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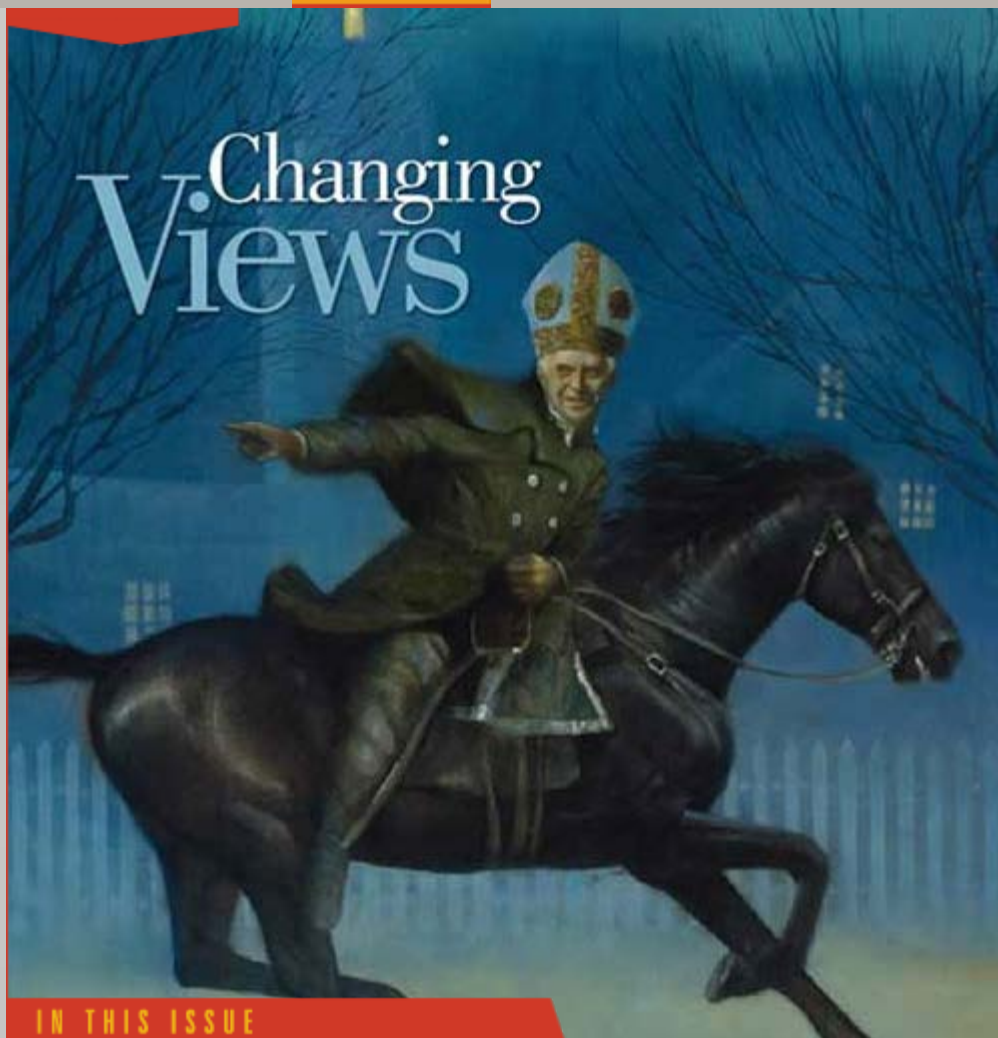
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Not A Pretty Picture

BY: LINCOLN E. STEED

What image do you put on the cover of a magazine like Liberty? We do put a lot of thought into what article to feature and what artist to assign the illustration to. Sometimes we aim to startle you a bit. Other times we want the image to resonate with some current issue. And sometimes we want the cover to look “classic.”

And sometimes we just change our mind. The royal “we” might be misleading—sometimes I change my mind. Like this issue: the rather somber cover picture of a somewhat Catholic Paul Revere is attention-getting and well executed. But I had originally wanted the toppling statue of religion, now only on page 17, to be our cover. It too is effective! Perhaps too effective! In its final form I thought the image too stark and perhaps with overtones of fascist art to carry a cover without explanation. And, yes, I did expect our readers to get the analogy to the Saddam pull-down during the Iraq war.

How to put an image to our current religious liberty scene is of course more than a cover challenge for Liberty. It goes to the heart of where we are in the whole church-state/civil liberty construct.

Times change, and that change can be startling. Yesterday as I lay helpless in a dentist’s chair, and just before he lowered the drill with a grinder bit onto the tooth that had fallen apart, the monitor above my head flashed a picture of the president and I heard him announce that June is to be LGBT Pride Month—actually it was said in full as “Lesbian, Gay, Bisexual, and Transgender Pride Month.” “It’s a different world from when I was young,” said the dentist as he switched on the grinder. Little joy in the moment.

I’ll save a full discussion of the religious liberty ramifications of the new gay entitlement for a later issue. Enough to say that it should not come down to the stark choice between gay rights and religious rights, so long as both gay rights activists and religious alarmists don’t set it out that way. But we are headed into a very socially adventurous time, and the stakes for civil liberty itself are very high.

Perhaps it was inevitable that my mind wandered to a short story that we had to read back in high school. The Picture of Dorian Gray is the most understated of horror stories, but its ending is the most horrible moral meltdown.

Written by literary legend Oscar Wilde, the story tells of a handsome and popular young man who attacks life with a gusto that seems to escape consequences. It is not till the end of the narrative that we discover his dark side: a hidden portrait that changes into the misshapen immoral monster he has become, even as he seems immune to the ravages of time and debauchery.

Writing and speaking on the state of religious liberty, particularly in the West, particularly in the United States, I am often struck with the dichotomy between where we are in everyday assumptions and where we have traveled behind the obvious. Call it the Dorian Gray effect. Or, to borrow another literary analogy, and to quote from Charles Dickens and his Tale of Two Cities, we are simultaneously in the “best of times” and “the worst of times.”

One would be hard-pressed to suggest that there is open religious persecution in the United States. Televangelists still roam the fruited plains of TV-land unopposed and well funded. Megachurches are being built faster than shopping centers. No secret police snatch religious faithful or dissenters from their homes at midnight. We have no show trials—of Christians or other faiths—yet. There is very nearly the same freedom given religion as the practices of irreligion! Oh, well, in general the same freedom!

But things are not quite as they seem.

For at least a decade or more we have seen in the United States an unseemly hunger for direct political power for certain religious factions. So far their efforts have mostly been directed toward plunder of the public treasury—that is, state funding for religious activity—the Office of Faith-Based and Community Initiatives being the most constitutionally egregious of this type. But the nature of such things means that eventually financial support for church institutions will tend to give way to a clamor for decrees on religious behavior.

For some time the establishment clause of the U.S. Constitution has been under attack, even as the free exercise clause has been administered in ever generous ways. I have often pointed this out to lecture audiences as an explanation of why there is not more obvious restriction of liberties. After all, when certain religious factions are anxious to become synonymous with the state and gain preferential funding they are hardly likely to try to restrict other religious activity—not till the establishment issue is settled, at least.

I am now rethinking part of that model.



It appears that we will not have to wait till funded and favored religious entities seek to restrict the free exercise of religion for others. It is now obvious that the other party of the “culture war” is quite ready to do that now!

We can look to Canada as a cautionary model of how easily the new social model of gay entitlement can actually criminalize Christian statements on morality—even direct quotes from the Bible. Of course, Christians and those of other faiths such as Muslims must recognize that they have no right to compel to any view, moral or doctrinal. But a healthy civil rights model must grant them the right to project their religious opinion. I see signs that this right is being challenged.

Zoning models have long been used to restrict religious meetings. In fact, the Chinese government continues to battle the home-church movement there on an argument that these are improper gatherings apart from the publically authorized Three-Self religious model. Unless you factor in the animus to religious expression it can easily pass for a public order question. Now we seem to be seeing a resurgence of challenges to home-held religious gatherings in the United States. As longtime Liberty readers know, we have often featured this throughout the years. Many local ordinances restrict the ability of, say, a Tuesday night Bible study group to meet in a private residence—but they are seldom enforced in such a case because the original intent was not to restrict religious worship. But feed in community or country prejudice and you will get the recent case of a San Diego pastor and his 15-member Bible study group faced with escalating fines and a threat of things getting ugly if they did not desist. Eventually the situation defused; but it is a vanishingly short line between this and overt religious persecution.

