

# The Myth of American Religious Coercion



Frances Trollope, the English-born Tory, found American religious habits loathsome (in truth, she found most everything about America loathsome). But Trollope was particularly revolted by the propensity Americans displayed for shoving their faiths down other people's throats. You could implement a "religious tyranny," she said, without state aid. Have a look at the Americans, bless their hearts. They were providing a convincing demonstration of how this might be done—through boisterous revivals, incessant proselytizing, and everyday social bullying. In short, through the blunt instrument of cultural coercion.

A better known observer from Europe, Alexis de Tocqueville, was more judicious in his assessment of American religious life. Like Trollope, he didn't think religious faith had much effect on the nation's "laws or the specifics of political opinion." Nonetheless, he ventured that the broad and penetrating influence of Christianity sustained a common, religiously infused morality that regulated the nation's unruly commercial and democratic impulses.

Building on Tocqueville's observation, the historian David Sehat contends that a formidable and coercive "moral establishment" triumphed in the early republic. Sehat's smart and provocative book, *The Myth of American Religious Freedom*, has gained an enthusiastic following among historians. The moral establishment thesis relies on two propositions: (1) the founders failed to restrict religious coercion by the states; (2) "religious partisans" exploited

that opening to suppress liberal reform and irreligious dissent.

The first proposition is mostly uncontroversial. But the second is not and warrants investigation. Historians have known for some time that an unofficial Protestant, or at least Christian, establishment existed in nineteenth-century America. But what sort of establishment was it? And how coercive? These are questions that Sehat's thesis raises in poignant new form.

Here's what we generally agree upon: During the last three decades of the eighteenth century, the United States commenced a process of official disestablishment that eliminated most forms of direct government funding for churches and state-enforced religious doctrine. Unlike their European and colonial predecessors, early republican states imposed no creeds on believers nor penalties for missed church attendance. Early national constitutions also trimmed or eliminated religious tests for civil office.

Blasphemy laws were a manifestation of an unofficial establishment that accorded Protestant Christianity symbolic precedence and deferred to Protestant norms.

In addition, legislatures passed what amounted to general incorporation laws for churches and synagogues. This mattered a great deal, not least because it leveled the legal playing field between religious groups. For its part, the federal government wasn't permitted to enact religious tests or support a national religious establishment, and was prohibited from legislating restrictions on religious exercise. That mattered less because the states, and not the federal government, possessed the power to actually infringe upon the rights of believers and nonbelievers.

What remained in most states were nondenominational Protestant or Christian establishments. The design varied from state to state but shared a common substratum of Protestant and Christian norms that justified Sabbatarian restrictions, limited office holding to those who could swear by the Old or New Testaments (sometimes both, which as you can imagine made things difficult for Jews), prescribed religious oaths for witnesses, and occasionally prosecuted revilers of Christianity.



"The Trollope Family: From a Sketch Taken from Life, Made in Cincinnati in 1829," lithograph after David Claypoole Johnston, published by Childs & Inman, lithographers (Philadelphia, 1832). Courtesy of the American Antiquarian Society, Worcester, Massachusetts. Mrs. Trollope sits at front with an open book and pen in her hands.

That, more or less, is where the consensus ends. The thing that needs to be established is whether, in Sehat's terms, "religious coercion" and determined efforts to "maintain religious power and control" were the defining characteristics of the early nineteenth century.

To Sehat, the essence of the early nineteenth-century moral establishment were the blasphemy laws that forbade defamatory speech or writing about Christianity. So these deserve special notice. The first thing to point out here is that blasphemy restrictions were longstanding features of Anglo-American law. There was nothing new about them. Nonetheless, some states such as Massachusetts did pass statutes prescribing punishments for any "denying, cursing, or contumeliously reproaching God, his creation, government or final judging of the world, or by cursing, or reproaching Jesus Christ..."

