it from all the rituals of the catholic religion .One can understand from this that America started as a religious nation .the Puritans when in the New World wanted to establish a godly community based on liberty and simplicity in the religious practices .

The Puritans established a sort of a Holly Commonwealth in Massachusetts; they called it Massachusetts Bay Colony. There is a need here to clarify that the Commonwealth was governed by john Winthrop and the church members .At this point ,it must be mentioned that despite the fact that they left the Old World searching for religious freedom, Winthrop and his followers realized that strict control was needed to secure stability in the infant community. This is the reason why they decided that religious correctness should be imposed by the church members .This, in fact, did not appeal to a number of religious radicals who accused the authorities of violating the sacred Puritan principle which was religious freedom.

2-Roger Williams :the Apostle of Liberty of Conscience

Indeed, among the famous radicals who opposed the authorities of the godly community in the Massachusetts Bay Colony was Roger Williams .In fact, Williams did not like the way Winthrop and his followers wanted to govern the community .He believed that they violated the principles of Puritanism when they decided to impose a strict control on the inhabitants of the Bay Colony

.According to Williams, man should be free in his religious practices .this is the reason why he is considered by the specialists in American studies as: the earliest of the fathers of American democracy, he owes his enduring fame to his humanity and breadth of view, his continuous devotion to the cause of democracy and free opportunity, and his long record of opposition to the privileged and self-seeking.(4)

In addition to this ,one should clarify that Williams was the first American radical to proclaim the laws of civil and religious liberty .He asserted that " the people were the origin of all free power in government,"(5) that God has given to men no power over conscience, nor can men grant this power to each other", and that "the regulation of the conscience is not one of the purposes for which men combine in civil society."(6) In this context, he explicates:

God requireth not a uniformity of religion to be enacted and enforced in any civil state; which enforced uniformity (sooner or later) is the greatest occasion of civil war, ravishing of conscience, persecution of Christ Jesus in his servants, and of the hypocrisy and destruction of millions of souls.(7)

In other words, Williams could provide a new vision of how the ideal society should be . In describing the political system of the colony of Providence, Williams notes:

We, whose names are hereunder written, being desirous of to inhabit in the town of Providence, do promise to submit ourselves in active and passive obedience to all such orders or- agreements as shall be made for public good of the body, in an orderly way, by the major consent of the present inhabitants, masters of families incorporated together into a township, and such others as they shall admit into the same, only in civil things.(8)

About the liberty of conscience in the new colony that he had established , he adds:

No person within the said colony at any time hereafter shall be any wise molested, punished, disquieted, or called in question for any differences in opinion, in matters of religion, who do not actually disturb the civil peace of the now called American colony; but that all and every person and persons may from time to time, and at all times hereafter, freely and fully, have and enjoy his own and their judgments and consciences, in matters of religious concerns.(9)

It is quite important in this regard to note that most of Williams' contemporaries and critics considered his ideas as a fountain of chaos and anarchy in the new American community simply because he was acting during the Dark Ages, an era during which people believed that each community must have its national church and that all radicals were so threatening and therefore, ought to be forced to conform (10). Perhaps, for the same reason; Rhode Island seemed to the rest of colonies as a great danger. That is why despite the radical struggle of Williams, the extremely severe and harsh spirit of intolerance prevailed, and Williams continued till his death to be regarded as a trouble maker and therefore, as a threatening danger that Massachusetts should alienate.

But if Williams' controversy was a real threat to the Bay Colony authorities , the one ignited by Anne Hutchinson and her many followers was more dangerous. In fact, the popularity of Hutchinson's teachings may be justified by Winthrop's confession that "her supporters made up the majority of Boston's First Church"(11).Scholars often agree that Anne Hutchinson's contribution to the American religious radicalism should be better discussed in the context of what became known as "the free grace controversy".

3-Anne Hutchinson: Liberty of Conscience Reconfirmed

Perhaps ,no women in the history of the United States of America could challenge the system and the traditional norms the way Anne Hutchinson did . Probably ,this was the reason why she was described by Winthrop, as “a woman of a haughty and fierce carriage, of a nimble wit and active spirit, and a very voluble tongue, more bold than a man.”(12) Here there is a need to draw attention to the important fact that her skill as a midwife made her respected and trusted by a great number of the families of the Massachusetts Bay Colony, as did her “appreciation of the simplicity of free grace preaching in an community dominated by the saints”.(13)

As a matter of fact, Hutchinson’s radicalism and strong desire for change made her a key figure not only in the development of religious freedom in the American society but in the history of women in ministry as well. She was the first to oppose the subordination of women in the culture of the Holy Commonwealth. And by doing so she showed that even the most radical dissent was possible. It should be readily apparent that talking about women’s rights is not a new issue in the American society it can be traced back to the colonial period and more precisely to the period when Hutchinson and her supporters started to gain public support for defending women’s freedom of practicing religion freely and out of all external constrains in the Puritan male establishment.