In a time of economic meltdown, auto company bankruptcies, and labor layoffs, one might easily overlook the bold moves to strengthen the ability of unions to co-opt workers who might have religious compunctions against joining. Card check sign-ups might be passed off as a convenient new model—but with public antipathy to marginal religious beliefs and a sense of a need to cooperate economically for the public good, it is likely it will lead to religious harassment. It has long been a position of my own Seventh-day Adventist Church that past difficulties with religious accommodation and union agitation will be repeated.

In fact, the political shifts of late, the morphing of religious power centers into more populist religious action groups, the economic collapse, the ongoing war on terror, the unfinished experiment with what used to be called torture, the economic realignment of power, the unmuzzled calls for a religious solution to the world's ills: all augur a true paradigm shift. The fair face of freedom may be something else beyond the shadows.

Bleached Faith: When Religion Is Forced Into The Public Square

BY: DAVID A. PENDLETON

A forced faith is no faith at all: for the freedom to believe entails the freedom to doubt.

Such is one of the unspoken though no less important lessons implicit in Steven Goldberg's *Bleached Faith: The Tragic Cost When Religion Is Forced Into the Public Square*. His is a timely primer on the significance of faith and the need for sustaining a civic environment wherein citizens are free of religious coercion.

This Georgetown University law professor reminds us that personal faith has played a defining role in American history, culture, and politics. It has shaped the self-understanding of Americans, regardless of their individual religious/nonreligious predilections.

A memorable image from high school history class is that of General George Washington kneeling in prayer at Valley Forge. It functions as an iconic moment despite the likelihood it did not happen. Similarly, Thomas Jefferson's most famous correspondence concludes with his "prayers for the protection and blessing of the Common Father and Creator of man."

The speeches of President Abraham Lincoln, whether from Gettysburg or from his second inaugural address, ring with biblical cadences and are punctuated with allusions to the Deity. His was not an orthodox faith, but Lincoln was steeped in religious imagery. Every Thanksgiving the story is retold of pilgrims who endured hardships and trials in search, at least in part, for religious freedom. And every four years clergy stand before the nation's capitol and offer up prayers for the newly inaugurated president, most recently for the forty-fourth president of the United States, President Barack Obama.

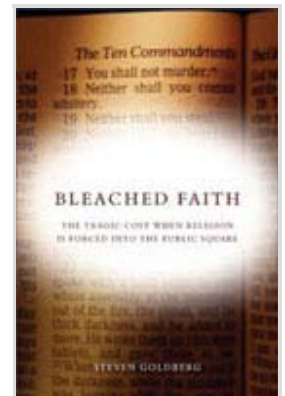
However important faith has been, just as vital has been the right to determine for oneself the nature of belief or unbelief in one's own life. Faith and freedom have been conjoined in American democracy. The first clause of the First Amendment to the United States Constitution underscores the centrality of religious freedom, effectively making religious freedom our first freedom.¹

The constitutional separation of church and state mirrors the distinction between the public and private lives we lead individually and collectively. Jefferson, in his January 1, 1802, correspondence to the Danbury Baptists, used the phrase "wall of separation between church and state." The wall of separation is a metaphor that has exerted, and for the foreseeable future will continue to exert, considerable influence.

The truth of the metaphor of separation has never been uniformly accepted. Arguably, from its inception it has had its dissenters. But in recent decades the increasingly vocal and strident efforts by some to discredit and jettison the principle of separation of church and state have become a cause for concern.

The "bleached faith" Goldberg dreads is the threat to genuine faith inherent in a "watered-down" religion contrived to achieve the questionable goal of installing one's religious worldview in public (government) places—whether the public place is a monument, historic edifice, courtroom, classroom, government policy, or curriculum.

In a succinct 161 pages, Goldberg references a whole host of subjects in an overview of the religio-political landscape—the Scopes trial, Santeria religion, Sikhs, Social Darwinism—and those are just some of the S's touched upon. He manages also to cover a lot of ground: discussing figures as influential and diverse as Justice Samuel Alito, philosopher Baruch Spinoza, and novelist Herman Wouk; explaining legal doctrines rooted in the establishment clause and grounded in the free exercise clause; sharing his own personal familiarity with both observant and secular Judaism; and expounding on such hot-button topics as intelligent design, the public posting of the Ten Commandments, and Christmas and Chanukah displays on government property.



The book is not an autobiography, but it is in places profoundly personal. He writes not just as a detached and dispassionate legal scholar but as one well-versed in and appreciative of faith. "I am a Jew who is not very observant, yet I have a strong Jewish identity," he divulges. "I have concluded . . . that religion can provide me with a sense of humility, faith, and values that science and secularism cannot" (pp. 5, 6).

Without being America-centric or anti-European, Goldberg submits that the uniquely American approach to faith in the public square avoids the perilous shoals upon which other ships of state have run aground: "We are neither France, where secularism reigns supreme, nor Iran, where one faith rules the roost. In France, students in public school cannot wear the Muslim head scarf; in Iran, they must. In America, the American Civil Liberties Union and the religious right agree that every public school student has a right to wear religious garb if and only if he or she so desires" (p. 5). American legal doctrine plots a course to steer clear of both a wholly secular society and a theocratic state.

That is not to say, however, that America is perfect. Alas, on too many occasions rancor, riot, and raucous clashes have erupted where peaceful religious coexistence should have prevailed. Is Goldberg's account just a politically correct one? Or is he actually seeking the proverbial Aristotelian golden mean? I would contend, rather, that he is describing the constitutional balance gifted to us by the Founders.

One can imagine Goldberg taking criticism from both far right and far left—fundamentalists of the theistic and atheistic ilk. It should be apparent, however, that his "opposition to pushing religion into the courthouse and the biology classroom does not stem from hostility to religion," for Goldberg is "opposed to bleached faith—the empty symbolism that diminishes the power of real belief" (p. 6).

A bleached or watered-down faith can occur, for example, when one seeks to situate in government buildings symbols of one's religious beliefs—whether a cross, crèche, crescent moon, or Ten Commandments. While the government is not required to be silent with respect to its history, it is not the role of government to bestow its imprimatur on a given faith tradition. The USDA grades beef as "Prime," "Choice," or "Select," but no government agency can so grade a religion. Goldberg points out how the Ten Commandments and their posting in government buildings is more about seeking the tacit approval of government than in educating citizens about the history of law. In seeking to make legal such postings, parties have watered down the very meaning of a singularly religious icon. This theme—of benevolent intentions being an insufficient safeguard against genuine harm—recurs throughout *Bleached Faith*.

On the topic of intelligent design and concerted efforts by some to inject creationism into the public school science curriculum, Goldberg warns against the serious untoward consequences for such pedagogical meddling. Science is limited, and framing an essentially religious idea as though it were science will tend to circumscribe and diminish faith. "Science can neither prove nor disprove the existence of God, the divinity of Christ, the nature of the soul, or any of the other teachings of actual religions," he writes. "Science cannot provide the sense of humility or the guidance on how to live our lives that these religions provide" (p. 51). Creationism, if it is to be taught at all, is properly the responsibility of churches, mosques, and synagogues—not public schools.

He cites with approval the Dover, Pennsylvania, legal case, a recent intelligent design case, in which a federal judge held that the local school board violated the establishment clause when it made obligatory the teaching of intelligent design by its high school science teachers.

That is not to say that the local school board intended to disregard the Constitution's establishment clause. Constitutional law as a whole is complex, if not convoluted. Multi-pronged tests, exceptions, nuances, and caveats abound, and the legal doctrine itself has unpredictably evolved over time. Witness the doctrinal progeny of *Lemon v. Kurtzman*² and the on-again-off-again applicability of the *Sherbert v. Verner* compelling interest test.³

While a bright-line rule may not be easily discernible, it is nevertheless the responsibility of government actors not to cross that line. "Finding your way between the establishment and free exercise clauses is like walking a tightrope," confesses Goldberg. "But it is a walk worth taking to preserve the unique brand of religious freedom we have in the United States" (p. 108). In important respects *Bleached Faith* is a clarion call for all Americans to acknowledge that the "unique . . . blend of free exercise and non-establishment—our insistence on avoiding both intolerant secularism and suffocating theocracy" (p. 128)—is worth the effort.

It is a not too subtle suggestion that when we visit the altars of our first freedoms we must return with the fire, not the ashes. Religious liberty depends as much on the voices of individual citizens as it does on the opinions of courts or the statutes of Congress, for the freedom to believe (or disbelieve) is too important to leave to government officials alone.

Goldberg ultimately describes himself as "someone who stands outside the camps of the resolutely secular and the resolutely religious," for his camp can be seen as that of the resolutely constitutional. He invites all Americans to dedicate and consecrate themselves to the preservation of our first freedoms, for we are all heirs and therefore stewards of the liberty bequeathed to us.