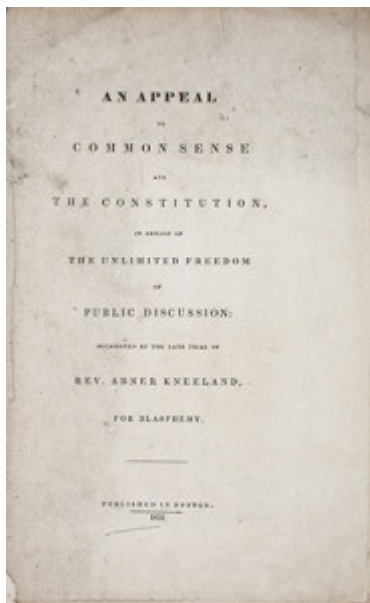
Even in the absence of legislative statute, prohibitions against anti-Christian speech lurked menacingly in the common law, the source code of American jurisprudence, and were reaffirmed in a handful of state court cases. Had they been rigorously enforced, blasphemy laws would have made life precarious for unbelievers, skeptics, and radical dissidents.

But they weren't. Despite the importance accorded early republican blasphemy cases by Sehat, very few were actually tried. In his *Repressive Jurisprudence*, Phillip Blumberg notes that he has "identified no fewer than 20 blasphemy cases in the first half of the 19<sup>th</sup> century." That's the most any historian has verified, and it works out to less than one blasphemy case per state over a fifty-year period.

The impact of this regulatory restraint was significant. While re-publishing irreligious works such as Thomas Paine's *The Age of Reason* would likely get you

prosecuted in early nineteenth-century England, American publishers repeatedly got away with it. If they suffered damage to their reputations in doing so, that was probably all the punishment they endured.

An exception proving the rule was the trial of the popular Boston freethinker Abner Kneeland. In the early republic, it usually took scoffing, scurrilous, or sexually related speech about Christianity to draw a blasphemy indictment. Radical social ideas could also do it, and that, as Paul Finkelman has recently argued, may have been behind Kneeland's prosecution. At any rate, Kneeland was convicted in 1838 on the grounds that he published an article in his newspaper that denied the existence of God, Jesus Christ, and the immortality of the soul. The court sentenced him to jail for two months.



Title page, *An Appeal to Common Sense and the Constitution, in Behalf of the Unlimited Freedom of Public Discussion: Occasioned by the Late Trial of Rev. Abner Kneeland, for Blasphemy* (Boston, 1834). Courtesy of the American Antiquarian Society, Worcester, Massachusetts.

Stripped of context, Kneeland's treatment seems like pretty convincing evidence for the moral establishment thesis. Before assigning the case to that ledger, we need to keep four things in mind. First, Kneeland entered prison a local celebrity and exited with even greater renown. Second, upon leaving, he proceeded to reprint the very same offending passages in pamphlet form. That "blasphemy" provoked no official action. Third, irreverent contemporaries such as Kneeland's fellow Bostonian Theodore Parker (who declared that "[n]o institution in America is more corrupt than her churches. No thirty thousand men and women are so bigoted and narrow as the thirty thousand ministers") preached to large audiences without legal sanction. Fourth, Kneeland's was the last successful blasphemy prosecution in Massachusetts. It was an embarrassment to a community that prided itself on liberty of conscience.

This is not to say that blasphemy laws didn't contain the potential for coercion, or reflect Protestant Christianity's broader cultural influence. Christian jurists and legislators conceded as much when they explained, sometimes in tortured logic, that Christianity was not established in the way Anglicanism was in England or Catholicism in Spain. Nonetheless, they contended that it was still entwined with the common law and still mightily revered in the community. Daniel Webster and theologian Philip Schaff were among those who invoked a well-worn line from an 1824 Pennsylvania blasphemy decision wherein it was explained that the state had endorsed "not Christianity founded on any particular religious tenets; not Christianity with an established church, and tithes, and spiritual courts, but Christianity with liberty of conscience to all men."

They protested too much. Blasphemy laws were a manifestation of an unofficial establishment that accorded Protestant Christianity symbolic precedence and deferred to Protestant norms. Yet Webster and Schaff had a point in suggesting that their state establishments were considerably more constrained than their colonial and European antecedents, and that they made relatively generous allowances for religious liberty. Those were not myths.

