

# “Virtue” and “True Virtue”: Competing Ethical Philosophies in the American Founding Era

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Perhaps the most common axiom of the American Founding era<sup>1</sup> was that virtue is necessary for republican government. The arguments of historical actors of the period were similar to Tocqueville’s later thesis that “[d]espotism can do without faith, but freedom cannot.”<sup>2</sup> The early American minister Jeremiah Atwater argued in 1801 that because men are in need of restraint, if that restraint comes from a nongovernmental source, then restraint from government is less necessary.<sup>3</sup> Such nongovernmental sources must have their effect in “the moral culture of the heart,”<sup>4</sup> which is shaped chiefly by the family but also by such influences as “the restraint of public opinion, which in a country where Christianity is believed, compels even profligates to be outwardly virtuous.”<sup>5</sup> Samuel Cooper preached in 1780 that “[v]irtue is the spirit of a republic; for where all power is derived from the people, all depends on their

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1. For the purposes of this article, the phrase “American Founding” refers to the period between 1770 and 1815.
  2. Alexis de Tocqueville, *Democracy in America*, trans. Harvey C. Mansfield and Delba Winthrop (Chicago: University of Chicago Press, 2000), 282 [I.2.9].
  3. Jeremiah Atwater, “A Sermon,” in *American Political Writing during the Founding Era: 1760–1805, Volume II*, ed. Charles S. Hyneman and Donald S. Lutz (Indianapolis, IN: Liberty Fund Press, 1983), 1175.
  4. *Ibid.*, 1178.
  5. *Ibid.*, 1177. Atwater’s argument here is strikingly similar to Tocqueville. To see Tocqueville’s counterpart to Atwater’s ideas, see Tocqueville, *Democracy in America*, I.2.9.

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good disposition . . . if they are lost to the fear of God, and the love of country is lost, all is lost.”<sup>6</sup> David Tappan argued that positive laws have an effect only upon outward behavior where the punishment of a crime is possible, but religion touches the hearts of men, thereby affecting all possible circumstances.<sup>7</sup> Without this inner restraint provided by religion, it would be “absolutely necessary to tighten the reins of government.”<sup>8</sup>

It was not just ministers who argued for the importance of religion in upholding the virtue necessary for liberty in a republic. The Northwest Ordinance passed by the First Congress remarks famously that “[r]eligion, morality and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.”<sup>9</sup> Similarly, George Washington, who was by most accounts not a believer in Christian doctrine, nevertheless famously said in his Farewell Address: “Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports.”<sup>10</sup>

Many political scientists and historians, when attempting to make sense of this ubiquitous reference to virtue in the rhetoric of the period, emphasize that the belief in the necessity of virtue transcended philosophical and theological boundaries. In particular, many scholars argue that a Christian understanding of virtue was practically indistinguishable from a republican idea of virtue in which religious belief helped people to be good republican citizens who denied their individual interests and submitted them to the public good; this was an idea of virtue made popular in Gordon Wood’s *The Creation of the American Republic*.<sup>11</sup> For example, Barry Shain argues that, whether a minister was a conservative Calvinist such as Samuel Davies or Gilbert Tennent, or a liberal theologian such as Simeon Howard, all tended to emphasize virtue due to a desire to see self-interest sacrificed to the public good. In other words, the political and ethical teachings of late eighteenth-century

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6. Samuel Cooper, “A Sermon on the Day of the Commencement of the Constitution,” in *Political Sermons of the American Founding Era, 1730–1805: Vol. 1*, 2nd ed., ed. Ellis Sandoz (Indianapolis, IN: Liberty Fund Press, 1998), 647–48.

7. David Tappan, “A Sermon for the Day of General Election,” in *Political Sermons of the American Founding Era, 1730–1805*, ed. Sandoz, 2: 1108.

8. Nathaniel Emmons, “A Discourse Delivered on the National Mass,” in *American Political Writing during the Founding Era: 1760–1805*, ed. Hyneman and Lutz, 2: 1038.

9. Act, “Northwest Ordinance,” in *The American Republic: Primary Sources*, ed. Bruce Frohnen (Indianapolis, IN: Liberty Fund Press, 2002), 227.

10. George Washington, “Farewell Address,” *The American Republic: Primary Sources*, ed. Frohnen, 76.

11. Gordon S. Wood, *The Creation of the American Republic: 1776–1787* (Chapel Hill: University of North Carolina Press, 1998 [1969]), 49–69.