David A. Pendleton, an administrative law judge, was a policy advisor to the governor of Hawaii and an elected member of the Hawaii House of Representatives, where he sponsored a state Religious Freedom Restoration Act.

1. "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

2. The *Lemon* test for doctrinal analysis of establishment clause violations consists of three prongs:

(1) The government's action must have a secular legislative purpose;

(2) The government's action must not have the primary effect of either advancing or inhibiting religion; and

(3) The government's action must not result in an "excessive government entanglement" with religion.

If the law fails any of the three prongs, the government's action is unconstitutional. Subsequent cases, however, have called into question the application of the *Lemon*

three-pronged test. Most famously, former Supreme Court justice Sandra Day O'Connor advanced the endorsement test as a refinement of Lemon.

3. *Sherbert v. Verner*, 374 U.S. 398 (1963), signaled the high-water mark for free exercise clause protection of religious freedom. This case involved Ms. Adell Sherbert, a Seventh-day Adventist, and her fight for appropriate religious accommodation in the workplace. It mandated the compelling interest test in free exercise clause litigation. Subsequently, *Employment Division v. Smith*, 494 U.S. 872 (1990), limited the compelling interest test to free exercise cases wherein unemployment compensation was involved and permitted religious infringement by laws of general applicability. Then the compelling interest test was reinstated in 1993 by Congress' passage of the Religious Freedom Restoration Act (RFRA), only to be curtailed thereafter by the Supreme Court in *City of Boerne v. Flores*, 521 U.S. 507 (1997), and *Gonzales v. UDV*, 546 U.S. 418 (2006).

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Defaming Religious Freedom

BY: DR. JOHN GRAZ

On Thursday, March 26, the Human Rights Council (HRC) of the United Nations passed early in the afternoon the Resolution on Defamation of Religion. There were 23 yes votes, 11 no votes, and 13 abstentions.¹

Americans who attend the council are surprised to see the marginal role their country plays in the council. The United States is not a member, and in the past has been one of the main targets of the critics. Since the United States is not a member, it was not easily able to lead an opposition to the resolution. That role was taken by Europe. African country members of the Human Rights Council either voted in favor or abstained: Latin American countries generally abstained: Cuba voted in favor and Chile voted against.²

You might ask, Why would the International Religious Liberty Association, an organization that defends religious liberty, be opposed to a resolution whose ostensible purpose is to defend religion against attacks? It is worth recognizing that the original resolution, introduced in 1999 to the Commission on Human Rights by Pakistan on behalf of the Organization of the Islamic Conference (OIC),³ was about defamation of Islam, and Saudi Arabia was one of the main sponsors. Then the resolution was expanded to include all religions. But, in fact, in the current resolution only Islam is explicitly mentioned and only Muslims are painted as victims.⁴ The resolution passed in 2001, 2002, 2003, and 2005. It also passed at the General Assembly in 2005,⁵ after being introduced by Yemen on behalf of the OIC.⁶

Yes, there are positive aspects to the resolution: things such as encouragement toward education about various religions in schools, a call for interreligious dialogues, and respect for all religions in general. There has been legitimate concern about Islamophobia in Western countries since September 11, 2001. But it would have been far better if the resolution had also mentioned all the problems and discrimination Christians and other religious groups face— particularly in the countries represented by members of the HRC and the OIC.⁷

However, it is useful to remember that the purpose of human rights is to defend and protect individuals, groups, and properties—not religions or ideas. So a call to violence or murder against the members of a religion should be punished. This is covered in Article 20 of the International Covenant on Civil and Political Rights (ICCPR). The covenant has been signed by many countries and it is a binding document for them. It will be interesting to see how the country members of the HRC observe this covenant. Another problem with the resolution is that it puts on the same level Defamation of Religions and Incitement to Hatred and Violence.⁸

We believe everyone has the right to critique a religion and its leaders as long as he or she does not call people to discrimination, hatred, and violence. This right is part of our precious freedom of expression (Article 19 of ICCPR). The resolution “urges States to provide, within their respective legal and constitutional systems, adequate protection.”⁹ A new law will create more problems than it solves. What is the legal definition of defamation? Where does defamation begin and where does it end? When does a critique become defamation?

It is true that an aggressive attack on a religion may feed hatred and encourage violence and discrimination. In some parts of the world religious minorities have experienced this. It was the case of Christians in Pakistan, Indonesia, and Somalia after some unfortunate statements by Christian leaders about Islam. The margin between attacks on religion and attacks on symbols, property, and members of that religion may be narrow. This is why we should give attention to the concern behind the resolution. The International Religious Liberty Association has done this for several years. Its Sixth World Congress and its Tenth Meeting of Experts focused specifically on defamation of religion.¹⁰

We think the best way to oppose defamation of religion is to be proactive in multiplying interreligious meetings and relations. We also think, as we have already expressed in the first two meetings of IRLA Experts (1999-2000), a Code of Good Conduct should be worked on by all actors.¹¹ After the cartoon on Muhammad was published in Denmark, we saw that countries that had strong traditions of interfaith relations were less affected by violence. This indicates that when a religion is defamed, leaders of other religious organizations should play the role of peacemakers and bridge builders. Where there is no freedom of expression, legislation against defamation of religion will be used by the government or by the religious majority to discriminate against minorities and to suppress what could be useful and healthful critiques.

Dr. John Graz is secretary-general of the International Religious Liberty Association and secretary of the Christian World Communions. He writes from Silver Spring, Maryland.



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1. Resolution (A/HRC/10/L.2/Rev 1). Resolution 7/19. Combating Defamation of Religions. Azerbaijan, China, Cuba, Pakistan, Russian Federation, Saudi Arabia, and Sri Lanka are among the 23 votes in favor.
 2. See United Nations press release, "Council Establishes New Expert in Field of Cultural Rights, Extends Mandate on Democratic People's Republic of Korea for One Year." HRC, afternoon, March 26, 2009, pp. 18-22.
 3. It appeared on the agenda as an item on "racism." See the analysis of The Becket Fund at www.becketfund.org.
 4. See Human Rights Council, Resolution 7/19, Combating Defamation of Religions.
 5. A/HRC/10/L.2.
 6. GA Res 60/15, UN Doc A/Res/60/150 (January 20, 2006).
 7. Read the Annual Report on International Religious Freedom published by the United States Department of State and other reports on religious freedom in the world.
 8. *Idem*.
 9. The U.S.A. did not sign.
 10. The Tenth IRLA Meeting of Experts opposed the resolution because of its risk to freedom of expression. A final statement will be issued after the Eleventh Meeting in September 2009.
 11. See *Fides et Libertas*, 2000.

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Changing Views

BY: EDWIN C. COOK

During his visit to America in April 2008, Pope Benedict XVI esteemed the model of American church-state relations as a potential schema to follow in Europe.¹ He noted that by disallowing state control over religion, religious groups have greater liberty to achieve their spiritual missions. Interestingly, the same train of thought regarding an American model of church-state relations entered discussions about the purpose of Benedict's September 2008 visit to France. Some commentators claimed that it might become one of the most notable visits of his pontificate. Benedict XVI's concern for France is its overtly secular stance in society, usually termed *laïcité*.² He proposed an alternate form of church-state relations patterned after the American model of separationism, and France's president, Nicolas Sarkozy, is open to discussing the possibilities with him.³ Perhaps the most startling aspect of these recent events, at least for church historians, is Pope Benedict XVI's recommendation given the historic condemnations by the Vatican of American concepts of church and state relations.

Historically, the Roman Catholic Church has maintained that it is the obligation of the state to support the church in fulfilling its mission. As the church claims its mission is superior in nature to that of the state because of the spiritual objectives involved, so it also claims superior authority over the state in the temporal sphere. Prior to the Protestant Reformation the church achieved her aims much more easily because of the existing political structure of empires, such as the Holy Roman Empire, or dynasties, such as the Carolingian Dynasty—in each case, resulting in the concept of church-state union referred to as the *Corpus Cristianum* (Christian Commonwealth). Subsequent to the Reformation, the nascent existence of nation states, each with its singularity of purpose, posed more formidable challenges to achieving church-state union with the church as the dominant player. Lacking a cohesive body politic over which to exercise its authority, the church adapted its strategies to each nation state, courting favor with each in a variety of ways. Those that had a dominant Catholic populace, such as Spain, became known as “confessional states”; in the case of France, which eventually adopted the concept of *laïcité*, the church regarded it as an “estranged daughter”; and America, where Protestants were the dominant majority and which championed separation of church and state at its founding, was considered with perplexity and no small degree of consternation.

