

devout legalists

**protestant reliance on law
in early nineteenth-century america**

agnes orsatti armao

Our laws, habits, and manners are the result of our religion—
remove this master spring and every movement will stop.

Lyman Beecher, 1841

Leaders of the nineteenth-century's "Moral Majority" actively articulated America's need for reform. Revivalist minister Lyman Beecher saw religion as a mechanism regulating the movement of life itself: "remove this master spring" and society would cease to be. Such a pronouncement expressed a belief held by many American clergymen in the first decades of the nineteenth century: if Americans could be convinced that religion provided the mainspring necessary for the smooth operation of society, then the Church might once again become an important and powerful force in the New World. As things stood, however, the Church was in serious jeopardy. Only by a concerted effort could ministers hope to convince their countrymen that, in Beecher's words, "without the religious order of the State to firm the conscience and establish the fear of the Lord, civil institutions could not [endure] a year."¹

In 1798 the General Assembly of the Presbyterian Church pointed to the problem at hand. Recognizing that for over thirty years the mind of the nation had been diverted from religion to politics, and sensing that religious order was near collapse, the Assembly officially called for moral reformation, an acknowledgement of "God as our moral governor and righteous judge."² Life had become secularized, the democratic philosophy permeated the country and Americans were losing sight of their

dependence upon God—and by extension, upon his ministers. The situation led Timothy Dwight, president of Yale College and grandson of eighteenth-century awakener and theologian Jonathan Edwards, to declare a national crisis on Independence Day, 1798: as he saw it, the enemies of Christ abounded and as a result, truth, piety, moral obligation, justice and decency would soon disappear from the land. Though he did not discount the value of the clergy's wisdom and virtue, he did concede that the Church had no official power.³

The words of Lyman Beecher, the Presbyterian Assembly and Timothy Dwight reveal the acute anxiety which existed among religious leaders in the early 1800s. Americans no longer lived in colonies under the close supervision of magistrates and ministers. The country was expanding at a spectacular rate; a business civilization was steadily evolving, and in keeping with a new spirit of capitalism, citizens were becoming more materialistic and pragmatic. Progress seemed to be the watchword of the times. As Rush Welter points out in *The Mind of America: 1820-1860*:

In many respects [Americans] were virtually indistinguishable from contemporary Europeans, who had made the idea of progress one of the chief doctrines of the age. Their common doctrine represented a fairly sharp break with historic European concepts:—with the theocentric view of history which deprecated the events of the world in favor of the divine drama of redemption.⁴

America had indeed shrugged off the theological dogma of the past in favor of a secular doctrine better suited to its new aspirations, but the old religious fires that had burned so brightly for over a hundred years were not yet extinguished. The evangelical movement would prove that the sparks of Puritan dogma still existed and could be successfully rekindled.

Though religious historian Peter De Jong claims that the covenant idea was abandoned by theologians of the early nineteenth century,⁵ we need only turn to the attitudes expressed by revivalist ministers to know that the concept still flourished within evangelicalism. Nineteenth-century evangelists followed in the tradition of Jonathan Edwards, whose revivalist techniques of the eighteenth-century Great Awakening they now wholeheartedly adopted. Their nineteenth-century version of Edwards' revivalism—their Second Great Awakening—offered Americans a modified Calvinism, a more palatable and more reasonable form of traditional orthodoxy.⁶ What they had to say demonstrated that they were unwilling to forsake the banner of intellect: “persevering mental application”—to use Beecher's words—would prove man still had a legal responsibility to act according to God's will. Although they altered the tenets of Calvinism, these ministers held tenaciously to the Puritan belief in man's depravity, a depravity which called for the restraining forces of Church and State.

These ministers, however, faced a big problem. They had to contend with the Enlightenment philosophy that threatened to wipe out any hope of their aligning themselves permanently with the secular forces which had long supported their role as restraining agents. The Second Great

Awakening was a response to that threat, but to its detriment this movement would persist in promulgating a doctrine which reinforced a veneration of law.

