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## What the Founders Really Did on Religious Liberty: “Deeds not Words”



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President  
Family Research Council

WHAT THE FOUNDERS REALLY DID ON RELIGIOUS FREEDOM:  
“DEEDS NOT WORDS”

BY ROBERT G. MORRISON

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*The liberty enjoyed*  
**by the people of these states of  
worshiping Almighty God agreeably to  
their conscience, is not only among the  
choicest of their blessings, but also  
of their rights.**

– George Washington,  
message to the Annual Meeting  
of Quakers, 1789

The Founders of our country considered religious liberty our “first freedom.” In their view, it was the bedrock upon which all other freedoms rest.

Why? They understood that one’s right to worship God and follow his conscience according to the principles of his religious faith was foundational to all morality. A man whose religious faith was repressed could never be a loyal citizen, since the state was usurping his first allegiance and costing him his primary, or first, freedom.

George Washington’s motto was, “Deeds, not Words.” He lived it: During the Constitutional Convention, he rarely spoke, and those who knew him well noted his courtly, almost diffident manner. Yet his actions – his leadership during the Revolution, his policies and practices as our first President, and his well-reputed example as a man of prayer and reverence – spoke to a measure of conviction few American statesmen have ever come close to matching.

Today, our religious liberties are under attack, sometimes openly, sometimes subtly. A Christian group at a California law school can no longer prohibit homosexuals from joining. Military chaplains have been criticized for praying according to the beliefs of their faiths. A liberal judge has ruled that

“Under God” in the Pledge of Allegiance violates the First Amendment.

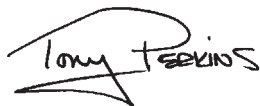
That’s why learning from the Founders on what true religious liberty is remains so important. In his Farewell Address, Washington wrote,

*Of all the dispositions and habits which lead to political prosperity, Religion and morality are indispensable supports. In vain would that man claim the tribute of Patriotism, who should labour to subvert these great Pillars of human happiness, these firmest props of the duties of Men and citizens. The mere Politician, equally with the pious man ought to respect and to cherish them.*

Without religious liberty, Washington’s exhortation would be meaningless. With religious freedom, it forms the very fabric of our nation.

It is to uphold these great and perpetual truths that Family Research Council, through the pen of our respected Senior Fellow for Policy Studies, historian Bob Morrison, is publishing this booklet.

Sincerely,



Tony Perkins  
President, Family Research Council

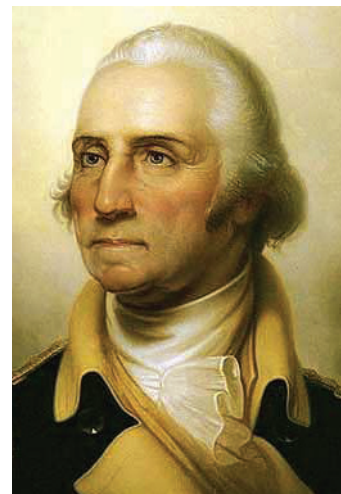
## What the Founders Really Did on Religious Liberty: “Deeds not Words”

BY ROBERT G. MORRISON

### Dispatch No. 1. His Excellency Ends Pope’s Day

The Continental Army was besieging Boston in the fall of 1775. His Excellency, General George Washington, had come up from Philadelphia in June to take command of this force comprised primarily of New Englanders. Gen. Washington had sent a portion of his army to Canada in the hope of enlisting the French-speaking Quebecers as allies of the new American Union.