Indeed, an ever widening spectrum of religious eccentrics evaded blasphemy laws. That included one of Kneeland's local advocates, the Transcendentalist philosopher Ralph Waldo Emerson, who declared that genuine revelation (as opposed to its petrified scriptural varieties) was ongoing in nature and in our souls. Most of the time, Emerson's heretical effusions inspired a satisfying bewilderment among his listeners. But even when Emerson's audience was more discerning and his prose less opaque, authorities declined to indict him. At Harvard Divinity School's 1838 commencement (delivered a month after Kneeland began his two-month sentence), Emerson told the pious assembly that their churches were hollow shells and that America's clergy were unthinking conduits of tradition.

A deluge of criticism ensued. The public prints accused Emerson of "infidelity" and "blasphemy" (and probably with some truth of "vagueness" and "nonsense"). He was excoriated by the orthodox. But there was no longer an official church establishment to devour the irreverent metaphysician in its maw. Emerson was not jailed, flogged, or beaten in the streets. His opponents hurled neither sticks nor stones, nor blasphemy indictments. Just mean names.

It is still possible that blasphemy laws and the culture that supported them had a deterrent effect on those with freethinking tendencies. That's what an aged and irascible John Adams suggested in an 1825 letter to Thomas Jefferson. While blasphemy regulations were rarely applied, Adams mused, they nonetheless cast a pall over unconventional thinking and stymied the progress of ideas. A contemporary opponent of religious revivals complained that "[m]en of the least talent and reflection are often the most successful in promoting them, and the most ordinary persons in these scenes may rise to the highest consequences."

Perhaps the same could be said of early republican religion more generally: it inhibited irreverent and secular thought. Beginning in the 1790s, as the French Revolution approached its bloody peak, Americans began decrying irreligion and “infidelity,” and some didn’t stop until the twentieth century. Describing the impact of early republican religious culture, Alexis de Tocqueville observed that Americans could not conceive—could not bring to cognition—what their Christian faith wouldn’t allow them. They were “obliged to profess an ostensible respect for Christian morality and equity...” As bold as they were in enterprise, Tocqueville thought these people were meek in matters of the intellect.



Frontispiece portrait of Rev. Abner Kneeland, engraved by Bass Otis, taken from *A Series of Lectures on the Doctrine of Universal Benevolence: Delivered in the Universalist Church, in Lombard Street, Philadelphia, in the Autumn of 1818, and Published at the Request of the Brethren Attending in Said Church, by Abner Kneeland (Philadelphia, 1818)*. Courtesy of the American Antiquarian Society, Worcester, Massachusetts.

Skeptics and deists agreed that America was awash in anal retentive dogma. In 1822, Thomas Jefferson groused to Thomas Cooper that once-enlightened Richmond had succumbed to religious “fanaticism.” The object of his disdain was the same informal and female-centered social coercion that Trollope later bewailed. The women of Richmond, Jefferson wrote, “have their night meetings and praying parties, where, attended by their priests, and sometimes by a hen-pecked husband, they pour forth the effusions of their love to Jesus, in terms as amatory and carnal, as their modesty would permit them to use to a mere earthly lover.”

Historians, most notably Amanda Porterfield and Christopher Grasso, have illuminated the origins and development of this surging antipathy toward unbelief and impiety. But acknowledging that early republican culture tended to

discredit or discourage irreligious thought and privilege evangelical sentiments is a far cry from saying that the period was marked more by religious coercion than religious freedom. Despite the vigor of the cultural machinery that evangelical Christians employed, despite their ceaseless production of cheap tracts and Bibles, the fact is that people in positions of higher authority were both disinclined and ill-equipped to prosecute systematic campaigns against dissenters.

In fact, one of the factors that made popular grievances so combustible during this period was that state prosecution and protection were so lackluster. Regular police forces were simply incapable of preventing or punishing mobs. At the same time, embattled churches such as the Mormons and Catholics either raised armies or threatened to do so. As a huge crowd of angry Bostonians prepared to destroy the ill-fated Charlestown convent in 1834, the Mother Superior, Mary Moffatt, badgered the motley assembly with the specter of a bishop-led "army of twenty thousand Catholic Irishmen who will burn your houses." It's not clear what alternatives were available to Sister Moffatt given that the town's firemen stood aside to watch the proceedings and that the police—such as they were—never arrived.