Lyman Beecher, a leader in this movement, resurrected the covenant theory—unobtrusively. Actually, Beecher was not particularly fond of the legal profession; he had given up the study of law to enter the ministry and had once chosen a parish in East Hampton partly because there “was not a lawyer in the whole country.”⁷ Paradoxically, however, Beecher made law the focal point of his major sermons. He repeatedly described the just and moral government of God, appealing to his listeners’ sense of responsibility and obligation to Divine Authority. Admittedly, what Beecher proposed in his 1823 sermon, “The Faith Once Delivered to the Saints” reveals definite Arminian notions: “men are free agents,” free to do “whatever God requires.” But Beecher goes on to state that “the ancestors of our race violated [a] law,” alluding, of course, to Adam’s sin. “Believers” [the regenerate], he said, “are received into a covenant with God which secures their continuance in holiness forever.”⁸ Those words are clear reminders of Puritan concerns; when Beecher spoke on the subject of moral reformation, he became a direct intellectual descendant of Thomas Shepard, the minister who warned his congregation in 1638 that the tide of sin must be “restrained” by “wholesome” laws. According to Beecher:

Let loose from wholesome restraint, and taught to sin by example of the great, a scene most horrid to be conceived but more dreadful to be experienced, will ensue. The hand that overturns our laws and altars is the hand of death unbarring the gate of Pandemonium and letting loose upon our lands, the crimes, and the miseries of hell.⁹

By choosing the word “crime” rather than “sin,” Beecher seems to reveal a legal mentality. According to him, the Deity, builder of an “eternal prison,” would act as both “lawgiver and judge.” Such terminology is only one step away from that used by Puritan preacher Thomas Hooker, perhaps the most powerful orator among the ministers of seventeenth-century New England. In Hooker’s opinion, God acts as a lawyer who “enters a law case with the poore sinnfull sons of men, and proceeds in a judicall court” to deal with man “not with blows, but with reasoning.”¹⁰

Beecher was not the only member of the evangelical movement to rely upon a legalistic interpretation of man’s relationship to God. Albert Barnes, who also studied law before becoming a Presbyterian minister, was an uncompromising moralist devoted to eradicating the sins of an entire nation. Barnes declared that government and law derived from God’s intentions—that the Lord had intended to have himself instituted as a civil authority over man, and that resistance to law was resistance against God himself.¹¹

Whereas Barnes and Beecher focused on a religious theory with legal overtones, another prominent revivalist minister concentrated on employing techniques peculiar to the legal profession itself: “I was bred a lawyer. I came forth from a law office to the pulpit, and talked to the people as I

would talk to a jury.”¹² Those are the words of Charles Grandison Finney, a man who gave up his lucrative law practice to become the most successful evangelist of his day, the silver-tongued offspring of a union between religion and law. A spokesman for the intellect’s role in matters of religion, Finney instilled in his followers, using highly structured and logically developed sermons, a respect for the reasoning mind. Though criticized for what opponents interpreted as a dangerous appeal to emotions, for an endorsement of what he himself called “periodical excitements,” Finney was in fact an ardent believer in the supremacy of the intellect. No journeyman in some vague metaphysical realm, Finney had his feet firmly planted in a world of facts and logically drawn conclusions. It was clear to Finney that humans were sluggish; many secular interests distracted their minds from religion; therefore, he concluded, it was necessary to raise some excitement, to engage in revivals.¹³

On the surface, Finney’s approach to theology fits the classic definition of revivalism. Like other historians, Charles Cole mistakenly sees the movement as one which “emphasized the emotional rather than the rational elements in religion and centered around the individual rather than on church organization or its government.”¹⁴ Finney’s theology—and that of his fellow revivalists—does not fit Cole’s definition. Unlike Ann Hutchinson, the seventeenth-century antinomian who emphasized the importance of the emotions, and focused on the individual’s direct apprehension of God without the aid of outside sources such as Church organization or government, Finney believed in the individual’s need for direction and guidance by the Lord’s emissaries.

Perhaps the attitude of nineteenth-century evangelical ministers is best expressed in an 1838 sermon delivered by Albert Barnes, entitled “The Supremacy of Laws.” According to Barnes, a Christian is one who believes that civil government is “an ordinance of God” (a tenet of covenant theology) and submits to laws because “it is the appointment of God. God intended that there be such government over men: this alone can give security and prosperity to a people. It matters not so much what the laws ARE [his emphasis] as that there ARE laws, and that they are known, and that they will be executed.” In his comments concerning the violation of laws, Barnes also reiterates the beliefs of Puritan divines: “The magistrate bears the sword” to punish the violators, he says, and “is bound to restrain wickedness as an act of duty to God.”¹⁵ In a sense, Barnes’ words—representative as they are of a revivalist ideology which Timothy L. Smith terms “revivalistic Calvinism”¹⁶—indicate that the evangelicals suffered somewhat from the “sins” of their theological fathers. Although they made a conscious effort to divorce themselves from orthodox Calvinism, these nineteenth century ministers supported a world view in which law maintained a central position. Putting the “sword” in the magistrate’s hand and proclaiming that the substance of laws is not so important as their existence and execution, was, as many Americans would soon learn, a dangerous business. Revivalists were following in the footsteps of the lawyerlike theologians of the seventeenth century, and those

who saw evangelicals as men lost in the wilds of emotionalism were seriously mistaken.