As winter approached, however, Washington got word of a New England custom about to be played out in full view of the surrounded British Army. New



George Washington

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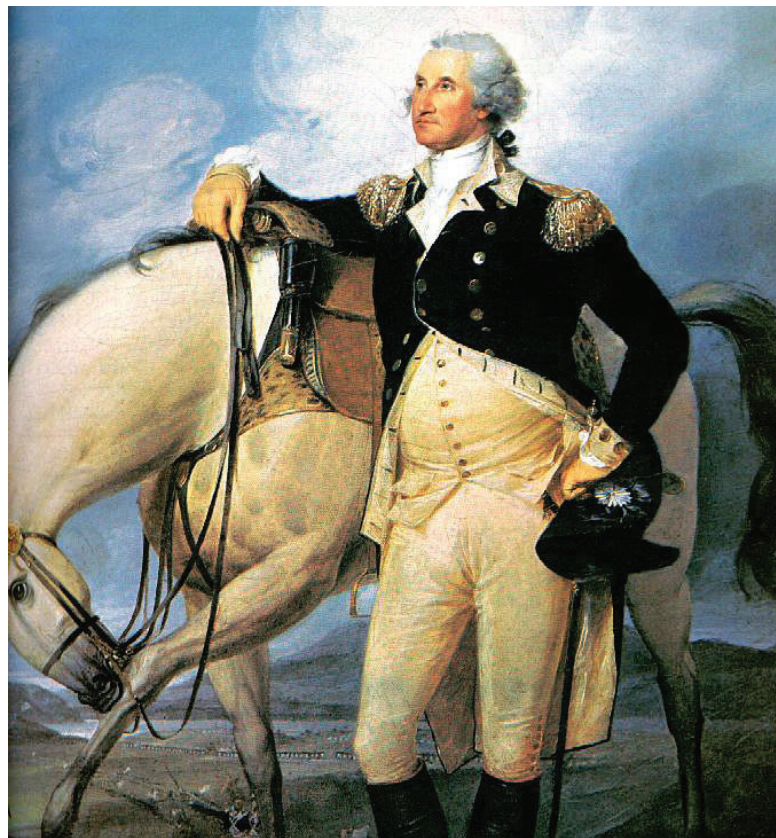
England Protestants for more than a century had celebrated “Pope’s Day,” a combination of our modern Halloween and Fourth of July events. Bonfires, firecrackers, and masked boys playing mischievous pranks were highlights of the day; it was all harmless fun--except for the conclusion. Effigies of the Pope were stuffed with straw and live cats. These would then be set afire. The yowling of the poor cats was intended to convey the screaming of the Popes in hell.

His Excellency was having none of it. He issued a stern General Order from his headquarters on November 5, 1775. He warned against “the observance of that ridiculous and childish custom” anywhere in his Army. More than that, he *condemned* the holiday outright, expressing his surprise that “there should be Officers or Soldiers in this army so void of common sense as not to see the impropriety of such a step at this Juncture.” Washington was daily awaiting word that the Quebeckers would join us. How could we be so unwise, he asked, “to be insulting their religion? [It] is so monstrous as not to be suffered or excused.”<sup>1</sup>

The Continental Congress had sent messages to Quebec imploring the French Catholics there *not* to trust the British for their religious freedom: “What is offered to you by the late Parliament? ...Liberty of conscience in your religion? No. *God gave it to you...*”<sup>2</sup>

Although His Excellency and the Continental Congress were to be disappointed in the failure of the Quebeckers to join the revolution, Washington also had in mind his own troops. The units from Pennsylvania and Maryland “fairly teemed” with Catholic soldiers. Maryland had been founded originally as a Catholic refuge. And Pennsylvania famously attracted people of all denominations because of the original Quaker settlers’ commitment to religious tolerance.

Washington’s troops did not celebrate Pope’s Day that year. Nor, after that, did anyone else. So great was George Washington’s prestige and moral authority that Americans turned away from such “childish and ridiculous” celebrations.





Despite the French Canadians' unwillingness to join the Americans, France did join. First to arrive was the young Marquis de Lafayette. He started off as a private in Washington's army. Within a year, the brave twenty-year old was a Major General, having earned his advancement.

Then, in 1778, France formally aligned with the United States. His Most Christian Majesty, King Louis XVI, sent General Rochambeau and 5,000 French regular soldiers to fight alongside Washington's Continen-



General George Washington meets General Rochambeau.

tals. These troops arrived in Newport, Rhode Island in 1780. They remained loyal to the Alliance all the way to final victory at Yorktown, in Virginia, in 1781.