Since the beginnings of Roman Catholicism in America, the enduring issue of how to harmonize Roman Catholic principles with American ideals has resulted in much debate, lengthy discourse, and even division among hierarchical leaders that reached a tense climax in 1900.⁴ The term typically given to this development is Americanism, and includes such principles as “religious liberty, separation of church and state, cooperation with other religious bodies, and greater lay initiative,”⁵ not to mention concepts of governance found within modern democracy.⁶ Emphasizing the enduring nature of this dilemma, Dennis P. McCann comments: “No doubt, the American church will continue to struggle with this principle for as long as it faithfully lives its Catholic identity.”⁷

John Carroll, the first archbishop in the United States Even though no Roman Catholic hierarchical structure existed during the Colonial Era of American history, some of the underlying issues that later developed into the Americanism dilemma were already present. As early as 1626 Pope Urban VIII's nuncio was shocked that “under the same roof in [Sir George Calvert's settlement at Ferryland on Newfoundland's Avalon peninsula] . . . Mass was had according to the Catholic rite, while in another the heretics [Protestants] carried out their own.”⁸ Calvert's other entrepreneurial enterprise in Maryland allowed Roman Catholics to coexist with Protestant groups, but only in the context of “broad religious toleration for all.”⁹ In fact, all other Catholic settlements, such as those in “New Albion, in Virginia's northern neck, and in Dongan's New York,”¹⁰ recognized the crucial need for religious toleration if they were to survive in a potentially hostile environment. Such concessions of toleration to Protestants, born of expediency because of Catholicism's minority status, rather than upon principle, largely ignored ideas of religious liberty based on Enlightenment ideals.

Such a difference demands the following distinction to be made: religious toleration is distinguished from religious liberty, the former being a concession of the state whereas the latter is an inalienable right. As George La Piana states, religious tolerance “is by definition connected with something which is evil and undesirable. We tolerate things of which we do not approve because we cannot avoid them without incurring a greater evil. Hence, Catholic theology admits that the practice of



Religious toleration is distinguished from religious

religious tolerance may at times be permitted by the moral law which allows the choice of a lesser evil."¹¹ He further defines freedom of conscience as "the right of every person to choose one's own religion according to the light of reason and the emotions of the heart," and freedom of religion as meaning "all religions have an equal right to exist and to be respected and protected by the laws of the state."¹²

liberty, the former being a concession of the state whereas the latter is an inalienable right.

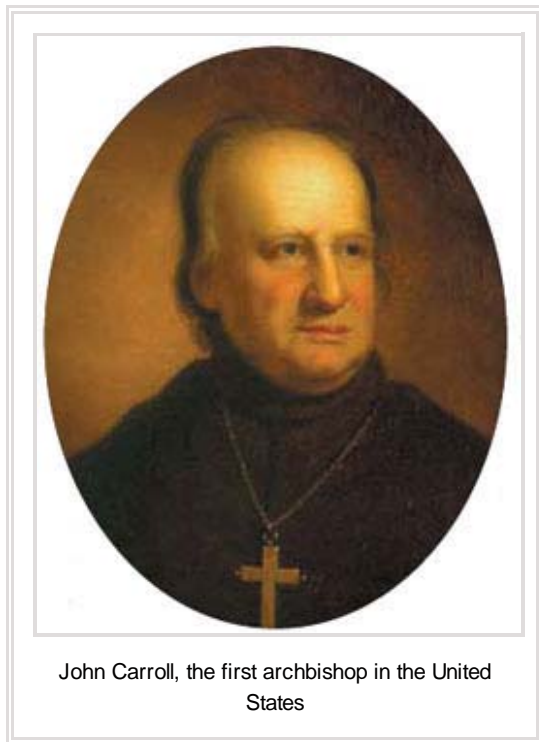
Catholic Liberalism and Enlightenment Thought

In spite of such philosophical differences regarding religious tolerance and religious freedom, some European Catholic thinkers sought to bridge the growing gap between Catholicism and intellectual forces of the Enlightenment. Among them were: in Italy, Ludovico Muratori (1672-1750), Giovanni Lami (1697-1770), and Giovanni Bottari (1689-1775); in Germany, Eusebius Amort (1692-1775); and in France, Jean-Baptiste Demangeot (1742-1830).¹³

They "combined the philosophical thought of Descartes, Newton, and Locke, with a Gallican conciliar ecclesiology."¹⁴ With the Enlightenment view of man and his individual rights, they redefined traditional concepts of church and state relations. Enlightenment views of society included political, intellectual, and religious pluralism. Emphasis on the individual allowed support for each area: politically, for the individual who entered into society by contract with others; intellectually, for the person who rejected tradition and applied individual, critical reason to inherited positions; and religiously, for the multitude of religious groups making up society.¹⁵

The two major obstacles they faced were how to maintain political rights of religious pluralism without appearing to condone indifferentism (that all religious groups are valid means of salvation)¹⁶ and the opportune political structure to implement these ideas. The solution they proposed for the first was separation of church and state. Under this schema the political rights granted by the state to all groups were merely civil parlance for the peaceful working of society. Since the church was separate from the state, each religious group was free to maintain the certainty of its convictions and to administer discipline as it saw fit to its members—without the corresponding loss of civil privileges, which, of course, was contrary to what was practiced under the traditional form of church-state union in Europe.

Regarding the second problem, Catholic Enlightenment thinkers were prevented from practical application of these principles because of the political structures prevalent in the European societies in which they lived. Thus, experimentation with a working model of church-state separationism awaited the development of American republican ideals of political governance, birthed through the American Revolution.



John Carroll, the first archbishop in the United States

John Carroll's Views of Church-State Separation The Catholic Enlightenment thinkers who were most influential upon John Carroll were Arthur O'Leary (1729-1802), Joseph Berington (1743-1827), and John Fletcher (1766-1845),¹⁷ all of whom were from Britain. Because of their influence, John Carroll, first appointed as superior of the Catholic mission in 1784,¹⁸ and later elected as bishop of Baltimore in 1789,¹⁹ "thought that the American principle of religious liberty was such a significant step forward, that England could do well to imitate it."²⁰

In the American context, Carroll faced variegated and complex issues related to religious liberty and internal church governance. Officially, clergy appointments were made through the Vatican. However, from the time of Catholic Colonial establishments until the time Carroll was elected as bishop of Baltimore in 1789, there was great dearth of formal organizational structure to American Catholicism.²¹ Without an abundance of priests, and especially lacking organized parishes, the spirit of independence infused the mentality of American Catholics. Additionally, the prevailing sentiment just prior to and following the American Revolutionary War was one of suspicion toward foreign authority, whether civil or ecclesiastical.²² To compound matters even more, American Catholics were comprised of immigrants predominantly from Ireland and Germany who did not want French clergy of Vatican appointment.²³ For Carroll, the simplest solution was the appointment of clergy through local (American) election, an ideal he and his fellow clergy envisioned.²⁴

Carroll's pro-Americanist stance was greatly challenged in 1808, when the Vatican appointed "four suffragans to the new dioceses of Boston, New York, Philadelphia, and Bardstown, Kentucky," who were foreign-born and -trained.²⁵ By 1815, the time of Carroll's death, Americanism was still a vital element among American-born

Catholic clergy, in spite of nascent tensions with the Vatican.²⁶ In fact, James Hennesey, speaking of the development of Catholicism in America, referred to it as "the strongest nineteenth-century conciliar tradition in the Western Church."²⁷

Factors weighing in favorably for the support of American church-state separation and religious liberty, at least in the mind of John Carroll,

were the legal protections afforded to Catholics, along with all other religious groups, through the First Amendment.²⁸ Additionally, the concept of church-state separation was distinctly different from that in Europe, where Catholicism faced anti-clerical republicanism bent on restricting its influence.²⁹ Carroll also believed that adoption of such principles would allow for growth of Catholicism.

