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The Achievement of Religious Liberty in Connecticut

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I

IN the same year that Roger Williams planted the settlement of Providence at the head of Narragansett bay, Thomas Hooker and his congregation established themselves in Connecticut. Religious liberty was from the outset provided for in Rhode Island: church and state were separated and freedom of conscience was made unconditional. The progress of Puritan Connecticut toward that goal was uncertain and halting, was marked now by advances, now by retrogressions. Nearly two centuries were required to achieve full liberty.

The early seventeenth-century Puritan reflected the religious fervor of the age in holding the conviction that he was God's chosen custodian of religious truth and morality. Hence, it is not surprising that the authors of the Fundamental Orders dedicated the infant colony of Connecticut to "decent Gouerment established according to God" and contracted to "mayntayne and presearue the liberty and purity of the gospell of our Lord Jesus

which we now professe, as also the disciplyne of the Churches which according to the truth of the said gospell is now practised amongst vs." In that day the attainment of such objectives usually involved suppression of heresy.

The early years of the colony's history, however, were comparatively free from the persecuting spirit. The Fundamental Orders embodied two principles potentially favorable to the growth of leniency in dealing with religious dissent. The first was that government should be by consent of the governed, that rulers should be responsible and responsive to the will of the electorate. Though, in the minds of the fathers of the Orders, this did not mean democracy as the term is used today, it did establish a principle which was to be invoked frequently when any portion of the population desired a widening of religious privilege. The second was the separation of civil privilege from church membership, except in the case of the governor, who was to be a member of an approved congregation. Thus a principle was established which implied, at least, that loyalty to the state did not entail loyalty to the established church.

Other tendencies toward reasonableness during the early years were the general approbation of the judicious and temperate views of Hooker and the spirit of freedom and individualism characteristic of a pioneer settlement. For more than a century, the homogeneity of the population excluded many of the causes for religious trouble. After 1660, the magistrates displayed a high degree of political shrewdness in avoiding intervention of the English authorities, by discreet treatment of persons holding dissenting opinions. So, while the avowed intentions of Connecticut's founders to maintain the purity of the Puritan faith unquestionably narrowed their outlook,

several conditions, prevailing partly by design and partly by accident, led to the adoption of a religious policy in which the prospect for freedom of conscience, if not bright, was not hopelessly dim.

State guardianship of the churches was the keynote of the policy of the founders. They looked upon the state as the secular arm of the church, which it was their duty to protect and encourage, in order that citizens might be trained in civic responsibility and moral uprightness. Such an alliance between the government and the churches appeared to them essential, in a well-ordered community, to insure against the dangers of a theocracy on the one hand and of religious anarchy on the other. Between 1644 and 1657, the establishment of the Congregational churches was confirmed by legislation, and steps were taken to assure them financial security and the full support of the government. The maintenance of a healthy financial situation in the churches of a pioneer settlement was no small problem: to admit the voluntary principle or to permit the organization of new churches, when a community had difficulty in supporting one with befitting dignity, hardly seemed wise. Consequently, following a recommendation of the New England Confederation, the general court ordered the salaries of ministers guaranteed by magisterial assessment and collection wherever necessary. Furthermore, no church was to be organized or to engage in religious activity without the consent and approval of the legislature. Thus the government became moderator of ecclesiastical affairs: the secular power stood ready to uphold the dignity and purity of the faith, to assure the collection of church taxes, to promote the settlement of church disputes, and in general to advance religious well-being within the jurisdiction.

The paternalistic attitude of the government was note-

worthy for the absence of avowed hostility to other forms of religion beside the Congregational. This was only in part due to the absence of other forms, for true bigotry would probably have decreed their exclusion from the outset. Noteworthy, too, is the fact that the authorities were not intended to employ inquisitors like those who were serving the régimes of Laud in England and of the Puritans in Massachusetts, nor did they attempt to do so.

In 1648 delegates from Connecticut assembled at Cambridge, with others from the New England Confederation, to draw up a standard to be used by all the churches for the ordering of their doctrine, polity, and discipline. The Cambridge Platform, as it was known, recognized the independence of local churches from any ecclesiastical domination, provided that offenders in matters ecclesiastical were to suffer only through the deprivation of church—not civil—rights, and declared that church taxes were to be collected, if necessary, by the magistrates. It was furthermore decided that the civil authorities were not to compel church membership, but were to enforce godliness and church decrees and to suppress heresy. At the time, the formulation of the platform did little beside revealing the tendencies of Connecticut toward a policy more liberal than that of either Massachusetts or New Haven. A century later, the principle embodied in the Cambridge Platform, that every church had the right to freedom from outside interference, was to be invoked by opponents of the Saybrook Platform in a crucial era of Connecticut's religious history.[1]

The Code of 1650 contained several laws calculated to restrain the irreligious, to safeguard the dignity and financial security of the clergy, and to assert the authority

[1] *See* below, pp. 13–22.

of the general court over matters affecting the welfare of the churches. Any person convicted of slandering God's word, or its preacher, was to be reprimanded openly for the first offense, and for the second was either to pay a fine of five pounds or to stand in public view on lecture day bearing the inscription, "An Open and Obstinate Contemner of God's Holy Ordinances." Church attendance was made compulsory—the penalty for each absence being five shillings. The basic conceptions, that it was the duty of the government to be the protector of the moral and social order and that church officials should not intermeddle in civil matters, could hardly be more clearly stated than in the following enactment:

> Forasmuch as the peace and prosperity of Churches and members thereof, as well as Ciuill rights and Libberties are carefully to bee maintained,—It is ordered by this Courte and decreed, that the Civill Authority heere established hath power and libberty to see the peace, ordinances and rules of Christe bee obserued in euery Church according to his word; as allso to deale with any Church member in a way of Ciuill [justice], notwithstanding any Church relation, office or interest, so it bee done in a Ciuill and not in an Eclesiasticall way: nor shall any Church censure degrade or depose any man from any Civill dignitye, office or authority hee shall haue in the Commonwealth.