Unquestionably, revivalism encompassed a great deal more than emotions and feelings. A close study of evangelical pronouncements indicates that revivals emphasized the rational elements in religion and centered on Church organization and government as much as (if not more than) they did on the individual. Clearly, the ministers of the Second Great Awakening used diversionary tactics: their appeal aimed at the emotions but rigorously employed the intellect in an effort to ensure that Christians submitted to the “sword” of authority.

Based on his observations of evangelists at work, nineteenth century religious historian Robert Baird commented on the issue concerning the role of reason and logic in the revivalist movement. Baird saw evangelical preaching as doctrinal in character. Ministers presented an argument and then proceeded to go over every point “again and again to its full extent”; doctrines were fully explained and “great pains were taken to state them, as to show their perfect consistency with the dictates of right reason.” According to Baird, the most effective preaching did not consist in any appeals “to mere sensibility or feelings: its object was to make the sinner see the evidence of those doctrines.”¹⁷

Speaking about those who would not go along with the “glorious reform” of the temperance movement, Charles Finney said:

[The] multitudes will never yield, until the friends of God and man can form a public sentiment so strong as to crush the character of every man who will [not give up intemperate ways]. You will find many . . . pillars of the church, who are able to drink their wine, that will stand their ground, and no command of God, no requirement of benevolence, no desire to save souls, no pity for bleeding humanity, will move such persons until you force them to it.¹⁸

Those are alarming words, indicating as they do that gentle moral suasion, benevolence, love and God himself are not powerful enough forces in the lives of men, that they are simply not as practical or efficient as coercion. Finney’s attitude reveals a lack of self-confidence on the part of the ministry. By deprecating the values traditionally associated with Christianity, the minister was in effect turning society over to those who possessed the power to “force” men to yield. If ministers themselves were beginning to see God’s commandments and Christ’s teachings as inferior means of creating an ordered society, then surely their congregations might soon adopt the same attitude. While Lyman Beecher proclaimed that religion was the master spring of society, his overall philosophy—like that of his fellow ministers—told a different story. Ironically, these men were demolishing their own case for God and Christianity in a systematic and logical fashion while constructing a solid defense for the supremacy of Law.

Undoubtedly, they wanted to believe in the words of *The Spirit of the Pilgrims*, a magazine founded by Beecher in 1827:

The government of God is the only government which will hold society, against depravity within and without; and this it must do by the force of its own law written upon the heart. This is that unity of spirit and that bond of peace which alone can perpetuate national purity and tranquility—that law of universal and impartial love by which alone nations can be kept back from ruin. There is no safety for republics but in self-government, under the influence of a holy heart, swayed by the government of God.¹⁹

It was a truly elevating idea, this law of love written upon the heart, but it was one which ministers like Beecher and Finney could never accept. Such a law was too risky, too easily ignored—too often violated. The idea of a social order totally dependent upon the capacity of individuals to exercise self-control (self-government) was an ideal which these clergymen regarded as hopelessly unrealistic. Because they remained convinced that the law of love could rarely be effective by itself, their official positions resembled that of Governor John Winthrop, the Puritan who had urged men to submit quietly and cheerfully to the various authorities above them. Winthrop, of course, promoted civil authority. The evangelicals, on the other hand, were doing their best to salvage the remains of a disintegrated “theocracy” and to assert the need for ecclesiastical control.