Consequently, the court and clergy in Massachusetts found themselves in a real quagmire and had to defend their ideas and principles to gain the support of the colonial laity whom they feared to become adherents to unofficial institutions like the secret religious meetings often called the conventicles as they had to put an end to the new idea of the possibility of lay prophecy which challenged

clerical control and magisterial regulation of religious belief and correctness inside the godly community..

In addition to this ,one can equally add that Challenging the Bay authorities among which was the church , and in attempt to spread her radical ideology, Hutchinson began holding meetings twice a week in her home. A considerable number of men and women came and listened as she read aloud and interpreted and even criticized the sermons of local ministers, afterwards telling her own thoughts on how Boston's clergy might practice Puritanism according the true religious principle of free grace. After that, she publicly expressed her opposition to Boston's ministers

Significantly enough, Hutchinson's reformist religious convictions and desire to change the political life in the new community made her radical enough to criticize Shepard and other New England ministers for teaching the doctrine of "preparation," by which sincere believers "prepared" their hearts for salvation through prayer, good works, and godly devotion to church ordinance.

Interesting is the idea that as a believer in the natural right of freedom , Hutchinson insisted that there should be no civil authority over religious practice. For according to her man's relation to God is a matter of individual and direct revelation .As a staunch defender of the free grace principle ,she maintains that there should be no intermediary between God and man . Winthrop puts this radical Hutchinsonian belief this way :

She walked by such a rule as cannot stand the peace of any state; for such immeasurably deep and mysterious revelations, as either came without any word, (which was framed to human capacity) if they be allowed in one thing, must be admitted a rule in all things; for they being above reason and scripture, they are not subject to control.(14)

In this regard ,it needs to be stressed that Hutchinson's ideas were considered as a threat to the stability of the newly born community .This is the reason why she was banished from the colony .Hutchinson went to settle in Rhode island .but despite that ,one can observe that her secular ideas continued to impact both the social and political thought of the Americans.

4-Thomas Jefferson: the Wall of Separation

When the Americans got their independence ,the founding fathers wanted individual freedom to be a fundamental principle in the American philosophy of life. Thomas Jefferson was the great champion of religious liberty in the modern American nation (15) .At this point, it must be noted that Ten years after the beginning of the Revolution, an act for establishing religious freedom took a place. Through the First Amendment of the U.S Constitution (16), Jefferson sought to make religious freedom a constitutional right by calling back Roger Williams' concept of the wall of separation between the "Garden of Christ" and the "Wilderness of the World"(17), though the language of the founders is quite different.

In fact, it is worth noting in this respect that the First Amendment has really constitutionalized religious freedom in two fundamental ways: first, it forbids Congress from establishing a national and official religion; secondly and more importantly it prohibits Congress from passing any law that prevents the freedom of Americans to practice their faith however they wish. According to Thomas Jefferson, the First Amendment was meant to build a kind of "a wall of separation between church and state":

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of Speech, or of

the press; or the right of the people peaceably to Assemble, and to petition the Government for a redress of grievances.(18)

Still, in this regard ,one should add that Years later, in 1802 Thomas Jefferson wrote of the "wall of separation"(19) in a letter to the Danbury Baptist association, echoing Roger Williams:

...should "make no law respecting an establishment of religion, or prohibiting the free exercise thereof," thus building a wall of separation between Church & State. [Congress thus inhibited from acts respecting religion, and the Executive authorized only to execute their acts, I have refrained from prescribing even those occasional performances of devotion...(20)

One can easily understand from the passage above that there was a common belief among the radicals of the new nation that the best solution for all the religious disputes and differences and the only basis upon which it was possible to form a successful federal union was to give the National Government no power over religion in the United States. Judge Story puts this idea this way:

It was impossible that there should not raise perpetual strife and perpetual jealousy," "if the National Government were left free to create a religious establishment. But this alone would have been an imperfect security, if it had not been followed up by a declaration of the right of the free exercise of religion, and a prohibition of all religious tests. (21)

When religious freedom became constitutionally guaranteed in the United States ,the American society became no longer a space for religious disputes or controversies. Nowadays ,one can observe that the Americans are often proud of this sacred right .