The religious life of the colony was untroubled for the first twenty years. Then, about 1656, the Quaker heresy pushed its way into New England. The Puritan authorities of that day viewed Quakers in approximately the same light that capitalist governments view communists today—namely, as a menace to the social order. Their attitude becomes understandable when it is recalled that Quakers at the time occasionally sought to give utterance to the Spirit's promptings by going about naked, by rude conduct in church services, or, more frequently, by de-

nouncing other faiths as instruments of Satan. Their refusal to take oaths or pay respect to magistrates seemed to render them politically dangerous. They were feared and persecuted because their principles and antics seemed to strike at the foundations of both state and church.

The Connecticut authorities never went so far as to hang Quakers, but there was considerable legislative furor and popular agitation against the heresy in 1656 and 1657. The remarkable thing about the laws against them was that not the Quakers but the town officials and individuals who entertained them were to suffer if the "notorious Heretiques" were not removed within fourteen days. In 1658 two of their number, Rous and Copeland, were admonished by the court not to violate the law, and to continue on to Rhode Island. Rous later declared that "among all the colonies, found we not moderation as this; most of the magistrates being more noble than those of the others." Indeed, the general court seemed to be anxious to rid itself of responsibility for rooting out the Quakers, for it presently assigned the task to the discretion of the local magistrates.

In 1675, at the beginning of King Philip's War, the court relaxed the laws against Quakers in order to keep in the good graces of both the Quakers and the Rhode Island government, each of whom had much influence among the Indians. Although still forbidden to hold assemblies, Quakers were to be excused from the penalties for absence from church. A quarter of a century later, when the activities of Anglicans and Baptists began to worry the Congregationalists, fear for the safety of the established church led to a revival of the persecuting spirit, which vented itself on Quakers as well as other dissenters. The matter was brought to the attention of the authorities in England, who in 1705 annulled the

Connecticut laws of 1656, 1657, and 1658. Whether from a feeling that the laws were needlessly severe—the Quakers numbered only a handful—or merely from politic motives, the court seconded the annulment by prompt repeal of the acts.

The beginning of the Quaker troubles coincided with an outstanding instance of the Connecticut magistrates' concern for the welfare of the churches. Owing to the fact that the children of the first settlers often found themselves unable to testify to an experience of conversion, church membership in the years just preceding 1656 had been falling off at an alarming rate. Moreover, since church rules permitted only the children of converted persons to receive baptism, there was further cause for anxiety. The wide extent of these conditions throughout the Puritan colonies led to the calling of a synod in Boston in 1656 to devise a remedy. The result of the deliberations was the Half Way Covenant, by which the right of baptism was to be extended to children of unconverted but baptized persons, and the right of admission to the church to such children upon public profession of faith. Regretful though it was that the decline of religious experience had reached such a pass as to make these measures necessary, the general court of Connecticut approved the plan for the established churches.

Dissension thereupon broke out in numerous churches between factions favoring and opposing the covenant. The task of reconciling the two sides was almost more than the tact and patience of the court could accomplish. In the Hartford church, the question of accepting the covenant fanned the fires of faction to such an extent that part of the church threatened to withdraw. The court met the threat in 1658 with a law that no church could be formed without its consent and the approval of adjacent

churches. A decade later the problem in this church was to evoke a law of distinct significance in Connecticut's progress toward religious liberty. Meantime Charles II granted a charter which enabled Connecticut to absorb New Haven.

II

In the hands of John Davenport and his company, New Haven represented a strenuous attempt to unite church and state, and to maintain the Puritan faith uncorrupted. The Fundamental Agreement, the town compact of 1639, made the Word of God the only rule in government, declared that the function of the civil authorities was to serve the church, and specified that only church members were eligible to citizenship. Whereas in Connecticut the churches were by law dependent upon the state, the founders of New Haven legislated to effect the dependence of the civil power on the will of church members.

New Haven's religious policy was, however, essentially like that of the Hartford government. The primary duties of the general court were to maintain the purity of religion, to suppress corruption, and to make known and establish God's laws, which were basically assumed to be the Mosaic code. The organization of any church was contingent upon the approval of the magistrates. From the beginning, church attendance was compulsory, with a five-shilling fine for each absence. Severe punishments were to be meted out to "Contemners" of the clergy, to blasphemers, and to heretics. All were enjoined to contribute to the support of the ministry, if not willingly, then by magisterial taxation. In view of the central purpose of the founders to erect a Puritan commonwealth, in which heresy could not break through and corrupt the faith, it is somewhat surprising to find a law

of 1643 recognizing the futility of trying to force belief against one's conscience. The sequel to this clause was more in tune with the spirit of its authors. If any caused the faithful to wander from the fold by his unorthodox notions, then fine, banishment, or other punishment was to follow.