Revivals were only part of an extensive program to reestablish religion’s social hegemony. They formed the nucleus of that program, a vortex which pulled in an enormous number of erring souls and reclaimed them for Christianity. Surrounding this whirling core of religious activity was a space crowded with societies for social and moral reform, an expanse originally reserved for the Church, beyond the reach of government and under the dominion of religion. This outlying territory was covered with groups organized to make other people behave: to keep them from drinking, dancing and working on the Sabbath; to encourage them to study the Bible, attend Sunday School and support missionary work at home and abroad. These voluntary societies were ubiquitous:

It may be said, without much exaggeration, that everything is done now by societies. Men have learned what wonders can be accomplished in certain cases by union, and seem to think that a union is competent to everything. You can scarcely name an object for which some institution has not been formed. Would men spread one set of opinions and crush another? They make a society. Would they improve the penal code, or relieve poor debtors? They make societies.²⁰

Perhaps this was the unity of spirit which Beecher’s magazine proclaimed, that bond of peace which by itself could perpetuate national purity. Perhaps the law of love had been activated and it alone would keep society free from “depravity within and temptation without.”

In effect, the reform movement, like revivalism, was another attempt to reinstate Puritan thinking in America. These reformers, though they claimed to be motivated by their love for others, saw themselves primarily as authority figures, as God’s viceregents. In their opinion, God wanted

man to obey His laws as interpreted by the benevolent societies. Here was a democratic version of the seventeenth-century platform for regulating social and moral behavior: not an individual dictating to the masses but the reverse; a mass organized to make the individual virtuous, to see that he or she lived according to God's (and the reform society's) will. Did such calculated attempts to achieve order and to save souls emanate from one's sincere love for another? Or had the idea of brotherly love been somehow forgotten? Even the Sunday School Union, during its heated battle over men's souls, asserted: "Since the world began the depraved passions of men have required some kind of restraint; if education and religion do not provide that restraint; then bayonets and halters must."²¹

It was not the language of love but rather the language of war, complete with symbols of aggressions and brute force, which cluttered the speech of the Lord's anointed. Charles Finney had called upon the friends of God to "crush" the character of every sinner, to "force" men to abandon their evil ways, while the Sunday School Union endorsed the use of "bayonets and halters," should religion fail to provide sufficient restraints. To Lyman Beecher, the endless array of benevolent societies formed a "disciplined moral militia," prepared to act in every emergency and repel every encroachment upon the liberties and morals of the State.²² Significantly, the warfare was not spiritual in nature. These societies engaging in an active attack upon sin used more than prayer to convert the sinful. For a battle waged in an earthly political arena, they chose what had become since the Enlightenment a secular weapon—the Law. Members of societies tried desperately to align themselves with legislators, hoping that soon the Puritan ideal would begin to resurface: morality backed by the power of the State.

Neal Dow, founder of the Maine Temperance Union, was one such reformer who believed that the Lord's work could best be accomplished by political action. Dow's crusade against alcohol climaxed with the passage of new legislation which forbade the manufacture of liquor.²³ The Society for the Promotion of Temperance joined Dow in this quest for political influence, which by 1828 was considered highly desirable. Reformers might have claimed that laws alone were unable to wipe out intemperance, but their actions revealed an abiding confidence in legislative powers.

Throughout America, teetotalers joined with abolitionists and pacifists in an effort to force national and state governments into passing legislation which would regulate moral behavior and strengthen the role of the Church. Lyman Beecher, a staunch advocate of organized reform, articulated the position of most evangelical ministers concerning the adoption of laws against immorality. The revivalist never questioned the wisdom of such laws; rather he assumed the right of civil authority to legislate morals. His attitude was not unlike that of his Puritan forebears, for they, too, regarded the State as an auxiliary force intended by God to support His laws and government. To Beecher, the purpose of benevolent societies was clear: they were meant to help the civil magistrate enforce laws, "to devise ways and means of suppressing vice and guarding public morals." This

“system of exertion” would, said Beecher, “retrieve what we have lost, and perpetuate forever our civil and religious institutions.”²⁴

In order to retrieve their lost power, the ministers looked to their former ally, hoping a new partnership with the law, comparable to the one enjoyed in the seventeenth century, would be created. But in the very act of seeking such an alliance, the Church repeated its old mistakes. Accepting and promoting the idea that legislation was needed to keep people from drinking or from working on the Sabbath was an admission that God’s law lacked the force and power of man’s law. As ministers and reformers courted politicians and inched in to assume positions beside lawmakers, they left no question as to the identity of the real guardians of morality, the official spokesmen for truth and right. What Beecher undoubtedly considered a progressive move was in fact dangerously regressive: Christianity had once again become entangled with legalities.