All this is to say that when it came to religious matters, the states were weak and perpetually feckless, proving a slack instrument for the exercise of coercion against religious minorities, as well as a slender shield when mobs assembled to threaten those same groups.

The federal government exercised even less direct power on its citizenry than the states. Until the Civil War, it was still chiefly an employer of customs officers and postal workers. Nonetheless, in 1829, a furious debate erupted over the operations of the latter. The point of contention was whether the federal mails should operate on Sunday, the Christian Sabbath. An 1810 congressional act mandated that post offices must open their doors for delivery at some point that day. Scores of petitions from across the country insisted that they should not.

In response to the Sabbatarian clamor, Senator Richard M. Johnson, chairman of the Senate Committee on Post Office and Post Roads, delivered an impassioned rejoinder. In his initial report to the Senate, Johnson indicated that religious diversity was now integral to the way Americans framed their church-state concerns. "What other nations call religious toleration we call religious rights," Johnson told his colleagues. Addressing the House, Johnson added that "[t]he Constitution regards the conscience of the Jew as sacred as that of the Christian and gives no more authority to adopt a measure affecting the conscience of a solitary individual than that of a whole community."

Opponents of Sunday mail delivery made an equally ardent plea for religious liberty and tolerance, along with their insistence that the federal government abide by the Fourth Commandment. What about the 26,000 men employed by the postal service who would experience the "partial" or "entire loss" of "the

privileges of public worship on the Sabbath"? What about their consciences? What about the stage coach riders, or those who fed and sheltered them? When were they to rest their bodies and refresh their souls? Could this be dismissed as a matter of little consequence? And was it really the Jews whose consciences Senator Johnson was so concerned about? Could solicitude for this tiny population of non-Christians outweigh the interest of twelve million Christians? Saturday delivery would continue to violate their consciences anyway. So why the dyspepsia about outlawing Sunday delivery?



Portrait, "R[alph] W[aldo] Emerson," mezzotint by John Sartain after Mrs. Hildreth, taken from *The Drawing-Room Scrap Book* (Philadelphia, 1850). Courtesy of the American Antiquarian Society, Worcester, Massachusetts.

The diverse Protestant groups that joined in the campaign to eliminate Sunday mail delivery lost this battle, as they would lose a later battle to have God inserted into the U.S. Constitution. The federal government never succumbed to these evangelical importunities. And what became of Johnson, that impudent scourge of the moral establishment? Like Kneeland after him, Johnson emerged from the controversy as an icon of religious freedom and later served as Martin Van Buren's vice president. At one point he was considered presidential material himself.

Nineteenth-century America maintained a secular federal government that no determined group of religious partisans could undo. Just as importantly, a nonsectarian and secularizing trend was evident at the state level. The legal historian Steven Green has charted a turn away from divinely sanctioned law both in Sabbath restrictions and public schooling during this period. Green notes that—again during the nineteenth century's middle decades—Americans began justifying their Sabbath laws as health and welfare measures, rebranding them as rules that permitted laborers time to rest and saloon keepers a reason to keep their doors closed. Likewise, advocates of Bible reading in the schools



were forced back upon secular justifications (scripture, it was argued, was an indispensable source of moral influence), as the good book became an increasingly scarce text in late nineteenth-century classrooms.

We're still left with the potentially damning fact that court's witnesses were required to demonstrate belief in a future state of rewards and punishments. Could this provide compelling evidence that the early republic was afflicted with high levels of religious coercion? It might seem so. In a 2009 *Journal of the Early Republic* article, Ronald Formisano and Stephen Pickering traced the persistent vestiges of these requirements in the common law. They found "that religious tests for 'witness competency' remained on state statute books and in judges' decisions a much longer time" than scholars had previously thought. In fact, Formisano and Pickering showed that such tests persevered through much of the nineteenth century.