Quaker disturbances called forth between 1656 and 1658 a series of legal anathemas with punishments, ranging from the mere guarding of Quakers coming on business to a fifty-pound fine for bringing a heretic into the colony. Quakers who might offend four times by communicating with citizens were to have their tongues bored through with a hot iron. A few unfortunates suffered under these laws.

The history of the colony was too brief to reveal how these principles might have been applied in the course of years. That the founders were filled with high seriousness there can be no doubt. In 1665 the union of New Haven with Connecticut strengthened such intolerant tendencies as may have existed in the Hartford jurisdiction.

III

The royal charter, the constitutional basis for the government of Connecticut for more than a century and a half, placed the control of religious matters entirely in the hands of the magistrates who were granted all power

> . . . for the directing, ruleing and disposeing of all other matters and things whereby our said People Inhabitants there may bee soe religiously peaceably and civilly Governed as their good life and orderly Conversacion may wynn and invite the Natives of the Country to the knowledge and obedience of the onely true God and Saviour of mankind and the Christian faith which in our Royall intencions and the Adventurers free profession is the only and principall end of this Plantacion.

In view of this absence of explicit regulation of ecclesiastical matters, the church establishment, together with all the laws to enforce godliness and to maintain the favored position of the Congregational churches remained untouched.

In 1664, two years after the grant of the charter, commissioners of the crown visited Connecticut and laid before the general court the proposition that all peaceable persons, though of dissenting opinions, be allowed to enjoy liberty of conscience and worship. The court had no difficulty in assuring the commissioners that the colony already conformed. The reply was, ". . . we know not of any one, that hath bin troubled by us for attending his conscience, provided he hath not disturbed the publique." The commissioners made no reference to the Anglican service or to the prayer book, both matters of unpleasantness when they had visited Massachusetts. Nor did they question the right of the general court to levy a tax for the maintenance of the clergy. Their silence on these questions is largely explained by the fact that there were so few Anglicans in Connecticut that no church was formed until 1723. Up to 1664, no complaint of mistreatment of them had reached the home government.

The problem of dealing with a powerful sentiment of dissatisfaction with the established order first confronted the general court in 1664. As noted before, the Half Way Covenant had brewed discontent and strife in the Hartford church and in others. The faction in the Hartford church desiring the covenant petitioned the court for a law to permit a division in the church and exemption of those withdrawing from the regular rates. A lengthy discussion followed, during which the court asked all the churches to consider the question in a tem-

perate spirit, and practically ordered the acceptance of the covenant. Finally, in 1669, provision was made for the toleration of peaceable and pious dissenters from the covenant. The court, after reiterating its approval of the way hitherto approved, added:

> . . . yet forasmuch as sundry persons of worth for prudence and piety amongst us are otherwise perswaded, (whose wellfare and peaceable sattisfaction we desire to accomadate,) This Court doth declare that all such persons being allso approued according to lawe as orthodox and sownd in the fundamentalls of Christian religion may haue allowance of their perswasion and profession in church wayes or assemblies without disturbance.

This is usually considered the first move toward religious liberty in Connecticut. The concession was the first breach in the wall of Congregational uniformity. As such, it deserves emphasis. But it is to be observed that toleration had been granted only to those orthodox and sound in the fundamentals of the Christian religion. Moreover, all citizens were still subject to ministerial taxes, and to fines for the neglect of the same or for failure to attend religious services.

The authorities certainly had no thought of tolerating dissenters who might weaken the established church, as their treatment of the Rogerenes a decade after the law of 1669 showed. Though few in number, these fanatics, whose ideas seem to have originated in Rhode Island, refused to take an oath, opposed taxes for the clergy, profaned the Sabbath, and vehemently delivered public insults to magistrate and clergyman alike. Imprisonment and fines chilled their ardor, and it was not until forty years later that much attention was paid to them. Eventually, the authorities learned that to ignore them was as effective as any method to render them harmless.

Warfare and a growing indifference to religion marked the closing years of the seventeenth century and the opening years of the eighteenth. Strong, dominant, and protected by the state, Congregationalism became lax in matters of faith and morals. The general assembly appeared more concerned over the decay of religion than the ministers, and frequently tried to arrest the drift of the times. Especially noteworthy was the report on the state of religion, called for by the general assembly in 1714. The report listed as common evils the neglect of public worship and contempt of authority, both ecclesiastical and civil. The assembly thereupon ordered the local magistrates to tighten the enforcement of the laws pertaining to religious observances.

The general assembly took two actions in 1708 which showed, on the one hand, how political adroitness often led to a widening of religious privilege, and, on the other, how ready the assembly stood to favor the established churches, even at the expense of liberty.

The first was the Toleration Act. Anglicans had been working to establish a church at Stratford. One of their clergymen had preached and baptized persons there and at Fairfield. Though no violent persecution had occurred, only protests, the situation was full of dynamite, for any outbreak of popular feelings against the Anglicans might bring down on Connecticut the full force of royal displeasure—possibly the annulment of the charter. Complaints had already reached the home government of the coldness with which Anglicans had been received. With these factors in mind, and with the English Toleration Act of 1689 before it as an example, the general assembly passed a measure "for the ease of such as soberly dissent from the way of worship and ministrie established by the antient laws of this government."