Efforts to outlaw immorality were not confined to Maine or to the Temperance Movement. In 1815 the Presbyterian General Assembly petitioned Congress to stop transmitting mail on Sunday, arguing that such activity constituted a flagrant violation of Divine Law. Understandably, ministers and reformers were deeply concerned about this particular issue: the Sabbath belonged to the Church; it was a day set aside by God for the work of the minister. To appropriate this day was to usurp the minister’s exclusive property, and such usurpation could only be construed as a serious threat to Church power. “Were this grand pillar of the Christian fabric removed,” the Presbyterians insisted, “the whole building would fall to the ground.”²⁵

Here was a situation most difficult to ignore. Recognition of Sunday as a national holiday was one of the Church’s strongest arguments that America truly was a Christian nation. Lyman Beecher quickly embraced the cause, confident that a return to strict Sabbath observance was simply a matter of reminding civil authorities that the laws designed to protect the Lord’s Day needed enforcement. As he and other religious leaders pushed for governmental support, the Beecher notion of religion as mainspring of society began to disintegrate. Their actions told a nation that Sabbath observance depended upon civil enforcement, that the Church alone could not summon men to their duty before God.

In the eyes of the reformers, the situation warranted an all-out attack on the pernicious statute providing mail service on Sunday. Petitions were addressed to both Houses of Congress, and the devout refused to post their letters on Sunday. Charles Finney lent his support to the protest, declaring that “unless something is done, and done speedily . . . the Sabbath will go by the board.”²⁶ The General Union for Promoting the Observance of the Christian Sabbath, formed in New York, discouraged all forms of secular activity on Sunday and advocated boycott of companies operating on that day. It seemed that the Sabbath question afforded the Church a perfect opportunity to demonstrate that government still supported the concept of a Holy Commonwealth. Certain that legislators would cast their votes for

God and His ministers, the Sabbatarians engaged in relentless agitation, until the Congress finally issued its decision.

The lawmakers' answer was not the one which the theocrats had expected. Delivered in 1830 at the Twenty-First Congress, the Johnson Report stated unequivocally the government's position on the matter of the Sabbath: no law supporting its observance would be adopted, no statute to prevent the delivery of mail on Sunday would be passed, for the Church and State were separate and distinct; furthermore, "extensive religious combinations to effect a political object are . . . always dangerous . . . when such influences begin to operate upon the political institutions of a country, the civil power soon bends under it."²⁷ There would be no bending on the part of the government, no deferring to the wish of the Church. Senator Richard Johnson's report was, in a sense, a harbinger of doom for the minister. It told him, in no uncertain terms, that the magistrate reigned supreme in the realm of law.

Many ministers and reformers had placed their faith in legislation, believing it would preserve Christianity in America. But some had been troubled with serious doubts. Francis Wayland, president of Brown University and an influential Baptist theologian, questioned the ability of a political process to hand down decisions involving moral issues: "moral questions cannot be decided by majorities, nor can the law of God be ascertained by the votes of conventions."²⁸ Concern over the Sabbatarian issue had led the distinguished Virginia Presbyterian John Holt Rice to denounce the inordinate amount of "bustle and noise [existing] in our religious enterprises." Rice feared that the Sabbath cause was losing ground: "Is it wise . . . to push matters to a vote? Is it wise to push men until they commit themselves against the cause of holiness?"²⁹ In 1826 the Reverend Justin Edwards reminded Americans that no laws could make people holy: "no means will produce it but the means of God's appointment."³⁰

The words of seventeenth-century English Puritan Richard Baxter served as an admonishment to later ministers and reformers. Baxter's discourse on the pastoral office, reprinted in America, was used widely during the nineteenth century. According to Baxter, the ministers themselves were to blame for any loss of power. Their overdependence upon the magistrate would only lead to an even greater loss of prestige and influence.

How did the church of Christ subsist before the days of Constantine the Great, without the help of the civil magistrate? And how was discipline exercised for three hundred years when the prince . . . persecuted [Christians]? Yet then was the Church in its best state. Are the keys of Christ's church so unfit and useless, that they will not open and shut without the magistrate's help? If they contracted any rust, we may thank ourselves, who have let them lie so long without use. But let me add that too much interposition of the civil magistrate with our discipline, would do more hurt than good.³¹