However, as much as Carroll lauded the concept of religious liberty, it was not of the type envisioned by Madison and Jefferson. Rather, a more specific analysis of Catholic concepts of church-state relations in America places them between the religious freedom guarantees of Virginia after 1790 and the religious toleration of Massachusetts.³⁰ Joseph Agonito, in his Ph.D. dissertation, comments: "Separation of church and state did not imply for Carroll, as it did for Madison and Jefferson, a secular (or neutral) state, unconcerned and unconnected with religion. Carroll could no more accept this idea of the state than the majority of his fellow-Catholics, or, for that matter, Rome itself. By separation, he meant that the state should not establish or favor one particular church over others; he did not oppose the idea that the state should encourage and promote religion—even a particular religion (e.g., Christianity)."³¹

Such a view was consistently practiced by Carroll when he gave as his rationale for supporting the Revolution the opportunity to gain "the toleration of all sects, professing the Christian religion." Agonito comments on the use of the term "Christian" instead of "Protestant" as Carroll's desire to make allowance for Catholics, but to "exclude those not of this faith" (i.e., non-Christians).³²

This interpretation seems accurate because records indicate that Carroll aided in drafting The Declaration of Rights for the state of Maryland in 1776, which "specifically excluded non-Christians from office-holding."³³ At no time during the debates for ratifying this declaration did Carroll speak against it. Later, in 1785, Carroll indicated his reluctance for "the state to encourage, even indirectly, non-Christian religions" when Maryland proposed a bill for the religious assessment of all Christian groups, but that made exceptions for those who were Jewish, Muslim, or a non-believer in the Christian religion. Carroll bracketed this section in his copy and wrote underneath it: "A bill for the encouragement of infidelity, Judaism, and Mahometism."³⁴

Thus, from the historical record, it seems accurate to state that Carroll adopted a view of church-state relations that would allow government support of Christianity and that would tolerate, for the sake of civil peace, other religious groups, although even the latter position should not be encouraged if it could possibly be avoided. For Carroll, the church in a Protestant country such as America should adopt this modified concept of church-state relations in order to coexist in a plurality of religious groups. For this reason, among others already mentioned, he advocated Americanist ideals.

Even after Carroll's demise in 1815, the ideas of church-state separation continued to abound in Europe among liberal Catholic thinkers. Such individuals as Abbé Henri Grégoire (1750-1831) argued for "a free church in a free state"; Count Charles de Montalembert (1810-1870) and his friend Abbé Felicité Robert de Lamennais (1782-1854) urged this idea in the early 1830s as well.³⁵ Not only did this fuel the flames of church-state separation in American Catholicism, but it also raised the ire of the Vatican. Pope Gregory XVI (as pope 1831-1846) rejected this teaching as heretical in his encyclical *Mirari vos* (1832), in which he denounced liberty of conscience as sheer madness, termed freedom of the press as execrable and detestable, and disapproved of the separation of church and state, declaring that princes hold their temporal government primarily for the defense of the church.³⁶

The Americanist Controversy

Concurrently, distinct changes were underway in America. As if to reinforce Pope Gregory's objections, large waves of Catholic immigrants who brought their Old World concepts of church governance contributed to establishing this mentality among American Catholicism.³⁷ Such sentiments strengthened the position of American Catholic leaders who desired to follow more traditional concepts of church-state relations, resulting in growing animosity and division with other Catholic leaders favoring Americanist ideals.

Attrition rates among Catholic membership also hammered deeper the wedge between Catholic leaders. Although the American Catholic population grew from approximately 318,000 in 1830 to 3,103,000 in 1860,³⁸ some American Catholic clergy were concerned with attrition rates, calculating that an estimated 3.75 million Catholics had left the fold between 1786 and 1836.³⁹ In spite of such unprecedented growth in previous decades, Peter Paul Cahensly, an immigrant who founded Saint Raphael's Society for German immigrants seeking aid in America, issued a memorial in 1891 to Pope Leo XIII claiming that millions of Catholics were leaving the church.⁴⁰ His memorial called attention to the division among conservative Catholic leaders and those who maintained sentiments of Americanism, such as archbishops Patrick Feehan, William Gross, Peter Kenrick, James Cardinal Gibbons, and John Ireland.⁴¹

The most outspoken pro-Americanist archbishop, John Ireland, of St. Paul, Minnesota, sought ways to defend Americanism against its detractors. He pointed out that two of its core principles, religious liberty and the separation of church and state, had allowed the Catholic faith to flourish so rapidly since its inception there.⁴² Ireland was such a visionary that he predicted that the civil and religious conditions prevailing in America would soon become those established in the whole world.⁴³ For this reason, he argued, in order for the church to fulfill its mission to the world, it was imperative for American Catholics to demonstrate the compatibility of Catholic principles with concepts of democracy, religious liberty, and separation of church and state.⁴⁴

Such enthusiastic endorsement for American ideals by leaders of the American Catholic hierarchy caused concern at the Vatican. Given that America was predominantly a Protestant nation from its beginnings and that the Enlightenment so heavily influenced its political moorings during the Founding Era,⁴⁵ Pope Leo XIII issued *Longinqua Oceani* in 1895, in which he praised the growth of the church, but "warned against idealizing the American separation of church and state."⁴⁶ In particular, he admonished American Catholic leaders not to espouse American concepts of religious liberty and church-state separation as ideals to be followed for the church in other parts of the world.⁴⁷ In 1899 he followed this encyclical with a second one, *Testem benevolentiae*, in which he condemned Americanist ideals, especially pointing

out grave concerns with Enlightenment influence and a certain type of liberty wholly free from external guidance of the church.⁴⁸ Such blatant counsel stifled further consideration of Americanism so extensively that it was not until nearly 60 years later that the church would re-evaluate its concept of religious liberty at Vatican II.⁴⁹

Conclusions

The Americanist controversy included many factors related to American social, political, and religious concepts. For Roman Catholics living in America, whether laity or clergy, the dilemma they faced was how to reconcile Catholic principles with the ideals of their country. Consistently, the hierarchical leadership of the church in Europe believed that such a feat was impossible. Through various encyclicals, some of which have been referred to herein, various popes made official pronouncements against what they perceived as dangers to the church.

Some Roman Catholic leaders in America, however, felt otherwise. They conceived of compatibility between the principles of their faith and American ideals. They were influenced by Roman Catholic intellectuals in Europe and Britain who attempted to reconcile Enlightenment thought with Catholicism but lacked the practical means to test their conclusions. Through their writings they influenced Catholic leaders in America such as John Carroll, Orestes Brown, and John Ireland. Additionally, the American church, not being limited by an already established state structure, offered an opportunity to experiment with Catholicism under the new Constitution, in which the principles of religious liberty and church-state separation were enacted through the First Amendment.

Upon close examination of John Carroll's views of religious liberty, it becomes evident that while he was much more advanced than many of his European contemporaries, his views still do not resonate fully with the concepts of religious liberty and church-state separation advanced by Founders such as James Madison and Thomas Jefferson. Additionally, while it is certainly true that Carroll's views reflect adaptation of the traditional Catholic understanding of church-state relations to fit an American context, it must be emphasized that his views speak on behalf of American Roman Catholicism. The Vatican maintained a consistent course throughout the Americanist controversy as evidenced by various encyclicals cited herein, at least through the beginning of the twentieth century (1900). In light of Pope Benedict XVI's recent recommendations of the current American church-state model for Europe, and given Rome's boast that she never changes, one is left to ponder whether Rome's official position on the Americanist "heresy" has changed, or whether American concepts of church-state relations have undergone a gradual transformation since Pope Leo XIII issued *Testem benevolentiae* to reflect a position more in harmony with Rome's traditional stance?

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5. Neil T. Storch, "John Ireland's Americanism After 1899: The Argument From History," *Church History* 51, No. 4 (December 1982): 444.
6. Graham Maddox, *Religion and the Rise of Democracy* (New York: Routledge, 1996), p. 199.
7. Dennis P. McCann, *New Experiment in Democracy: The Challenge for American Catholicism* (Kansas City, Mo.: Sheed and Ward, 1987), p. 33; David O'Brien also remarks: "Americanism, in short, now appears as one episode in a long series of controversies surrounding the Church's role in the modern world" (David O'Brien, "Americanism," in Michael Glazier and Thomas J. Shelley, eds., *The Encyclopedia of American Catholic History* [Collegeville, Minn.: The Liturgical Press, 1997], p. 99).
8. James Hennesey, "Catholicism in the English Colonies," in Lippy and Williams, p. 346; James M. O'Neill, *Catholicism and American Freedom* (New York: Harper & Brothers, 1952), pp. 8, 9.
9. Hennesey, p. 345; O'Neill, pp. 9, 10.
10. Hennesey, p. 354.
11. George La Piana and John Swomley, *Catholic Power vs. American Freedom*, Herbert F. Vetter, ed. (New York: Prometheus Books, 2002), p. 45.
12. *Ibid.*, pp. 44, 45.
13. Joseph P. Chinnici, "American Catholics and Religious Pluralism, 1775-1820," in Timothy Walch, ed., *Early American Catholicism, 1634-1820* (New York: Garland Publishing, 1988), p. 277.
14. *Ibid.*, p. 277.
15. *Ibid.*
16. *Ibid.*, p. 279.
17. *Ibid.*, pp. 277, 280, 281.
18. Debra Campbell relates how the Jesuits of Pennsylvania and Maryland unanimously agreed in October 1784 that the appointment of an American bishop was still untimely and could threaten the safety of Catholics in general and Jesuit property in particular ("Catholicism From Independence to World War I," in Lippy and Williams, p. 358; O'Neill, p. 11.
19. Hennesey, p. 354; O'Neill, p. 11.
20. Joseph Agonito, *The Building of an American Catholic Church: The Episcopacy of John Carroll* (New York: Garland Publishing, 1988), p. 209; O'Neill notes as well Carroll's patriotic fervor (p.11).
21. Hennesey, p. 354.
22. Agonito, pp. 218, 220.
23. Campbell., p.359.
24. *Ibid.*, p. 358.
25. *Ibid.*
26. *Ibid.*, p. 357.
27. Bernard Cooke, ed., *The Papacy and the Church in the United States* (New York: Paulist Press, 1989), p. 37. Conciliarism in the Roman Catholic Church dates to the fourteenth century and is characterized by restraints imposed upon the pope by means of councils consisting of hierarchical leaders, such as bishops, theologians, etc.; cf. "The Republican Church," in which chapter Dale B. Light details how St. Mary's church proposed to create a Catholic church of equal status to the national churches

of Europe, but organized on a liberal, constitutional basis (Dale B. Light, *Rome and the New Republic: Conflict and Community in Philadelphia Catholicism Between the Revolution and the Civil War* [Notre Dame: Univ. of Notre Dame Press, 1996], pp.127-131).