Dissenters were given permission to form separate churches, provided that they entered their names in the county court of their residence. They were still bound, however, to pay the tax for the support of the established clergy. Thus, the government coupled a practical tolerance with a determination not to weaken or undermine the established church.

The second event of 1708, the adoption of the Saybrook Platform, looked toward a strengthening of the ecclesiastical control of the churches. The platform and its adoption by the general assembly effected a reorganization on a presbyterial basis of such Congregational churches as assented. In place of the former independence and autonomy of each church, as provided for in the Cambridge Platform of 1648, control of polity was now handed over to associations and consociations. Since a large proportion of the churches entered into the scheme, the result was a surrender of the liberty heretofore enjoyed by individual churches. The platform fettered liberty within the establishment for nearly eighty years, especially after 1743, when the platform was made obligatory on all Congregational churches. Dissenting societies were not affected, as their right to organize according to the Toleration Act was reaffirmed in a proviso attached to the platform.

The increase of Anglicans in the years after 1708, the defection of Rector Cutler of Yale and four members of the New Haven association to the Anglican church in 1722, and the organization of an Anglican parish at Stratford in 1723, naturally displeased Congregationalists in general and the authorities in particular.[2] Nevertheless, petitions against church taxes from Anglicans,

[2] *See* O. S. Seymour, *Beginnings of the Episcopal Church in Connecticut* (no. XXX in this series).

Baptists, and Quakers, and the fear that such complaints might reach the British authorities, led the general assembly to modify the established policy. A law of 1727 permitted an Anglican society within the bounds of a Congregational parish to receive the church taxes paid by its own communicants. If the taxes thus collected were not sufficient, the society was given power to levy and collect higher rates. Moreover, Anglicans who contributed the tax to the support of their own church were to be excused from taxes for the building of Congregational churches. There was an element of the ironic in this law, for the government was thereby bound to enforce the collection of rates for the Anglican clergy.

Two years later, the same privileges were extended to Baptists and Quakers. Neither group numbered more than a handful—after twenty-five years of activity the Baptists had formed only two churches, while the Quakers were without an organized society—and the authorities wisely calculated that the extension of the privilege could do no harm and might possibly avoid complaints in the future. By the laws of 1727 and 1729, Connecticut took long strides toward the still distant goal of full religious freedom.

IV

THE customary calm demeanor of the magistrates suffered a rude shock from the Great Awakening,[3] the series of religious revivals that reached their height from 1740 to 1742. The preachers of the Awakening, led by Jonathan Edwards, scandalized the supporters of the stately and formal religion of the day. They embarrassed the

[3] *See* M. H. Mitchell, *The Great Awakening and other revivals in the religious life of Connecticut* (no. XXVI in this series).

regular clergy by their unorthodox and violent appeals to emotion. They frequently intruded into a parish without permission, and took matters out of the hands of the established clergyman. Soon the colony was divided into warring factions, Old Lights and New Lights, as the enemies and friends of the movement were called. Each party indignantly vilified the other. To the New Lights, their opponents were upholders of a cold, lifeless religion; to the defenders of the old order, the preachers of the Awakening were unreasoning fanatics, a menace to the social and moral order.

As might be expected, the general assembly did not sit idly by. In 1742, "an Act for regulating Abuses" was passed to suppress the mounting disorders. No support was to be given a minister who intruded into the parish of another. If an unordained person preached in the parish of a settled clergyman, he was to be fined one hundred pounds. Any outsider guilty of offense was to be expelled from the colony.

The next year the court tried to suppress the New Lights by a law which not only intensified the spirit of revolt among them, but also roused the ire of the churches outside the establishment. The Toleration Act of 1708 was repealed and the organization of dissenting churches was allowed only by permission of the general assembly. Only non-Congregational societies were eligible for such organization. The law thus made the Saybrook Platform mandatory upon all Congregational churches, and dashed the hopes of New Lights who contemplated organization on the principle of the Cambridge Platform. Dissenters were irritated because, instead of being allowed to secure permission to organize from their county court, they now had to appear before the general assembly to qualify and secure permission. Furthermore,

whereas the law of 1708 had made organization a right, it was now to be a favor granted or withheld, according to the assembly's discretion. The law was harsher in sound than in its effect upon the dissenters. The formation of Anglican and Baptist churches continued, and it is to be remembered that Congregational churches also had to comply with these measures. Incidentally, this law contained the first legislative discrimination between Roman Catholic and Protestant in the clause permitting only Protestant dissenters to organize.

The ruffled conduct of the authorities was but one indication that the Great Awakening had stirred the religious life of the colony to the depths. Forces of great moment had been set in motion. The unity of Congregationalism was broken. The schism between Old Lights and New Lights started a strong movement within the established church for release from the limitations and obligations imposed by the Saybrook Platform. The Separates or Separatists, as those seeking release were called, organized churches in defiance of the law. Despite persecution and almost crushing tax burdens, about thirty Separate churches sprang into existence, chiefly in New London and Windham counties, during the ten or fifteen years following the Awakening. For about thirty years, they remained a source of annoying opposition to the establishment. Many of these societies and many individual Separatists later went over to the Baptist ranks, while others were reconciled to the established church.

While orthodox Congregationalism was thus being weakened and the Baptists were receiving new recruits, the Anglican churches made capital of the prevailing confusion, and by their composure and stately ceremonies gained many converts among those repelled by the emotional excesses of the revival. No fewer than five

new Baptist and eight new Anglican societies were organized in the decade following the Awakening. The augury for the future of the establishment was ominous, for every gain made by the churches outside the fold brought nearer the dawn of religious liberty and the severance of the ties that bound church and state together.