It would have placed intolerable strains on our Alliance with the Catholic French if Pope's Day was still being celebrated by the Americans. In this instance, good fellowship proved to be good politics. His Excellency's good judgment was also good strategy.

This enlightened spirit would be seen in the Continental Congress, in Philadelphia, when Catholic layman Charles Carroll of Carrollton, a wealthy Maryland landowner, and Rev. John Witherspoon, a Presbyterian clergyman from New Jersey, both signed the Declaration of Independence. They pledged to each other and their fellow Signers, "their lives, their fortunes, and their sacred honor." Nowhere else on earth in 1776 could one have found such a document.

It was also the spirit that prompted the Constitutional Convention in 1787 to include a provision in Article VI, Clause 3, saying "...no religious Test shall ever be required as a Qualification for any office or public Trust under the United States."<sup>3</sup> This was the most advanced statement of religious freedom in the world.

No wonder Thomas Jefferson could say of George Washington: "The moderation and virtue of a single character probably prevented this Revolution from being closed, as most others have been, by the subversion of that liberty it was intended to establish."<sup>4</sup>

## Dispatch No. 2. Mr. Madison and “that nest of Dutchmen”

By 1789, young James Madison already had enough achievements to bring fame to any man. He had worked diligently with Thomas Jefferson to advance religious freedom in the newly independent Commonwealth of Virginia. Jefferson’s Bill for Religious Freedom had been introduced into the General Assembly in 1779, but the lawmakers hesitated to enact it. By 1785, however, the War of Independence was over and Jefferson was in Paris representing the United States.



James Madison

Madison was an Episcopalian (as the American Anglicans of the old Church of England called themselves). But he felt keenly the injustice of persecution against Virginia’s Baptists. A number of their preachers had been jailed for refusing to tell state authorities where they would preach and to whom. They answered only to God, they stoutly maintained. Madison joined with Rev. George Eve and Elder John Leland to defend the Baptists.<sup>5</sup>

When Patrick Henry suggested a bill to tax all Virginians for the support of their churches, but to let each man decide how his tax should be apportioned, his proposed measure would have been the most tolerant, most enlightened of any religion law in the English-speaking world. Allowing a taxpayer to determine to what denomination his money would go was radical.

Even so, Madison responded powerfully with his *Memorial and Remonstrance Against Religious Assessment* (1785). Madison showed with clear and compelling logic how giving the state the power to tax and distribute church funds necessarily involved giving the state the power to determine who was genuinely Christian. This was exactly the principle that the fearless Baptists had been fighting against. They rallied to support Mr. Jefferson’s bill.





### Dispatch No. 3

## George Washington Kisses the Bible

After a bloody war for independence and years of turmoil under the Articles of Confederation, all was triumph in the spring of 1789. Church bells rang and cannons boomed from ships in the N.Y. harbor as George Washington arrived to be sworn in as President. On April 30th, Washington appeared on a balcony at the newly re-designed Federal Hall.

Washington was keenly aware that everything he did on that solemn occasion--*everything*--would be setting a precedent for "millions yet unborn."<sup>6</sup> Washington did not wear his splendid military uniform. He was determined to demonstrate civilian control of the military. He wore, instead, a plain brown suit, tailor-made for him in Hartford, Connecticut. Coming out on the balcony, he saw the multitude gathered below him, stretching

out on Wall and Broad Streets in Lower Manhattan. He exchanged bows with Vice President Adams, Speaker of the House Frederick Muhlenberg, and Chancellor Robert R. Livingston of New York State, who would administer the oath of office as prescribed by



Washington's Inauguration

the Constitution. On a table, supported by a red velvet cushion, was a Bible. Secretary of the Senate, Samuel Otis, held the Bible as Washington repeated the oath after Chancellor Livingston.<sup>7</sup>

Glancing at the Bible, Washington might have recalled the words of his favorite Psalm, the Ninety-First.