Conclusion

After thoroughly examining the roots of religious freedom in the American history ,it becomes obvious that it was not easy for the Americans to secure liberty of conscious as a constitutional right .In reality, they had struggled since the Puritan era .The article has demonstrated that the religious radicals in the newly settled land continued their struggle to secure the liberty of conscience in the new nation .At this point ,it must be noted that the infant community in Massachusetts Bay Colony saw many controversies and religious disputes .From the foregoing analysis ,it should be readily apparent that Roger Williams and Anne Hutchinson were the two key figures in the New World who sought to reform the religious life inside the Holy Commonwealth . Both called for the separation between the church and the state .Unsurprisingly, that when the Americans got their political independence ,they had to go back to Williams and Hutchinson's religious radical ideas .Jefferson, influenced by Williams, wanted to build a wall of separation between the church and the civil state . The First Amendment of the U.S Constitution was passed to secure liberty of conscience as a constitutional right through giving congress no power over the religious life of the Americans .

End notes

1. -"The Universal Declaration of Human Rights". The United Nation ,<http://www.un.org/en/universal-declaration-human-rights/index.html>. Accessed May 23, 2012.
2. - Davis Derek H. "The Evolution of Religious Liberty as a Universal Human Right". Archived from the original on 1 February 2008. Retrieved 5 December 2006. (archived from the original on 1 February 2008).
3. - G. K. Chesterton, "What I Saw In America" *What I Saw In America*, (Aeterna Press) <https://books.google.fr/books?id>. Accessed May 4, 2013.
4. -Timothy Hall, Timothy L. Hall, *Separating Church and State: Roger Williams and Religious Liberty* (University of Illinois Press, 1998)p.55
5. 5 -Edwin S. Gaustad , *Roger Williams*, Oxford University Press, May 15, 2005
6. 6- Hugh Spurgin, *Roger Williams and Puritan Radicalism in the English Separatist Tradxition*. Lewiston, Edwin Mellen Press, 1989. p.67.
7. -See Roger Williams ,*A Plea for Religious Liberty*, (1644) OnlineLaw.Wustl.edu/LLM Early expression of the principle of religious tolerance by the founder of the colony of Rhode Island.
8. - Roger Williams, *Mr. Cotton's Letter Lately Printed, Examined, and Answered* (Providence: Narragansett Club Publications, 1866)324-325.
9. - Roger Williams, *Mr. Cotton's Letter Lately Printed, Examined, and Answered* (Providence: Narragansett Club Publications, 1866)324-325
10. - *Winthrop's Journal* p. 212.
11. - John Winthrop, "A Short Story of the Rise, Reign and Ruin of the Antinomians, Familists, and Libertines," (London, 1644) in Hall, ed.,
12. Henry B. Clark, *Freedom of Religion in America: Historical Roots, Philosophical Concepts, Contemporary Problems* Transaction Publishers, Jan 1, 1982

13. *Antinomian Controversy*, 263.
14. -Winthrop, "Short Story," in Hall, ed., *Antinomian Controversy*, 274; Also quoted in Lovejoy, *Religious Enthusiasm*, p.76.
15. 13 -See more at <http://www.constitution.findlaw.com/amendment1/amendment.html#sth.ash.aSyqKwAF.dpuf>. Accessed July 3, 2013.
16. 14-Frank Lambert *The Founding Fathers and the Place of Religion in America*,(Princeton University Press, 2010)p 45.
17. Bryan K Langlands, *Cultivating Neighborhood: Identifying Best Practices for Launching a Christ-Centered Community Garden* (Wipf and Stock Publishers, 2014), p.2.
18. - Neil H. Cogan ,*The Complete Bill of Rights: The Drafts, Debates, Sources, and Origins*, (OUP USA, 2015), p.11.
19. - Daniel L Dreisback, *Thomas Jefferson and the Wall of Separation between Church and State* (New York: New York university Press, 2002), p.68.
20. - Thomas Jefferson, Barbara B. Oberg,*The Papers of Thomas Jefferson: 1 December 1801 to 3 March 1802* (Princeton University Press,, 2009), p.255.
21. - Joseph Story, *Commentaries on the Constitution of the United States*, 2d ed. (1851), vol. 2, chapter 45, p. 617.