For the moment the Separates bore the brunt of magisterial wrath. The authorities might permit Anglicans or Baptists or Quakers to organize churches, but they beheld with dread the extension of the same privilege to Congregationalists who wished to withdraw from the establishment. The Old Lights resolved to use their authority to enforce such penalties as the statutes imposed. Separatist families frequently had their estates levied upon because of their refusal to pay taxes for the established church. The sons of a Separate minister were expelled from Yale. Petitions to the court for relief from the deprivation of liberty "tolerated by the King"—one in 1753 bore the signatures of twenty Separatist churches and over one thousand persons—were coolly ignored.

The period of repression was comparatively brief, for the growth of a sentiment unfavorable to harsh measures toward dissenters led to the omission of the persecuting acts of 1742 and 1743 from the revision of the laws in 1750. The revision also reinstated the law of 1708 governing the organization of dissenters. Furthermore, the awareness of the general assembly that the colony would suffer politically if the British authorities became displeased was a significant reason for moderation. When the Baptists and Separatists turned in 1756 to England with a long tale of persecution, the danger of annulment of the charter again loomed. Rather than risk that, the deputation to England did not press their grievances

further than to obtain a censure of the colonial assembly by a parliamentary committee. The Connecticut magistrates, however, had learned a lesson. Thereafter they shrewdly toned down their methods, and in the years following even Separates found it not impossible to secure special exemptions from church rates. Nevertheless, the antagonism rankling in the breasts of the Old Light faction was apparent. That Separates and dissenters had before them a prolonged struggle to abrogate the Saybrook Platform and to secure equality and freedom was even clearer.

V

The second half of the eighteenth century saw the weakening of conservative Congregationalism and the steady increase in strength of a sentiment favoring leniency toward dissenters. The spirit of the times favored the Separates and dissenters and in the years just preceding, during, and after the Revolution, they were able to make notable advances toward their great objective—full religious liberty. The Puritan spirit was on the decline, the spirit of secularism was in the ascendant. In such an era the champions of liberty found their enemies weaker and their own strength greater.

The decline of the Puritan spirit and of its persecuting tendency was none the less real though gradual. The French wars, culminating in the Seven Years' War (1756–1763), brought laxity in religious interest and lowered standards of morality. Many a Connecticut lad returned from the wars to find himself strangely indifferent to spiritual matters, and with an outlook distinctly altered by his contacts with freethinkers among the British and French soldiers. Military and political questions became the staple of conversation and even the

pulpit reflected the secular spirit in the new emphasis placed upon the topics of the day. The appearance of newspapers during the war helped to shift interest to nontheological affairs.

Political liberalism contributed its share to the new secularism and, indirectly, to the movement for religious liberty. The natural rights theory of John Locke had already permeated American society, and intellectuals were beginning to come under the influence of the French philosophers with their theories of the equality of man and of the folly of persecution for religious belief. The Declaration of Independence and the Revolutionary War were presently to lend strength to the proposition that all men are entitled to equal rights. Naturally, the enemies of the church-state system, not only in Connecticut but throughout the colonies where such a system prevailed, were quick to point out that the new idealism applied in the religious realm as well as in the political.

Furthermore, the political controversy of the decades prior to and during the Revolution aggravated the fear of strong government and supported the idea that that government is best which governs least. That the increase of these sentiments weakened popular faith in the wisdom of a state church can hardly be gainsaid. The champions of liberty were not slow to demonstrate that such a church had all too often been an instrument of tyranny.

Several other circumstances placed Baptists and Separates in a position of distinct advantage in arguing their cause. The unsettled times, the rise of a rational and scientific spirit, the progress of Arian and Arminian views, and the consequent weakening of dogmatic Calvinism, all helped to diffuse tolerance of varying viewpoints and to create an atmosphere in which criti-

cism of the church-state system would find a more receptive audience.[4]

Baptists and Separatists, moreover, were able to win a large measure of public respect by making common cause with the established church against the project of an American episcopate, and against British encroachments both before and during the Revolution. The long-mooted project of an American episcopate came nearer to realization in the decade of the 'sixties than ever before, and was viewed by the Puritan colonies as a menace to their religion as well as a part of a larger design to reduce the colonies to British control. At the same time, the Sugar Act, the Stamp Act, and other measures caused Puritan New England to bristle with opposition. Here again, as during the war which followed, Baptist and Separate principles supported Congregational resistance, for all three groups associated the Christian religion with ideals of political liberty. No Congregational legislature could fail to recognize the worth of Baptist and Separate churches at such a time, when the pulpit was the chief means for molding public opinion.

Accordingly, it is not surprising that a law of 1770 should have excused conscientious dissenters from attending worship in an established church, provided

[4]Franklin and Jefferson illustrated the rise of the scientific and rational spirit. Among the leaders of the period from 1750 to 1800 who strongly influenced the religious thought of Connecticut were Jonathan Edwards (1703–1758), Joseph Bellamy (1719–1790), Samuel Hopkins (1721–1803), Ezra Stiles (1727–1795), Nathaniel Emmons (1745–1840), and Timothy Dwight (1752–1817). The vigor of the defense of Calvinism by Edwards and Bellamy indicated their fear of Arminianism and Arianism. Emmons attacked the presbyterial scheme of the Saybrook Platform. President Dwight of Yale vigorously opposed the separation of church and state. William E. Channing later declared that Stiles and Hopkins had great influence upon him as a youth in making the ideals of tolerance and rational inquiry after truth attractive.

they attended worship by themselves. Another measure of the same year exempted the estates of all ministers of the gospel from taxation. In 1777, Separates were exempted from taxes for the support of the established church if they could furnish proof of support of their own churches.