*I will say of the LORD, He is my refuge and my fortress: my God; in him will I trust. Surely he shall deliver thee from the snare of the fowler, and from the noisome pestilence. He shall cover thee with his feathers, and under his wings shalt thou trust: his truth shall be thy shield and buckler. Thou shalt not be afraid for the terror by night; nor for the arrow that flieth by day; Nor for the pestilence that walketh in darkness; nor for the destruction that wasteth at noonday. A thousand shall fall at thy side, and ten thousand at thy right hand; but it shall not come nigh thee.*

Washington could clearly relate its majestic cadences to his own life. He had survived smallpox and dysentery, he had come unscathed through battles with the French and Indians, the British and the Hessians.

Washington might also have thought at that tender moment of the words he would not deliver in his Inaugural Address. James Madison had persuaded him not to include the passage wherein he wrote:

"Divine Providence hath not seen fit, that my blood should be transmitted or name perpet-



uated by the endearing though sometimes seducing channel of immediate offspring.” He added that he had “no child for whom I could wish to make provision—no family to build in greatness upon my country’s ruin.”

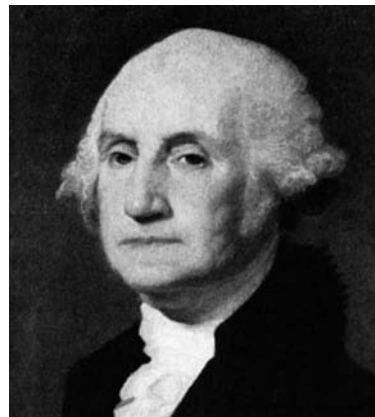
George and Martha Washington’s personal tragedy--no children from their marriage—thus became in his eyes a national blessing. There was no risk of monarchy in choosing Washington as our first President. He would become father to all Americans, even to millions yet unborn.

To the words of the oath as prescribed in the Constitution, Washington added four words: *So help me God*. Then, before Otis could raise the Bible, Washington bowed down and kissed it. In the harbor, the Spanish warship *Galveston* fired a thunderous salute.<sup>8</sup>

He read his Inaugural Address with some difficulty. Sen. William Maclay, whose often cranky diary gives us some of the best first-hand accounts of this period, wrote: “This great man was agitated and embarrassed, more than ever he was by the leveled Cannon or pointed Musket.”<sup>9</sup> Or the arrow that flies by day. That may well have been because George Washington feared God and no man.

Was God present at the creation of the American republic? Washington thought He was. He said so in his Inaugural Address: “No people can be bound to acknowledge and adore

the Invisible Hand which conducts the affairs of men more than those of the United States. Every step by which [we] have advanced to the character of an independent nation seems to have been distinguished by some token of providential agency.”



He went even further, not only had God guided “every step” Americans had taken to win Independence, but He had also shepherded us through the tor-

tuous process of framing and ratifying the new Constitution. More than this, God had entrusted to us, the American people, “the preservation of the sacred fire of liberty and the destiny of the republican model of government...”

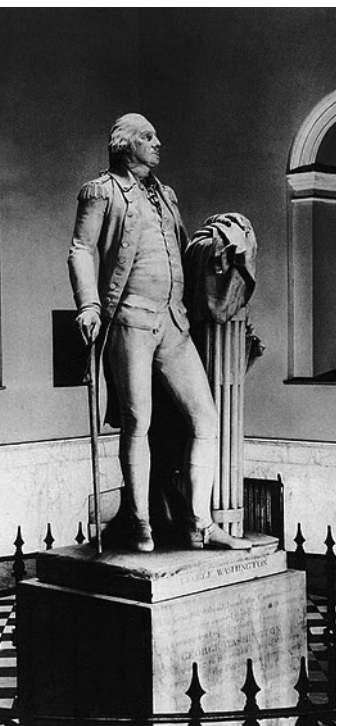
President Obama is ambivalent about American Exceptionalism. He says he believes in it, but the Brits believe in British Exceptionalism and the Greeks believe in Greek Exceptionalism. If we seek the true source of American Exceptionalism, we must look to our beginnings, and to Washington’s Inaugural Address. George Washington’s personal motto was “Deeds not Words.” In bowing

before the American people, as represented by those cheering thousands surrounding Federal Hall, he acknowledged their human dignity and their inestimable worth. In kissing the Bible, he reminds them and us of the eternal source of that dignity and our inalienable rights.