28. Campbell, p. 357.
29. McCann, p. 25.
30. Agonito, p. 244.
31. *Ibid.*, pp. 248, 249.
32. *Ibid.*, p. 260.
33. *Ibid.*, p. 260.
34. *Ibid.*, pp. 262, 263.
35. Leonard Swidler, *Toward a Catholic Constitution* (New York: Crossroad Publishing Co., 1996), p. 58.
36. *Ibid.*, pp. 58, 59.
37. David O'Brien states: "In the United States, the continuing arrival of millions of Catholic immigrants limited the appeal of an Americanizing strategy based on affirmation of American ideals and institutions" (O'Brien, p. 99).
38. Campbell, p. 361.
39. *Ibid.*, p. 364.
40. Campbell, p. 370; Storch, p. 438.
41. Campbell, p. 370; cf. Gerald P. Fogarty, *The Vatican and the American Hierarchy From 1870-1965* (Stuttgart: Anton Hiersemann, 1982), pp. 27-64.
42. Storch, p. 436.
43. *Ibid.*, p. 440.
44. Storch, p. 440; Swidler, p. 59; cf. Peter Hertel, "International Christian Democracy (Opus Dei)," in Gregory Baum and John Coleman, eds., *The Church and Christian Democracy* (Edinburgh: T. & T. Clark, 1987), pp. 95-105.
45. Maddox, p. 197.
46. Campbell, p. 371; for a highly detailed account containing copies of letters and correspondence among participants, see Thomas T. McAvoy, *The Americanist Heresy in Roman Catholicism, 1895-1900* (Notre Dame: Univ. of Notre Dame Press, 1963), pp. 217-258.
47. O'Brien, p. 98.
48. Storch, pp. 435-436; Pope Leo XIII, *Testem benevolentiae*, in Glazier and Shelley, p. 101; Campbell,
49. O'Brien., p. 98.

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Reformation Achieved

The English Reformation And Religious Freedom: PART IV

BY: DAVID J. B. TRIM

This article is Part Four in a four part series. [Click here for Part One](#), [here for Part Two](#), and [here for Part Three](#).

Religious diversity and thus the very concept of religious freedom in the modern United States both derive from the English Reformation, thanks to the English colonization of North America.

However, the Reformation in England is increasingly portrayed as something that was imposed on the English people by their rulers, who themselves did not have genuinely religious reasons for abandoning the traditional Roman Catholic faith of their forefathers. Some seem to feel that if it can be shown that the English Reformation's root causes lay in political maneuvering, economic advantage, or personal foibles, and only succeeded because it was imposed by force on an unwilling or indifferent population, then its consequences could more easily be undone. What would hold back reunification of Protestants and Catholics, at least in the English-speaking world, if they are merely prisoners of an unfortunate history? And if the English Reformation were imposed by force, does it mark a black period in the history of religious liberty?

Three previous articles in this series have taken us from the origins of Henry VIII's break with Rome in the late 1520s up to the death of Mary I in November 1558. This article looks at her successor, the third of Henry VIII's children, Elizabeth I. By the time she took the throne there was more interest in, and sympathy for, Protestant ideas than on Henry's death a dozen years before; however, England was not yet a Protestant nation. In the 30 years prior to Elizabeth's accession, England's official religion had changed radically, not once, but thrice; the "Elizabethan settlement of religion" (as it was to become known) was to be the fourth significant shift in 30 years—and the third in just over a decade! But it was also to be the last.

The reign of Elizabeth was to be a golden age for English literature, drama, culture, and exploration. On the stage, characters in the plays of Shakespeare, Marlowe, and Jonson grappled with issues that arose out of the wider contest between confessions for Englishmen and—women's loyalty—issues that were both personal and national. The Elizabethan era was to be the metaphorical stage on which the drama of national religious choice was to be played out—and resolved. For in the next four decades, the ecclesiastical direction of the nation was to be decided for the next four centuries.

THE ELIZABETHAN SETTLEMENT

Immediately on succeeding her sister, Elizabeth replaced almost all the Catholic royal counselors and ministers of state with men who were known to be committed evangelicals. In the next four years, the newly Protestantized central government ensured that, in elections to Elizabeth's first Parliament, the House of Commons (at that time elected by fewer than 1 in 10 of the population, who could often be swayed by the influence of government ministers) returned a majority of Protestant or at least antipapal MPs, albeit the House of Lords was more conservative. The queen's counselors then shepherded through Parliament and through the Convocation (an assembly of the Church of England's clergyman with limited legislative powers on ecclesiastical matters) the legal framework of "the Elizabethan Settlement.

"In 1559 Parliament enacted two key pieces of legislation: the Act of Supremacy and the Act of Uniformity, which restored both royal (rather than papal) authority over the church and the Protestant liturgy (the Book of Common Prayer) introduced in Edward's reign. In 1563 Convocation adopted the Thirty-Nine Articles, which defined the faith of, and would regulate, the new Protestant Church, and also a new book of official homilies, which, used in conjunction with the Book of Common Prayer, were to be read aloud in every church during divine services.

However, the "Elizabethan settlement" was not a straightforward process. The queen and her ministers initially sought to put the clock back



to Edward's reign, but their first pieces of legislation, having passed the Commons, were rejected by the House of Lords—the upper house in Parliament. Opposition was led by the bishops, who of course were mostly staunch Catholics, appointed by Mary, and who were ex officio members of the House of Lords; but a number of the hereditary noblemen who made up the rest of the Lords were also ecclesiastically conservative. The government “had to make major concessions” to get the Lords to pass the two amended bills (passed once more by the Commons).¹ The Act of Uniformity, which reimposed the Book of Common Prayer, was significantly altered, to make the liturgy at some key points ambiguous and hence acceptable both to Protestants and Catholics. Even then, the bishops still steadfastly opposed the bills. In a dramatic move, the government imprisoned two of the bishops and forcibly excluded two others from sitting, all on trumped-up charges. The legislation passed by 21 votes to 18—had the four bishops been present, the government's program would have failed.

The initial Elizabethan program of radical reform thus was tempered by political necessity. Convocation proved easier to deal with than Parliament, but the Thirty-Nine Articles performed reflected the revisions to the 1559 legislative program.

The young queen and some (though by no means all) of her ministers took the moral of the story to heart. After the upheavals of the previous decade, it is unsurprising that few people in the early 1560s realized the program eventually enacted during 1559–63 would “constitute a permanent ‘settlement.’”² That it did was due not only to its nature, but also to the lessons learned and applied thereafter.

As we have seen, ambiguity was not originally the intent of the new regime. But Elizabeth had learned one lesson from the tumultuous reigns of her younger brother and elder sister—that pushing religious reform too far, too fast, only excited hostility that could politically undermine the sovereign. And the lesson she “learned from the clash of 1559” was caution.³ Thus, what she initially accepted perforce eventually became her preference. In contrast to the radicalism of the Edwardian reformation, which alienated as many as it appealed to, prudence and conciliation were to be hallmarks of the Elizabethan church.