These concessions failed to satisfy dissenters, for they wanted not toleration but full religious liberty—that is, the abolition of the Saybrook Platform, the dissolution of the union of church and state, and the repeal of all laws in restraint of freedom of conscience and of worship. For over twenty years they had been petitioning the assembly and conducting an aggressive pamphlet warfare against the church-state system. They had pointed out the fallibility of a religion that demanded state support and employed persecuting methods. They had poured caustic invective on ministerial taxes and the fines and imprisonment meted out to dissenters, and had constantly invoked the principle, long since enunciated by Oliver Cromwell, that the state should take no notice of a man's opinions, provided he serves it faithfully. Were they now merely to receive concessions from a government which claimed the right to rescind them, when justice, as they viewed it, demanded liberty as a right?

The drive for separation of church and state went unrelentingly on, with the immediate object of the Separate attack the Saybrook Platform. Sentiment rose against the law of 1743 making that platform the only legal basis for Congregational organization; numerous individuals and churches within the establishment favored a return to the Cambridge Platform principle of the local independence of each church. In 1784, the legislature bowed before the pressure. The revision of the laws made in that year omitted mention of the Saybrook Platform from the

statute to secure the rights of conscience to Christians, and thus tacitly abrogated the platform. The Separates had won a signal victory, for their chief stumbling block was now removed, and they were free to organize under the same conditions as other Congregational churches.

At the same time, dissenters received new privileges. All dissenting churches were allowed to manage their own financial affairs with no greater amount of governmental control than that imposed on the established churches, and a wider latitude was granted newcomers to the state in the choice of church affiliation. The laws of 1784, however, still regulated the religious life of the state with great thoroughness, for the union of church and state was retained, taxes as heretofore were to be levied for the support of the clergy, and fines for the neglect of religious observances might still be imposed. More than thirty years were yet to pass before complete separation of church and state was to be achieved.

Meantime, the period immediately following the Revolution witnessed the Americanization and nationalization of two churches which were to throw their strength on the side of the Separates and dissenters in securing liberty. Both the Anglican churches and the Methodist societies organized as American institutions in 1784—a step made necessary, as independence had severed the ties binding them to the mother country. Thenceforth the Protestant Episcopal Church—a mere shadow of its prewar strength—strove to live down its Tory reputation and vigorously supported the movement to separate church and state in Connecticut. Although Francis Asbury and his co-workers had been laboring in the country with marked success for two decades, the Methodists did not appear in Connecticut until 1789. From that date onward their zeal and rapidly increasing

numerical strength were to be vital factors in the struggle for religious liberty.

The years of the French Revolution saw a reaction to conservatism in Connecticut—a mood engendered by the dying down of the wartime fervor for liberty, by the excesses of the antireligious activities of the French revolutionists, and by a series of revivals in religion that swept over the state during the closing years of the eighteenth century and the opening years of the nineteenth.[5] Many, like President Dwight of Yale, were convinced that a state church was still needed for both religious and social reasons, and that the steady habits of the fathers were still appropriate.

This reaction first expressed itself in the Certificate Act of 1791 which required that dissenters' certificates for exemption from the support of the established church be henceforth signed by civil officials. Since the latter were in most cases members of established churches, and since they had the right to sign or not, according to their personal judgment as to the justification of the application, the law threatened to work hardship on many dissenters. A further attempt to discriminate in favor of the establishment was the law of 1793 to appropriate interest on money received from the sale of Connecticut's Western lands to the various denominations in such manner as the assembly might decide. Naturally, dissenters feared that the method of apportioning the funds would put them at a relative disadvantage, since most legislators were partial to the established church.

Instant opposition arose from all dissenting groups to both the Certificate Act and the law of 1793. Only six months after the passage of the former measure, it was

[5] *See* M. H. Mitchell, *The Great Awakening and other revivals in the religious life of Connecticut* (no. XXVI in this series), pp. 23 ff.

repealed, and another law passed to permit dissenters to write their own certificates without signature by civil officials. In 1795, the Western lands act was changed to provide that interest on receipts from the sale of Western lands should be apportioned among the school societies, thus establishing the state's permanent School Fund. Retractions like these demonstrated the persistent strength of the movement for liberty.