Historian Michael Novak reminds us that while Washington's names for God—Providential Agency, Divine Author of our religion, Invisible Hand, etc.—may have seemed abstract, almost Deist., Washington's verbs--his words for God's actions--are clearly drawn from the Bible of the Jews and the Christians.<sup>10</sup> This is no remote "Watchmaker" God. Washington's God hears. He moves. He acts. He intervenes in the affairs of men.

Washington's God is present among us. And who better to appreciate God's actions in our history than George Washington, America's original action hero?

Washington sculpture by Frenchman Jean-Antoine Houdon, commissioned by Thomas Jefferson and the Virginia Legislature.



## Dispatch No. 4 President Washington's Vine and Fig Tree

Rhode Island had still not ratified the Constitution in 1790 when President Washington made his first visit to New England. He carefully went around the fractious state that many were calling "Rogue Island" for its failure to ratify as much as for the imprudent laws on indebtedness its legislature was passing.

Soon, Rhode Island re-joined the Union and Washington wrote quickly to welcome them. "Since the bond of Union is now complete, and we once more consider ourselves as one family, it is much to be hoped that reproaches will cease and prejudices be done away..." He set sail from New York City aboard a sailing ship through Long Island Sound, one of the few times Washington went to sea.

After Washington had arrived, a delegation of Jewish citizens from the famous Tuoro Congregation addressed the President, he listened with patience and respect. He then replied: "It is now no more that toleration is spoken of, as if it was by the indulgence of one class of people, that another enjoyed the exercise of their inherent, natural rights. For happily, the government of the United States..." --and here he repeated to the Jews the words they had addressed to him-- "... which gives to bigotry no sanction, to persecution no assistance, requires only that they

who live under its protections should demean themselves as good citizens, in giving it on all occasions their effectual support.”<sup>11</sup>

Washington concluded with a majestic phrase. He looked forward to an American republic in which each man shall “sit under his own vine and fig tree and none shall make them afraid.” (Micah 4:4). This was the first time in human history, as Professor Harry Jaffa has pointed out, that any ruler addressed the Jews as equal fellow citizens.

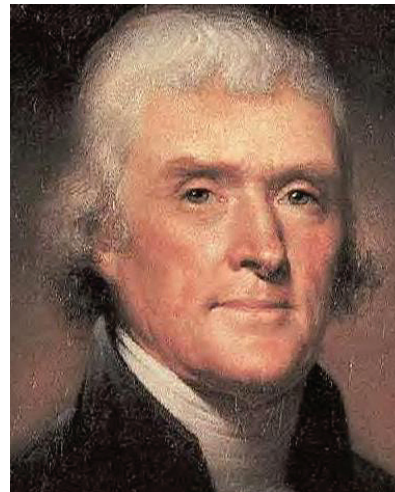
In succeeding generations, no bigot could find support in Washington’s words. No persecutor could gain assistance from Washington’s example. This faithful churchman succeeded where all too many of today’s secularists and atheizers fail: He made America a beacon for the oppressed of many lands. George Washington set a high standard for religious freedom, the highest in the world.

Equally important in our own time, Washington stressed “demean themselves as good citizens” and giving the government “their effectual support.” When Islamic groups in America urge their members not to cooperate with the FBI, when Imams threaten us with danger to our national security if we refuse them permission to build a mosque at Ground Zero, we may fairly ask: Are they acting as good citizens? Are they giving our government their effectual support?

## Dispatch No. 5. Mr. Jefferson and the Mammoth Cheese

It was a Friday, New Year’s Day, 1802, in the city of Washington. President Thomas Jefferson was the first Chief Executive to be inaugurated in the as-yet-incomplete capital. It was Mr. Jefferson’s first New Year’s reception in the White House.