Voices were raised in various corners of the religious community

opposing the mania for Christianizing government and politics. There were those who viewed religion as a strong independent force in the lives of people and who rejected the idea of any covenant which tied Christianity inextricably to civil polity. They believed that Christian values formed the only solid foundation for a free, well-ordered society in which a spirit for the rights and interests of others might flourish. A more liberal religious philosophy based on the belief of man's innate goodness seemed to emerge phoenix-like from the accumulating ashes of Protestant orthodoxy. Articulated in part by Unitarian minister William Ellery Channing, this philosophy acknowledged the Puritan tendency to rely on civil authority and looked forward to what liberal theologians hoped would be a new, less law-oriented, future:

We [hoped] perhaps that human laws and national sympathy would hold society together. As reasonably might we believe that, were the sun quenched in the heavens, our torches could illuminate and our fires quicken and fertilize the earth. . . . Appetite knowing no restraint, and poverty and suffering, having no hope or solace, would trample in scorn on the restraint of human law. [Christianity] lays deeply the only foundations for liberty, which are the principles of benevolence, justice, and respect for human nature. It diminishes the necessity of public restraints, and supersedes in a great degree the use of force in administering the laws.

Channing believed that men owed their freedom not to statutes but to the "power of those laws which religion writes on our hearts, which unite and concentrate public opinion against injustice and oppression, which spread a spirit of equity and good-will through the community."³²

Ironically, Channing's reference to religion's law "written on our heart" repeats, almost word for word, the sentiment expressed by Lyman Beecher's *The Spirit of the Pilgrims*, a magazine founded as a weapon against Unitarianism. A platform for Congregationalist ideas, this magazine had singled out God's government as the force capable of holding society together, "and this it must do by the force of its own law written upon the heart." On the surface, as noted earlier, *The Spirit of the Pilgrims* opted for the Heart; more than once it attributed society's problems to the Head: "the intellect has failed."³³ Though the actions of Beecher and other conservatives were not always consistent with their words, the fact remains that such words appeared in print, presumably with their sanction, and so created an interesting and curious link to the liberalism of William Ellery Channing and the radical Unitarianism of Theodore Parker. Together they formed a force opposed to the encroachment of civil authority upon the territory which belonged to religion alone. As Robert Baird noted in 1844, the churches in America were united by a shared belief concerning "the unlawfulness of any interference with . . . [their] doctrine, discipline, and government on the part of the civil magistrate."³⁴ Conservatives such as Beecher saw government as an agency ordained by God to support church doctrine but never to interfere with it. Liberals such as Channing

saw no cause for civil interference in spiritual matters, believing that moral truths required no legal sanctions.

In an essay titled "The Three Chief Safeguards of Society," Theodore Parker looked at the affairs of state and threw a decidedly non-Puritan light on the role of government and legislators. "We are often told, that human government is of divine appointment, and men morally bound to submit to it." Parker agreed that at certain stages of human political development it was necessary to have certain political establishments with persons to administer them, and that in this sense government was of divine appointment:

But the fence of a farm is just as necessary to agriculture, at a certain stage of agricultural development, as government to society. However, it does not follow from this, that a stone wall or a rail fence is of divine appointment. It would be ridiculous for a farmer to claim divinity for his fence: it is just as absurd for a politician to claim it for his government. Both are alike and equally the work of men.

So it is, Parker declared, with human statutes for which some had claimed divine appointment, making them binding on the conscience of men. Rules for agriculture, he noted, are as necessary to the farm as laws are for the state, but it does not follow from this that the agricultural rules laid down by Columella the Roman, or the rules laid down by human lawgivers, are of divine appointment: "Rules for farming the land and rules for farming the people are alike and equally the work of men."

Citizens had been told, said Parker, that they could safeguard their social welfare by subordination to the community, submission to government, and obedience to every statute; a form of complete surrender had been called for, "of [the individual's] mind to the public opinion, of his conscience to the public statute, of his religion to some bench of attorneys, and his will to the magistrate." In Parker's opinion, however, persons were meant to surrender to only one thing: the doctrine of a higher law, "the doctrine of allegiance to God which appears in every form of religion ever taught in the world; a doctrine admitted by the greatest writers on the foundation of human law, from Cicero to Lord Brougham." Man's moral duty to respect government, to obey statues and civil authority "is all resolvable into the moral duty of respecting [his] own nature, of obeying God."³⁵

William Ellery Channing, who shared Parker's views on civil authority, believed that nations and individuals should abide by those man-made laws which reflected the moral law "written on the heart, and rewritten and republished in God's world." Others might think that moral principles could be instilled and fostered solely by a temporal code, but, clearly, Channing did not:

Virtue cannot be a product of legislation. Laws may repress crime . . . but moral and religious worth, dignity of character, loftiness of sentiment, all that makes man a blessing to himself and society, lies beyond their province. Virtue is of the soul, where laws cannot

penetrate. Virtue is an inspiration of God, not a creature of law.³⁶

The slavery issue in particular seemed to demonstrate that legislators were effectively supplanting ministers as arbiters of morality and that the civil code might ultimately usurp the authority of moral law. Indeed, said Channing, that day was at hand. “[T]he present is a moment—of absorbing worldliness, when the moral law is made to bow to expediency, and its high and strict requirements are denied or dismissed as metaphysical abstractions or impractical theories.”³⁷ Parker put it another way:

The law of man is subordinate to religion—religion has as much to do with national as with individual life. Depend on it: that idea is the safeguard of the State and of the law. It will preserve it, purify it, and keep it; but it will scourge every wicked law out of the temple of justice with iron whips. Depend on it; when we lose our hold of that idea, all hope of order is gone.³⁸

Channing and Parker placed their faith in moral law as it existed in the heart of man. In a sense, they were staking the future of Christianity on their confidence in man’s innate goodness. While Puritan orthodoxy regarded man as depraved, incapable of acting in accord with God’s laws without the restraining arm of civil authority, these Unitarians endorsed an optimistic view of human nature. As Timothy Smith has pointed out, “Unitarianism’s denial of human depravity [was] the fountain of its enlightened social views.”³⁹ Sydney E. Ahlstrom concurs. According to him, Channing’s doctrine of the “‘essential sameness’ of man and God . . . of man’s perfectibility . . . undergirded the strong ethical element in his teaching and buoyed up his confidence in human progress.”⁴⁰ While Channing and Parker respected the intellect, they sensed that it had somehow achieved a position of overweening importance. The heart, they claimed, could lead persons to right action. “The heroic heart,” said Parker, not “the great head”:

I do not undervalue intellect in any of its nobler forms, but if God gave me my choice to have either the vast intellect of a Newton—the ethical insight of the great legislators—the conscience of men who discover justice and organize inalienable rights into human institutions—or else to take the heroic heart which so loves mankind, and I were to choose which brought its possessor the greatest joy, I would surely take, not the great head, but the great heart, the power of love before the power of thought.⁴¹

Together law and religion had projected a one-dimensional view of a cerebral God which reflected the decidedly cerebral nature of the American religious and legal institutions themselves. In a sense, the sins of America’s theological fathers—their obsessive reliance on civil authority, on contractual agreements which kept man in perpetual spiritual and psychological bondage—had placed religion in an unfortunate position, a weak political position which Protestant reformers would attempt for decades to overcome.

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notes

1. *A Sermon Delivered at Woolcot* (Andover, 1815), 25.
2. Quoted in George M. Marsden, *The Evangelical Mind and the New School Presbyterian Experience: A Case Study of Thought and Theology in Nineteenth-Century America* (New Haven, 1970), 8.
3. Sidney E. Mead, "The Rise of the Evangelical Conception of the Ministry in America: 1607-1850," in H. Richard Niebuhr and Daniel D. Williams, eds., *The Ministry in Historical Perspectives* (New York, 1951), 236.
4. (New York, 1975), 3-4.
5. *The Covenant Idea in New England Theology: 1620-1847* (Grand Rapids, Michigan, 1945), 177.
6. Robert T. Handy, *A Christian America: Protestant Hopes and Historical Realities* (New York, 1971), 28-29.
7. In 1798 Beecher wrote of the things which made that region attractive to him. In addition to no lawyers, the people were "industrious, hospitable, in the habit of being influenced by their minister." Quoted in Donald M. Scott, *From Office to Profession: The New England Ministry 1750-1850* (Philadelphia, 1978), 5.
8. William G. McLoughlin, *The American Evangelicals, 1800-1900: An Anthology* (New York, 1968), 72.
9. Lyman Beecher, *A Reformation of Morals Practicable and Indispensable* (New Haven, Connecticut, 1813), 29.
10. *The Saints' Guide* (London, 1645), 10-11.
11. *The Supremacy of the Laws: A Sermon* (New York, 1838), 113.
12. Charles Grandison Finney, quoted in Perry Miller, *The Life of the Mind in America from the Revolution to the Civil War* (New York, 1965), 25.
13. Charles Grandison Finney, "What a Revival of Religion Is," in McLoughlin, 86-100.
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