On the surface, Formisano and Pickering's finding appears to offer persuasive evidence for the vitality of a coercive moral establishment in the early republic. Yet these scholars also note the general trend away from strict religious requirements for witnessing and toward their abolition during the middle decades of the nineteenth century—in line with what Green has found with regard to the schools and Sabbath enforcement—precisely when the moral establishment was supposedly approaching its indomitable heights.

The truly remarkable thing about the nation's unofficial establishment is how much freedom it conferred. That distinguished it from colonial America and from much of contemporary Europe. Tocqueville noticed the difference. "In France," he observed, "the spirit of religion and the spirit of liberty almost always pulled in opposite directions. In the United States I found them intimately intertwined."

Consider a brief counterfactual: Picture Emerson or Kneeland parachuted into mid-Puritan New England; or Joseph Smith, the Mormon prophet, delivered into eighteenth-century New York. Setting aside the question of whether their controversial utterances would have even been conceivable, can we imagine public opinion having suffered them for an instant? Presuming they openly questioned the existence of God or proclaimed a new revelation, presuming that they gained the slightest influence among British American colonists, can we envision authorities who would have stopped short of banishment or capital punishment?

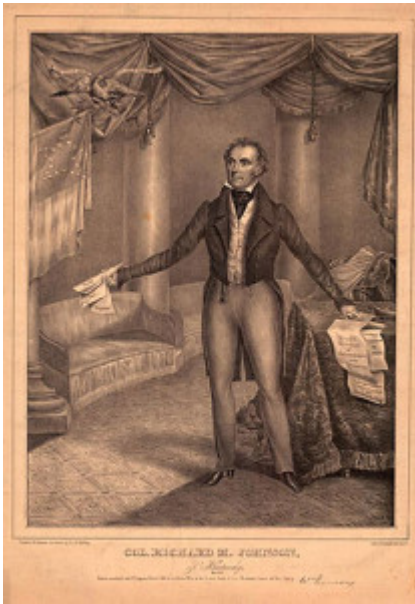
It is true that nineteenth-century Unitarians, Universalists, deists, and nonbelievers were regarded with open contempt by the evangelical majority. But here's the thing: Universalists and other unorthodox believers preached and practiced openly now. Nor did "religious partisans" employ state authority to shut down free-thought societies or papers. Even the conjurors who invoked dead spirits prospered; in fact, they were wildly popular. When a lonely 1854 petition to ban séances arrived in Congress, it was simply tabled.

In the early decades of the republic, free people enjoyed unprecedented autonomy when it came to their religious opinions and practices. And their theological disagreements widened as the range of possible belief billowed outward. The multiplying fissures and proliferating choices could be unsettling for believers and nonbelievers alike. Joseph Smith was among those who lamented the "war of words and tumult of opinions" that poured forth from American believers. They were "plagued," Amanda Porterfield writes, "by doubt in many forms."

The stimulatory effect of such doubts helps explain why these years represented one of the most fertile epochs of religious and cultural improvisation in world history. Terryl Givens once called it an age of "proliferating heterodoxies." The country sparked with enterprising churches and entrepreneurial ministers. Parts burned hot, then suddenly cool; but the energy of the whole system seldom dissipated. It consolidated only to scatter in some newly perfervid way.

The free population in America conducted what the English philosopher John Stuart Mill called "experiments in living" on a vast scale. Freely exercising their faith allowed them to test the value of "different modes of life" through practical trial. Perhaps that is the best way to think about these early national Americans: less devoted to the lofty principles of inclusion and tolerance than they were inured to the reality of religious experimentation. "We are a little wild here with numberless projects of social reform," Ralph Waldo Emerson wrote to Thomas Carlyle. Every "reading man" carried "a draft of a New Community in his waistcoat pocket." Either way, these experiments—the vast majority of which were religious in character—carried on with little if any official resistance.