After a hard fought election, the new President has sought unity in his Inaugural Address, saying that we Americans were “all Federalists, all Republicans,” and asserting



Thomas Jefferson

that we are all one in “acknowledging and adoring an overruling Providence, which by all its dispensations proves that it delights in the happiness of man here and his greater happiness hereafter.”<sup>12</sup>

This is a warmer God than the cold and indifferent De-

ity so often proposed to us by modern secular scholars as the god of our Founders. Jefferson ended with a call for “a wise and frugal government, which shall restrain men from injuring one another, [and] shall leave them otherwise free to regulate their own pursuits



of industry and improvement and shall not take from the mouth of labor the bread it has earned.”

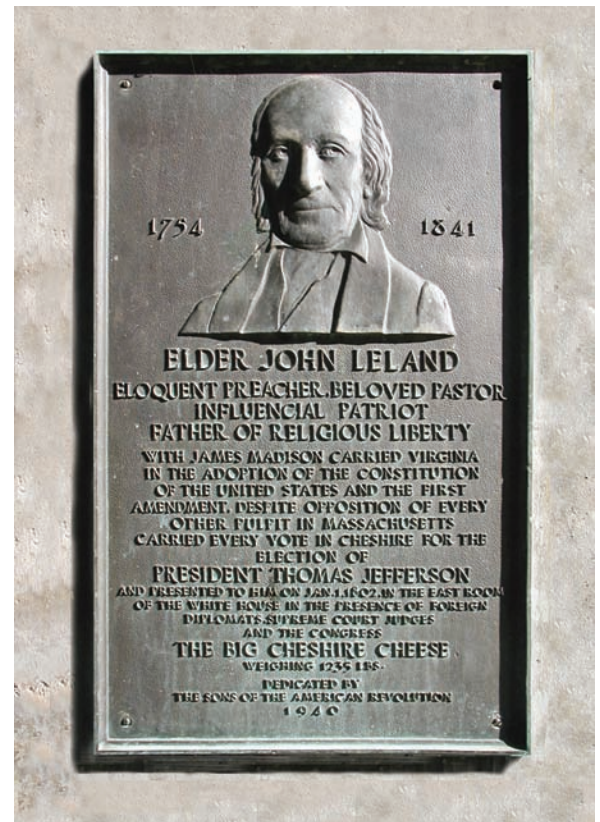
In the months that followed, New Englanders had time to retrieve their Bibles. The overwrought Federalists who had warned that if Jefferson the atheist were elected, he would seize their Bibles looked pretty silly. There were no guillotines set up on the National Mall, no dangerous French notions put in over our Constitution.

Elder John Leland, a Baptist lay preacher, had lived in Virginia in the 1780s. He worked there with Jefferson and Madison to secure passage of the great Virginia Statute of Religious Freedom of 1786. Afterward, he returned to his New England home, still an ardent Jeffersonian.

To celebrate his hero’s election, Elder John persuaded the members of his congregation to create a huge, 1,235-pound cheese that measured four feet in diameter and was over 17 inches thick. Elder John liked his cheese like he liked his politics—thick and pungent. He made a point of collecting milk from 900 cows.<sup>13</sup> And Elder John said no Federalist farmers’ cows had been “taxed” to produce this cheese.

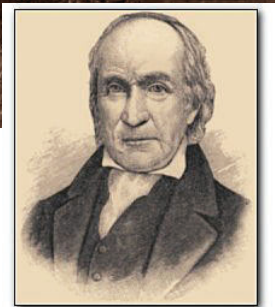
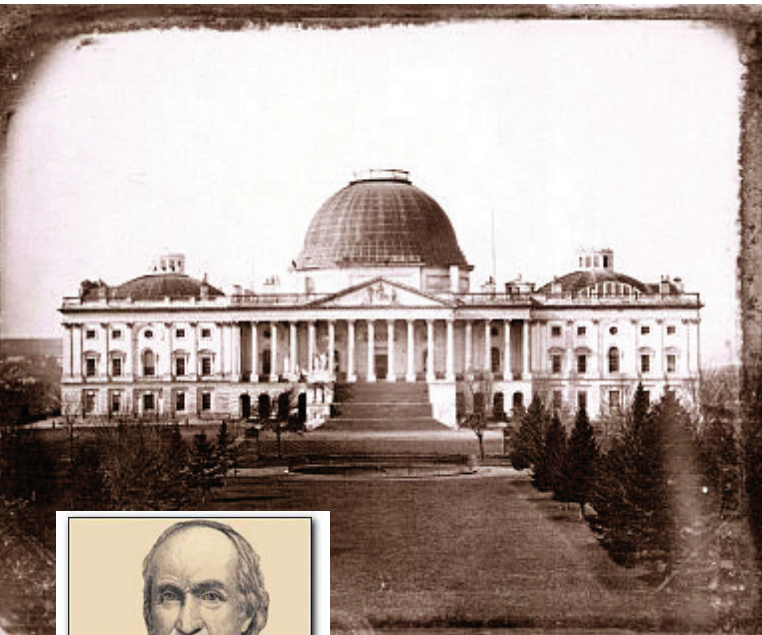
Along the route to Washington, Elder John missed no opportunity to preach the Gospel to those who lined the road. Federalists knew of Thomas Jefferson’s fascination with natural science, and of the President’s belief—