VI

At the dawn of the nineteenth century, Connecticut was one of the few states that had not followed the example of the national constitution in banning religious tests for qualification to office, and in forbidding church establishments as well as in securing complete freedom of worship. Before two decades had passed, the Land of Steady Habits was to enter a new constitutional era in which church and state would be separated and complete freedom of conscience and worship guaranteed. The forces which brought this to pass were numerous and interlocked. Among them, the following deserve emphasis: the blunders of the Federalists who were the defenders of the Standing Order, the rise of democratic sentiment, the pressure of changed economic conditions, the movement to secure a new constitution, and the energetic policies and activities of the enemies of the church establishment. The achievement of religious liberty came, therefore, as one result of a general movement to secure changes of far-reaching political, constitutional, and social significance.[6]

It is conceivable that the defenders of the establishment might have staved off defeat many years longer

[6]For an extended account of the struggle for a new constitution, the reader should consult Richard J. Purcell, *Connecticut in transition, 1775–1818* (Washington, 1918).

than they did, if their political leaders had possessed greater foresight and understanding of the temper of the times. To resist change when change is the cry of the day, or to alienate supporters, hardly betokens political acumen. The Federalists opposed the extension of democracy at a time when the sentiment was spreading wide and fast that to place the vote in the hands of the common man would solve the world's ills. They insisted upon the need of a church-state system at a time when the experiments in Virginia and elsewhere were convincing an increasing number that no violent dissolution of society would follow the separation of church and state. Probably most fatal of all, they championed an unpatriotic sectionalism in a period that saw the rise of strong nationalistic feeling.

In 1801, to instance one of their blunders, the Connecticut Federalists passed the Stand-up Act, requiring a voter to stand while declaring his choice in nominating assistants. To the person whose job or credit might depend upon his voting according to his employer's or creditor's preference, this seemed unfair and un-American. Again, during the War of 1812 the tactics of the Federalist party and of their supporters among the clergy of the established church caused their prestige to sink rapidly. The stigma that attached to the Hartford Convention could not be explained away.[7]

In the same year that the Federalists called the Hartford Convention, the assembly refused to grant the Episcopalians funds which they believed rightfully belonged to them as a result of the incorporation of the Phoenix Bank of Hartford.[8] The Episcopalians, who had

[7] *See* W. E. Buckley, *The Hartford Convention* (no. XXIV in this series).

[8] *See* O. S. Seymour, *Beginnings of the Episcopal Church in Connecticut* (no. XXX in this series), pp. 21 ff., and F. Parsons, *History of banking in Connecticut* (no. XLII in this series), pp. 9–11.

hitherto continued to be supporters of the Federalist party, in spite of the legislature's refusal on four occasions since 1802 to charter Cheshire Academy as a college, now threw their strength on the side of the Republicans. To weld together such diverse groups as Episcopalians and dissenters of all descriptions into the Toleration party was thus made the easier by Federalist blunders.

Democratic liberalism edged its way into conservative Connecticut in the face of bitter opposition, but by 1815 there were signs that Jeffersonianism was distinctly stronger than it had been a decade earlier. The movement for religious liberty strengthened the Republicans even as the surge of democracy carried the ideal of religious liberty forward. In holding forth the promise of an extension of the suffrage the Toleration party posed as the champion of the common man. It could hardly be expected that a party, already suffering from its stand during the War of 1812, could hold the good will of the masses by maintaining that a voter should possess "a free-hold estate to the value of seven dollars per annum, or one hundred and thirty-four dollars personal estate in the general list," when the Republicans declared that all who paid taxes, worked on the highways, or served in the militia were entitled to the vote.

Closely tied up with political liberalism were economic conditions, the significance of which the Federalists appeared not to recognize. The War of 1812 and other circumstances had fostered the growth of mills and factories. A considerable portion of the population of the state was becoming urban and industrial, and the laborers—poor, taxed, and without the vote—cried for tax relief and an extension of the suffrage. The Federalists did nothing; but the Republicans, the Toleration party, promised much in both respects.

It was difficult to hope for substantial reform under the Charter of 1662, with the Federalists dominating the government and its ally, the state church. Consequently, the reformers, during the opening decades of the century, directed their efforts largely toward securing a new constitution for the state. In so doing they crystallized a sentiment widespread ever since the Revolution that the colonial charter granted by the king had outlived its usefulness, and that the state had fallen behind constitutional progress elsewhere throughout the country. The fiery Republican, Abraham Bishop of New Haven, had used the second election of Jefferson in 1804 as an occasion to sound the cry for a new constitution, and the Republican gains in the election of that fall, particularly in Windham county, indicated the drift of sentiment in favor of such a move. More than ten years passed before the matter again became a live issue. Then, in 1815, the attack on the charter by Judge Zephaniah Swift, heretofore a staunch Federalist, revived the movement. Many, like Judge Swift and Oliver Wolcott, Jr., the latter also a Federalist, felt that there was need for a clear definition of the respective powers of the legislative, executive, and judicial branches, and, finding the bulk of the Federalists hostile to change, joined the ranks of the Republicans.

The enemies of the church establishment thus had a rare opportunity to press their cause. Their votes would go to extension of the suffrage, tax reduction, and a new constitution. In return they were in a position to insist that the new order should provide for complete religious liberty. Their activities from 1800 onward had gained them the respect and loyalty of an increasing proportion of the population, thereby laying the groundwork for change. Neither the magistrates nor the people had been allowed to forget that the state-church system was a

violation of personal liberty and a crying injustice. Every year since 1802 the Baptists had sent to the assembly a petition bearing three thousand signatures in protest against the certificate law, but it had not been received by both houses of the general assembly until 1815. The Reverend John Leland, returning from Virginia shortly after disestablishment there in 1785, had for years made his voice heard in favor of separation of church and state, and in favor of securing a new constitution. In 1803, he spoke out as the representative of forty-two Baptist clergymen, twenty licensed ministers, four thousand communicants, and twenty thousand church attendants. Two newspapers, the *True republican* of Norwich and the *Windham herald*, carried the cry for reform weekly to the doors of hundreds of homes.