The situation for religious minorities also belies the claim that the first decades of the nineteenth century were marked by religious coercion. The Constitution banned religious tests for holding office at the federal level and by the 1830s the remaining state religious tests had either been repealed or were commonly ignored. For all the nativist animus that they cultivated, Protestant religious partisans did a poor job of keeping Roman Catholics out of the country, and proved no more adroit at denying them political influence. They were similarly inept at excluding Jews, who were, as one historian of the period put it, "to be found in every part and in every faction."



"Col. Richard M. Johnson, of Kentucky," lithograph by A.A. Hoffay, published by Dorival Lithographers (New York, 1833). Courtesy of the American Antiquarian Society, Worcester, Massachusetts. Johnson holds papers in his right hand labeled "Sunday Mail Reports" and among those under his left hand are "Rights of Conscience Liberty of Speech and Freedom of the Press."

Moreover, for all the heat generated by the new religious diversity and its resulting antipathies, there were few fires, even amid the dry timber of Protestant-Catholic relations. Among the most conspicuous exceptions were the 1834 attack on the Ursuline convent in Charlestown, Massachusetts, and the 1844 assault on Philadelphia's Catholic churches. Yet during this very period, as Margaret DePalma, John Dichtl, and Andrew H. M. Stern have demonstrated, an enormous amount of peaceful interaction was occurring between Protestants and Catholics. During the first half of the nineteenth century, those age-old adversaries helped one another construct many more churches than were burnt. Protestants and Catholics intermarried on a surprisingly steady basis, while Catholics joined Protestant-inspired reform societies and assisted Bible distribution efforts.

This was also a relatively good place to be Jewish. In 1811, the same year that New York's highest court ruled against a man named John Ruggles for proclaiming that "Jesus Christ was a bastard, and his mother ... a whore," New York City named an American-born Jew, Mordecai Noah, its sheriff. A decade and a half later, a newly arrived Jewish immigrant, Aaron Philips, gushed to his German mother and father:

Here we are all the same, all the religions are honored and respected and have the same rights. An Israelite with talent who does well, can like many others achieve the highest honors. ... America the promised land, the free and glad America has all my heart's desire. ... Dear parents, if only the Israelites knew how well you can live in this country, no one really would live in Germany any longer.

Even if Philips was overly sanguine about the prospects for American Jews, his cheerful report reflects a common contemporary sentiment. Immigration patterns bore it out. Between 1820 and 1877, notes Jonathan Sarna, the "American Jewish population increased at a rate that was almost fifteen times greater than that of the nation as a whole."

Religious liberty also dissipated the impact of racial discrimination on freed people. Enslaved African Americans were of course subjected to brutal forms of coercion, a tyranny of body and soul that made church-state relationships mostly irrelevant to their experience. That was not the case for free blacks. The absence of an official establishment and legal provisions guaranteeing religious liberty made a real difference for them. Though generally indifferent to the fate of African American worshippers, the nation's founders had created a structure in which African American churches could flourish. It's unlikely that many intended this outcome. But that was the outcome nonetheless. And enough whites were comfortable with that fact to enable scores of African American churches and a handful of African American denominations to arise without fatal opposition.

The black church blossomed more dramatically after the Civil War. Freed people rarely acquired the land they had worked upon, and the political power they enjoyed was short-lived. What the formerly enslaved did gain was the right to independent worship. Within a year of the war's end, Charleston, South Carolina, was already home to eleven African American churches. They came, Albert Raboteau tells us, in nearly every Protestant variety. There were black Methodists, Presbyterians, Episcopalians, Congregationalists, and Baptists. Meanwhile, African American membership in white-led churches plummeted.

Taken together, the reality of rampant diversity and the sacred status of liberty of conscience placed substantive constraints on religious coercion in the early republic. On nearly all the fronts that would constitute religious coercion, Protestant partisans came up short. They failed to ban Sunday mail delivery, failed to expurgate skeptics, failed to keep Catholics and Jews out of the country, and failed to contain the spread of radical religious doctrines. Their successes in promoting temperance reform and Sabbatarian restrictions at the local level were generally achieved via democratic means and increasingly with secular justifications. If this is what success looked like for them, then their goals must have been very modest.