erroneous as Lewis & Clark would soon prove—that woolly mammoths still inhabited the Great Plains. They could not resist. They hooted in derision, calling the cheese a “mammoth cheese.” Elder John good-naturedly accepted the title of the Mammoth Preacher.<sup>14</sup>



Arriving at the White House, Elder John was met at the door by Mr. Jefferson, who greeted him with open arms. The Mammoth Cheese was hauled into the White House. It bore the slogan “Resistance to Tyrants is Obedience to God.”

Two days later, on Sunday, President Jefferson, his Cabinet, and Members of Congress gathered in the chamber of the House of Representatives. There, Elder John preached a Bible sermon to the assembled political leadership of the United States—on federal property. Mr. Jefferson and Mr. Madison smiled their approval.



Bible sermons were welcome in the early capitol. Elder John Leland felt right at home.

This was just two days after Thomas Jefferson penned his now-famous Letter to the Danbury Baptists. Volumes have been written about the “Wall of Separation,” the term Jefferson used in his letter. But there was no wall that Sunday between Elder John Leland and his hearers. Jefferson’s *serpentine wall* continues to perplex scholars, but here he showed what he did *not* mean: He did not believe that the Constitution prohibited free exercise of religion—at the highest levels of the U.S. government.

## ENDNOTES

- 1 Stoll, p. 170.
- 2 Waldman.
- 3 Meese, et al, p. 296.
- 4 Gregg and Spalding, p. 217.
- 5 Labunski, p. 162.
- 6 GW Letter to Lt. Col. Tench Tilghman, April 24, 1783.
- 7 Elkins & McKittrick, pp. 44-46.
- 8 Freeman, pp. 190-195.
- 9 <http://www.archives.gov/legislative/features/gw-inauguration/>
- 10 Novak & Novak, p. 144.
- 11 Freeman, pp. 274-276.
- 12 Hunt, John Gabriel, Ed., *The Inaugural Addresses of the Presidents*, Gramercy Books, New York: 1995, p. 26.
- 13 Malone, p. 106-108.
- 14 C.A. Browne.

## Acknowledgments

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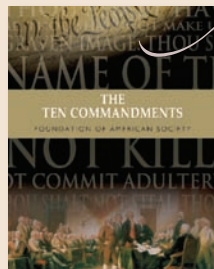
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### The Ten Commandments: Foundation of American Society **BCL10D01**

The American experiment in ordered liberty presupposes the existence of a Supreme Being who instituted a universal moral code. The Declaration of Independence states this code is “self-evident” and that our basic human rights do not come as a gift from a ruling elite, such as kings, parliaments, legislatures or judges but rather; natural rights come from God.



### “Publicly Honoring God”-Justice Antonin Scalia on the Ten Commandments **BC05G01**

The U.S. Supreme Court has ruled that a framed copy of the Ten Commandments would have to be removed from a Kentucky courthouse. In these excerpts from Justice Antonin Scalia’s dissenting opinion in the Kentucky case, he presents a compelling argument that the founders of our country never intended to prevent such actions publicly honoring God.



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