What must, however, be emphasized is that, while Elizabeth's ecclesiastical agenda after 1560 was, by the standards of the time, conciliatory, and was to be characterized by later generations as a *via media* (or middle way), it was not halfhearted. Some revisionist historians sneer at Elizabeth as “a Protestant (of sorts),” but it is widely recognized that the evidence we have for the queen's opinions on doctrine (whether in public proclamations, from her own private devotions, or in her correspondence) reveals her theology as unequivocally Protestant.⁴ However, she emphatically was not a Calvinist—and it was the Calvinist, or Swiss, confession that commanded the allegiance of most leading English Protestant clergymen, and yet it was the most radical and divisive of the Protestant confessions. Elizabeth wanted her church, as much as possible, to unite her people rather than divide them—wanted it, in the language of the time, to “comprehend” as much of the population as possible.

The queen and some of her counselors seem to have decided that the moderation enforced on them by the opposition in the Lords in 1559 was a blessing in disguise, though it was not a view that all shared. Most of the new Protestant bishops, and some prominent Protestant nobles, were puzzled by the queen's acceptance of what (to them) seemed a half-baked Protestantism. The celebrated theologian John Jewel, soon to be appointed bishop of Salisbury, wrote unhappily that some of his colleagues were “seeking after . . . a mediocrity; and are crying out that the half is better than the whole.”⁵

Elizabeth and others of her ministers took a different view and apparently reached it quickly. The lord chancellor, Sir Nicholas Bacon, declared to the concluding session of the 1559 Parliament (in words that would have been approved by the queen): “I mean to comprehend as well those that be too swift as those that be too slow, those that go before the law or beyond the law as those that will not follow.”⁶ The set of injunctions which were issued that year by the government “for the suppression of superstition” and the promotion of “true religion,” and which provided for enforcement of the parliamentary legislation, “took more account of Catholic sensibilities” than the equivalents issued during Edward VI's reign had done. They allowed for the preservation of much of the material culture of traditional churches, condemning the “superstitious abuse” of stained glass windows, crosses, altars, and so forth, rather than requiring their destruction (as particularly radical adherents of Calvinist Protestantism had hoped).⁷



The Princess Elizabeth, aged about 13 (1546)

THE ELIZABETHAN CHURCH OF ENGLAND

Elizabeth's church, as it emerged from the Parliament of 1559 and Convocation of 1563, “blended traditional episcopal structure, an anglicised semi-Catholic liturgy, and a thoroughly Protestant theology,” as her brother's had done.⁸ But Archbishop Cranmer and the other leading reformers of Edward's day had seen the Edwardian church of the early 1550s as a staging post, a halfway house, to a more thoroughly reformed church in the future. In contrast, Elizabeth for the rest of her reign defended the church that, by accident as well as by design, had emerged in its first four years; it certainly was not Catholic, yet nor was it as unambiguously Protestant as many prominent

Englishmen, clergy and laity alike, desired.

Under Elizabeth, the set liturgy of the Book of Common Prayer was identifiably Protestant; furthermore, many of the traditional rituals, around which communal worship and personal spirituality had centered, were abolished or altered significantly. This ensured the opposition of some traditionalists. Many other rituals, however, including some banned under Edward, were restored, or retained in somewhat modified form; and the same was true of much of the material culture of traditional worship: clerical vestments, the implements used in Communion, and the furnishings of the parish church.

All this angered the “hotter sort of Protestants” (as they called themselves), who, because of their passionate commitment to “purify” the Church of England of any residue of the Church of Rome, were to become known (by their enemies, more than by themselves) as “Puritans.” However, preserving traditional outward forms and the rites associated with them, even while preaching a distinctly new theology, provided much-needed continuity. It must have been reassuring to the many people who, while hostile to Rome, were bewildered by the multiple changes of confessional direction, had not heard much distinctly Protestant preaching, and were still uncommitted. It facilitated their conversion to what a subsequent generation of English Protestants would call “prayer book Protestantism.”

RELIGIOUS DIVERSITY

The compromises of the Elizabethan settlement thus did not negate all opposition —far from it. However, they did minimize opposition.

Many English people initially were unhappy with the Elizabethan settlement—yet crucially, very few hated it sufficiently to reject it entirely. There was enough in it that was familiar or desirable for it to be accepted—or at any rate not repudiated!—by a whole range of different opinion groups.

There were outright Roman Catholics (a small minority), and Henry VIII-style Anglo-Catholics, who hated the Papacy but disliked the doctrines and liturgical practices of Protestantism. There were middle-of-the-road evangelicals, essentially supporters of reform but still hoping for reconciliation in Christendom; and Lollards, the native English “heretical” movement, founded by John Wycliffe, almost 200 years earlier (whose absorption into Protestantism in the mid-sixteenth century remains one of the great mysteries of English reformation history). There were also, of course, out-and-out adherents of the reformed confessions: Lutherans; Calvinists; a few Anabaptists; but also followers of other Protestant reformers: Zwingli, Bucer, and Oecolampadius, whose followers in Europe had merged into the Lutheran and Calvinist confessions, but because of England’s separation from the continent, retained (for the moment) a quasi-separate identity.



Elizabeth I presiding over Parliament

This diversity among Protestants was well known. A common Roman Catholic charge was that they “cannot be the true Church, which is as a City at unity in its self, because of [their] manifold dissensions and divisions . . . the Doctrine of Luther was no sooner bred, and borne, but it divided it self like a Hydra into many heads: Lutherans, Calvinists, Anabaptists, Libertines . . . etc.”⁹ In a sermon preached at Oxford in 1555, a Catholic priest emphasized the newfangled “diversity in opinions” among English Protestants, who were “Lutherans, Oecolampadians, [and] Zwinglians,” in contrast to the “old . . . Catholic faith.”¹⁰

Members of these different Protestant groups disagreed, sometimes violently, over both the theology of the Eucharist (or Communion, or Lord’s Supper), and, in consequence, how it should be celebrated liturgically; they also differed, sometimes heatedly, over soteriology and ecclesiology (the doctrines of salvation and of the church). The revisions made in 1559–63 to the Act of Uniformity, Book of Common Prayer and Thirty-Nine Articles, and maintained and enforced over the next 40 years, were intended to conciliate not only Catholics but also different types of Protestants—for, without unity among them, there was no way to overcome the inertia of tradition which in circa 1560 still affected the majority of the population.

For much of Elizabeth’s reign there was doctrinally (though never ecclesiologically or liturgically) a “Calvinist consensus” at the top of the church. However, by the end of her reign the diverse strands in English Protestantism made themselves felt and a “new mood in English Protestantism” emerged—one that drew on a range of other Protestant traditions and embraced sacramentalist views more typical of Luther than of the Swiss reformers.¹¹ It is a mistake, albeit one even distinguished historians are guilty of, to conflate English Protestantism with Puritanism; it was an error Elizabeth did not make.

“WINDOWS INTO MEN’S SOULS”

Why, then, did England become Protestant? The governments of Edward VI and Elizabeth I imposed what have been termed “political Reformations,” which certainly helped the process of Protestantization. However, in sixteenth-century France, the Netherlands, and parts of Germany, princes were unable to impose their religion on all of their subjects; early-modern society was far more hierarchical than ours, but early-modern people were just as willing as their ancestors and descendants to defy authority over a matter of conscience. The 36 years of the French Wars of Religion and the Eighty Years’ War in the Low Countries stand as potent testimony to the fact that sovereigns could not simply dictate their subjects’ religion. As one historian observes, the official Edwardian and Elizabethan reformations “could not make England Protestant” any more than the official Marian counter-reformation could make it Catholic. Nevertheless, “statute by statute,” Elizabeth gave England “Protestant laws and made popular Protestantism possible.”¹²

Furthermore, when English people had the chance to hear the gospel preached, on the whole, they responded enthusiastically. This took time, as recent revisionist histories make clear.¹³ One consequence of the Marian counter-reformation was that, in the early 1560s, there just were not enough committed Protestants in the clergy: in the circumstances, they simply could not “have made much progress.”¹⁴ Gradually, though, the divinity schools of Oxford and Cambridge started to turn out numbers of well-educated and zealous Protestant priests, who started to preach the gospel—and, even more, to celebrate the sacraments with the Book of Common Prayer. By the early seventeenth century, this wonderful liturgy (whose language, even more than the better-known King James Version of the Bible has decisively shaped the liturgical practices of all denominations throughout the English-speaking world) had won a devoted following, as recent research has shown.¹⁵ In the new grammar schools, too, children were educated as Protestants. Generational change ensured that, probably by the time of the attempted Catholic invasion of the Spanish Armada in 1588 (whose defeat was acclaimed in England as evidence of divine favor to a Protestant nation), the great majority of English people were Protestants. Whereas in the 1540s and 1550s the great question was whether England would be Roman Catholic or Protestant, by the 1640s and 1650s, it was what sort of Protestants English people would be—and it was one they felt so strongly about that it resulted in civil war and revolution.