The close of the War of 1812 saw the beginning of the end of the Federalist régime. In 1815, the Republicans tripled their vote of the previous year and gained twenty seats in the lower house of the general assembly. The Federalists decided that a concession was due. They promptly passed a law to do away with fines for absence from church.

The following year, the Toleration party nominated Oliver Wolcott, Jr., and Jonathan Ingersoll for governor and lieutenant-governor, respectively. Both were Federalists of long standing, the latter an Episcopalian. The election seated Ingersoll; Wolcott's vote was 10,170 to 11,589 for the Federalist, John Cotton Smith. Again, the Federalists thought a concession appropriate. The act of 1816 for the support of literature and religion provided that the money owed Connecticut by the federal government for war expenses should be divided among the churches. The Congregationalists were to receive $68,000, the Episcopalians $20,000, the Baptists $18,000, and the

Methodists $12,000. The Quakers, Universalists, and other insignificant groups were not mentioned in the distribution. If the Federalists thought that their enemies could be silenced by grants of money, they were bitterly disappointed. In 1817, Episcopalians, Baptists, and Methodists joined in denouncing the act as a political trick to buy their approval of an unjust church establishment and of forced support of religion.

The pendulum swung still farther in the election of 1817, when the Republicans seated Wolcott in the governor's chair, reëlected Ingersoll, and carried the vote for members of the lower house by a majority of two to one. Forthwith, the odious Stand-up Act was repealed, though the Federalist upper house blocked all other reform measures introduced during the year. It was a battle of despair that the defenders of the Standing Order waged. It seemed that even fate was arrayed against them, for during the year death came to their leader, Timothy Dwight, who had done more than any other during the past two decades to rally together those who believed that dire social and moral consequences would follow the separation of church and state.

VII

In the election of 1818, the Toleration party swept all before them. On August 26, the constitutional convention met at Hartford. Fearing that the Federalist delegates, who numbered ninety-five to one hundred and five Republicans, might sidetrack the issue of religious liberty, the Baptists and Methodists resolved that no proposed constitution would receive their approval unless it provided unequivocally for separation of church and state. The Episcopalians were prompt to sanction their move.

The guarantees of religious liberty which the constitu-

tion, as submitted to the voters for ratification, contained, are well known. The first article declared:

> The exercise and enjoyment of religious profession and worship, without discrimination, shall forever be free to all persons in this state; provided, that the right hereby declared and established shall not be so construed as to excuse acts of licentiousness, or to justify practices inconsistent with the peace and safety of the state.
>
> No preference shall be given by law to any christian sect or mode of worship.

Article seven amplified these provisions by stating that

> . . . no person shall by law be compelled to join or support, nor be classed with, or associated to, any congregation, church, or religious association. . . . And each and every society or denomination of christians in this state, shall have and enjoy the same and equal powers, rights and privileges. . . .

The vote in the convention on September 15 on the constitution as a whole was interesting in showing that a goodly proportion of the Federalists had decided to line up for its ratification. It was one hundred and thirty-four to sixty-one. The popular vote was far closer. Of the towns only fifty-nine out of one hundred and twenty voted for ratification, while the individual votes stood 13,918 in favor, to 12,364 opposed. If it had not been for the magnanimity of many Federalist members of the convention, it seems probable that the issue would have been defeated.

The fact that the strongholds of Toleration and Republican sentiment had been in the eastern, southern, and western portions of the state is worth comment, for it indicates the close relationship between church affiliations and political allegiance. Generally speaking, the towns where the Episcopalians, Baptists, and Methodists were strong were to be found in the column for ratifica-

tion. Episcopalian strength lay mainly in the counties of Fairfield, New Haven, and Middlesex—the three which had the closest commercial and cultural ties with New York, where the Episcopalians were numerous. Windham and New London counties, adjacent to Baptist and Quaker Rhode Island, had long since been the scene of the Separate movement. It was there that the agitation for religious liberty under the leadership of the Baptists had made great headway. Only in Hartford, Litchfield, and Tolland counties were the Federalists able to muster sufficient Congregational votes to assure majorities against ratification. Just where the Methodists exerted the most influence it is hard to say, for their societies were scattered throughout the state.

In addition to the dissolution of the union of church and state and the breaking of the political influence of the Congregational clergy, other immediate effects of disestablishment are worth noting. The way to social, as well as legal equality for non-Congregationalists was opened. In the schools the teaching of the catechism now became optional and discrimination against the children of non-Congregationalists began to disappear. The organization of Washington (now Trinity) College in 1823 and of Wesleyan University in 1831, by the Episcopalians and Methodists respectively, was fruit of the new order that could hardly have been hoped for under the church-state system.[9]

The voluntary system, however, did not lead to the decay of religion and morality or to the host of social evils which the defenders of the Standing Order had confidently predicted would follow its establishment. On the

[9]For the developments under the new constitution, see J. M. Morse, *Under the Constitution of 1818: the first decade* (no. XVII in this series), and J. M. Morse, *The rise of liberalism in Connecticut, 1828–1850* (no. XVI in this series).

contrary, the new freedom had the immediate result of giving religion a new lease of life and power, and it was not long before the once ardent defenders of the old order became reconciled to the new. Since 1818, there has been no serious attempt to undo the work of the constitutional convention as far as its enactments with regard to religion are concerned.

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