As far as religious tyrannies go, the early republic ranked among the least formidable and resolute in history. It permitted the most extraordinary demonstrations of dissent and the most spectacular outbreaks of heterodoxy. It is true, as Tocqueville emphasized, that the early republic sustained a relatively small number of avowed nonbelievers and very limited markets for their ideas, but federal and state governments had precious little to do with that.

If there was a "moral establishment" in the early republic, it was that

sprawling and fragmented combination of Christian preachers and energized lay people who distributed books, lectured, cajoled, and sometimes made religiously inspired laws. Its influence was diffuse and its ends often conflicting. It possessed limited legal authority over individual consciences and lacked any warrant to interfere with religious practices. What power it possessed derived from its immensity and energy, and the approbation that it enjoyed from a broad swath of the American population.

Perhaps, as Frances Trollope suggested, the early republic's religious tyranny was social and cultural. Evangelically inspired men and women did exert great moral pressure, and no doubt they annoyed the incredulous. Their earnest piety probably made untold numbers of them into intellectual bores and dour supper companions. But these people, some of whom helped jump-start the abolitionist movement, while persuading a drunken population to imbibe less extravagantly and patronize brothels less regularly, proved more inclined to tolerate religious differences than extinguish them.

## Further Reading

For more on the impact of general incorporation laws, see Sarah Barringer Gordon, "The First Disestablishment: Limits on Church Power and Property before the Civil War." *University of Pennsylvania Law Review* 162:2 (January 2014): 308-372; Gordon, "The African Supplement: Religion, Race, and Corporate Law in Early National America," *William and Mary Quarterly* (April 2015); and Mark D. McGarvie, *One Nation under Law: America's Early National Struggles to Separate Church and State* (DeKalb, Ill., 2004).

On blasphemy law in the early republic, see Paul Finkelman, "Blasphemy and Free Thought in Jacksonian America: The Case of Abner Kneeland," in *Profane: Sacrilegious Expression in an Multicultural Age*, eds. Christopher S. Grenda, Chris Beneke, and David Nash (Berkeley, Calif., 2014); Sarah Barringer Gordon, "Blasphemy and the Law of Religious Liberty in Nineteenth-Century America," in *American Quarterly*, 52:4 (December 2000): 682-719; Christopher Grasso, "The Boundaries of Toleration and Tolerance: Religious Infidelity in the Early American Republic," in *The First Prejudice*, eds. Chris Beneke and Christopher S. Grenda (Philadelphia, 2011): 286-302; Steven K. Green, *The Second Disestablishment: Church and State in Nineteenth-Century America* (New York, 2010); James Kabala, *Church-State Relations in the Early American Republic, 1787-1846* (London, 2013); and, David Nash, *Blasphemy in the Christian World: A History* (New York, 2007).

On the destruction of the Charlestown convent, see Nancy Lusignan Schultz, *Fire & Roses: The Burning of the Charlestown Convent, 1834* (New York, 2000). On the decline of Bible reading in public schools, see R. Laurence Moore, "Bible Reading and Nonsectarian Schooling: The Failure of Religious Instruction in Nineteenth-Century Public Education," *Journal of American History* 86:4 (March 2000): 1581-99. On the Sunday mails controversy, see James R. Rohrer, "Sunday

Mails and the Church-State Theme in Jacksonian America," *Journal of the Early Republic*, 7:1 (Spring 1987): 53-74; and, John G. West, *The Politics of Revelation & Reason* (Lawrence, Kansas, 1996).

This article originally appeared in issue 15.3 (Spring, 2015).

---

Chris Beneke is associate professor of history at Bentley University. He is the author of *Beyond Toleration: The Religious Origins of American Pluralism* (2006), and co-editor of *The First Prejudice: Religious Tolerance and Religious Intolerance in Early America* (2011), *Profane: Sacrilegious Expression in a Multicultural Age* (2014), and *The Lively Experiment: Religious Toleration in America from Roger Williams to the Present* (2015). He is currently writing *Free Exercise: Five Histories of the First Amendment's Religious Clauses*, which is under contract with Cornell University Press.