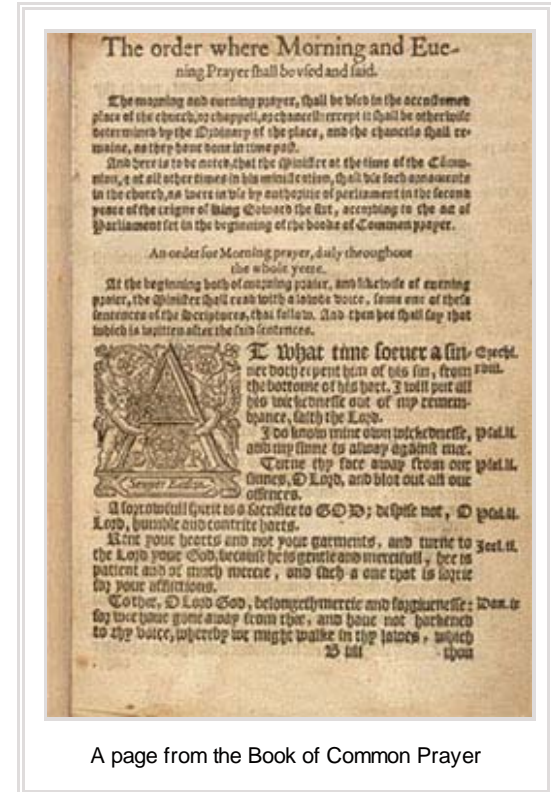
Generational change could never have taken place, however, if, as in contemporary France, ordinary people were passionately devoted to maintaining Roman Catholic belief and practice. The English people accepted the new church—and probably did so not least because of the approach of its “supreme governor”: their queen.

Although it is often attributed to her, Elizabeth probably never actually said that she “did not wish to make windows into men’s souls.” But it may well have been said by her chief minister, William Cecil, and it certainly reflected Elizabeth’s attitude. As long as her subjects worshipped in her church each Sunday, using her liturgy, she did not mind what they thought. By modern standards, this is hopelessly intolerant! By the standards of the sixteenth century, it was remarkably open-minded. Elsewhere in Europe, both Protestants and Catholics sought to repress “heretical” opinion, as well as practice, and evidence of divergent thinking was punished with death. Elizabeth wanted unity among her subjects, and as long as they cooperated with her, she would not try to look into their minds and their hearts, to see if they did so enthusiastically or only grudgingly.

Inevitably, people of conscience from both ends of the confessional spectrum, Roman Catholics and Puritans, refused to acknowledge the queen’s right to govern their theology or how they worshipped—and refused, therefore, to participate in the services of her church. They were then persecuted, sometimes brutally, though on nothing like the scale of Mary’s persecutions. In response, some called for political resistance to the government, which in turn evoked even greater repression.

But this was not an issue for the great mass of Elizabeth’s subjects; thanks to the accidentally contrived but purposefully maintained via media of the Elizabethan settlement, most English people were not confronted with practices that flagrantly outraged their consciences. Their church was Protestant, but it did not advance only one restricted theological Protestant perspective, and so it appealed to a broad spectrum—at least it did not appall people sufficiently to defy the government. And so most people chose to conform outwardly and “took their places in church . . . [though] What they made of the service and the sermon we cannot say.”¹⁶ Many Puritans flocked to parishes of Puritan priests to hear their sermons; many Roman Catholics, as and when they could, sought out itinerant priests (missionaries from the Continent, who literally braved death) and took Mass. Yet many, from both ends of the confessional spectrum, still went to a prayer book service as well; this outward conformity was generally all that their queen wanted.

Thus, there was opposition from both ends, and there was some compulsion, but in the end it was not because of these that England became truly a Protestant nation, as well as having a Protestant church and state. It was because the majority of people, who, on Elizabeth’s accession were Catholic-leaning or uncommitted, were given mental time and space to adjust to the new national Protestant church. Then, over the space of a generation, the English people embraced it.



A page from the Book of Common Prayer

CONCLUSION

Looking back over the whole of the English Reformation, we can see that, while Henry VIII's reign let the genie of religious diversity out of the bottle (though that was never his intention!), the reigns of his children were decisive in the transition of England from Catholic to Protestant. Yet although the personal religious preferences and policy choices of Edward VI, Mary I, and Elizabeth I were very influential, they did not, in and of themselves, determine England's eventual confessional allegiance.

It was the choice of the English people to embrace Protestantism—it was not a free choice, because early-modern European governments did not allow their subjects the freedom to choose their religion; but it was still a genuine choice. Across Europe in the century after the Reformation, where populations and rulers were adherents of different confessions, widespread rebellions and civil wars broke out. That this did not happen in England highlights that a choice was made—and it was made for the Reformation. There were significant differences between Roman Catholicism and the different forms of Protestantism, and it was these, rather than the will of four Tudor sovereigns, much less the marital infidelities of Henry VIII, that shaped the process of religious change in sixteenth-century England and determined its outcome.

All Christians worship the same God and believe they are saved by the same Lord. Nevertheless, fundamental differences underlie the division between Catholic and Protestant and always have. Today, Protestants and Catholics coexist across the world, respecting each other's sincerely held but distinctive doctrines, styles of worship, and approaches to spirituality. Respect is inconsistent with disdain; we should respect the choices of believers in the past, as well as in the present.

Accusing people of the past of insincerity in their decisions to become Protestant or to remain Roman Catholic is nothing new. It was commonplace in the sixteenth century. Protestants and Catholics accused each other of the same faults—of using religious rhetoric but actually only caring about wealth or power—blind to the irony that people on each side thought themselves sincere and the others hypocrites. The reality is that people in sixteenth-century England took the choices between Roman Catholicism and Protestantism and between different types of Protestantism very seriously: there were Catholic martyrs under Henry VIII and Elizabeth I, as well as Protestant martyrs under Henry VIII and Mary I. We should take their choices no less seriously; it is the best way to honor their commitment and to preserve the respect between different religions that is the best protection for religious freedom.

This article is Part Four in a four part series. Click [here](#) for Part One, [here](#) for Part Two, and [here](#) for Part Three.

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1. Christopher Haigh, *English Reformations: Religion, Politics, and Society Under the Tudors* (Oxford: Clarendon Press, 1993), pp.239-241, at 240. For details of how the Elizabethan settlement was eventually approved by the first Elizabethan Parliament, see Norman L. Jones, *Faith by Statute: Parliament and the Settlement of Religion, 1559* (London: Royal Historical Society, 1982).
2. Haigh, "The Church of England, the Catholics and the People," in Haigh, ed., *The Reign of Elizabeth I* (Athens: University of Georgia Press, 1985), p. 196.
3. Haigh, *English Reformations*, p. 241.
4. *Ibid.*, p. 242.—but contrast p. 237: "Elizabeth herself was a Protestant, though an undogmatic one"; cf. Haigh, *Elizabeth I* (London: Longman, 1988), pp. 27, 28: "There can be little doubt of Elizabeth's Protestantism." See also, e.g., Jones, *Faith by Statute*, p. 9; Susan Doran, "Elizabeth I's Religion: The Evidence of Her Letters," *Journal of Ecclesiastical History*, p. 51 (2000): .699-720.
5. Quoted in Jones, "Elizabeth's First Year: The Conception and Birth of the Elizabethan Political World," in Haigh, *The Reign of Elizabeth I*, p. 47.
6. Quoted in Patrick Collinson, "Sir Nicholas Bacon and the Elizabethan Via Media," *Historical Journal* 23 (1980): 255.
7. Eamon Duffy, *The Stripping of the Altars: Traditional Religion in England 1400–1580* (New Haven, Conn.: Yale University Press, 1992), p. 568; Haigh, *English Reformations*, p. 242.
8. David Cressy and Lori Anne Ferrell, eds., "Introduction," *Religion and Society in Early Modern England: A Sourcebook*, 2nd ed. (New York: Routledge, 2005), p. 5.
9. John Rolte, trans., *A faithful admonition of the Paltsgraves churches* (London: 1614), sig. A3r (spelling modernized).
10. In Cressy and Ferrell, *Religion and Society*, doc. No. 8, p. 38.
11. Diarmaid MacCulloch, *Tudor Church Militant* (London: Penguin, 1999), pp. 204-209, at 208, 217-219.
12. Haigh, *English Reformations*, p. 14.
13. See esp. Duffy, and Haigh, *English Reformations*.
14. Haigh, *English Reformations*, p. 250.
15. E.g., Judith Maltby, *Prayer Book and People in Elizabethan and Early Stuart England* (New York: Cambridge University Press, 1998).
16. Collinson, "The Church and the New Religion," in Haigh, *The Reign of Elizabeth I*, p. 173.