American Protestants were “largely indistinguishable” from that of secular republicans or Lockean liberals.<sup>12</sup> Likewise, Ellis Sandoz argues that the classical emphasis on virtue as service to the common good was harmonized without contradiction with Christian virtues during the period of the founding.<sup>13</sup> Other scholars such as Mark Noll and Thomas Kidd acknowledge the tension between Reformed Protestant views of virtue and other views but suggest that they were synthesized into a Christian-republican amalgam—albeit an amalgam that was not without tensions—that employed a shared language of virtue, especially during the revolutionary period.<sup>14</sup>

What has received less attention from these scholars is the source of virtue. In his excellent distillation of founding historiography, Alan Gibson explains that one of the topics of founding historiography that needs greater understanding is—perhaps surprisingly—the topic of virtue. Gibson explains that, although scholars now generally agree that the founders emphasized the need for virtue, scholars have paid little attention to how virtue would be fostered and maintained.<sup>15</sup>

Further examination of eighteenth-century America suggests that, although there was, as scholars have shown, a shared language of virtue during the founding era in particular, this shared language often glossed over important differences of understanding in how early Americans thought about virtue. Historians such as Mark Noll<sup>16</sup> and Thomas Kidd<sup>17</sup> have shown persuasively that there was,

12. Barry Alan Shain, *The Myth of American Individualism: The Protestant Origins of American Political Thought* (Princeton, NJ: Princeton University Press, 1996), 38–47.

13. Sandoz, *Republicanism, Religion, and the Soul of America*, 91.

14. Mark A. Noll, “The Contingencies of Christian Republicanism,” 147; Mark A. Noll, “The American Revolution and Protestant Evangelicalism,” *The Journal of Interdisciplinary History*, 23, no. 3 (1993): 630–31; *America’s God: From Jonathan Edwards to Abraham Lincoln* (Oxford: Oxford University Press, 2002), 85–90, and Thomas Kidd, *God of Liberty: A Religious History of the American Revolution* (New York: Basic Books, 2010), 8, 99–112.

15. Alan Gibson, *Understanding the Founding: The Crucial Questions* (Lawrence: University Press of Kansas, 2010 [2007]), 161.

16. Noll explains that “[m]ost of the founding fathers thought of . . . virtue in classical, Machiavellian terms as disinterested service to the common good. Most American practitioners of traditional religion, however, defined virtue in biblical terms as life guided by God’s will and cultivated in personal and domestic devotion.” Nevertheless, by the end of the eighteenth century, Americans employed a “common use of a single term that masked various understandings.” See Noll, *America’s God*, 90.

17. Although Kidd argues that “[t]he Patriots’ discussion of public virtue was fraught with tension” between Edwardsians and republicans, he nevertheless maintains that “these perspectives rarely clashed because of America’s widespread acceptance of Christian republicanism,” in spite of his helpful and

during the American Revolution, a real alliance between people of different religious and philosophical convictions, an alliance made possible in part by ambiguous uses of the word “virtue”; those same historians argue that this alliance at times was not without tension as a result of differing conceptions of virtue. What most historians have not addressed, however, is the extent of this tension on the one hand and the endurance of the tension into the nineteenth century on the other. In brief, this article suggests that the “shared language of virtue” that scholars have emphasized does not adequately consider the different ways in which actors of this period understood virtue. In addition, the emphasis on a “shared language of virtue” overlooks the fact that many in the American Founding period were Edwardians who opposed a broader, republican conception of virtue. In brief, many during this period still held an Edwardian view of virtue—or a view compatible with it, even if not derived from Jonathan Edwards—that was different from the shared language of virtue that was becoming predominant in the period.<sup>18</sup>

In what follows, I provide an explanation of several prominent understandings of virtue during the American Founding period. First, we start before the American Founding period by considering the Edwardian view that was exemplified in, of course, the thought of Edwards. Next, we consider the presence of the Edwardian view during the American Founding period. We then see how some expressed this view in opposition to the U.S. Constitution due to its

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engaging description of the debates surrounding the election of 1800 that seems to put on display a tension of exactly that kind. See Kidd, *God of Liberty*, 6–10 and 111–12; on the election of 1800, see 231–41.

18. By emphasizing the tension in the different ways in which virtue was understood during the period, my argument is somewhat similar to the view of Gregg Frazer, who writes that “both republicans and Christians stressed virtue, but republicans meant political virtue, whereas Christians meant biblical morality. Although the theistic rationalists tried to make republican virtue equivalent to Christian morality, ‘republican virtue was embedded in a worldview that was Greco-Roman, rationalist, egalitarian, antiauthoritarian and basically non-Christian.’” See Gregg L. Frazer, *The Religious Beliefs of America’s Founders: Reason, Revelation, and Revolution* (Lawrence: University of Kansas, 2012), 8. See also Benjamin T. Lynerd, *Republican Theology; The Civil Religion of American Evangelicals* (New York: Oxford University Press, 2014), 48–49. According to Lynerd, whereas someone like Edwards represents Protestant Christianity, others such as Witherspoon, represent (at least with respect to their ideas of virtue) something fundamentally different that Lynerd calls “republican theology.” The former view thinks that “[a]ttempts to behave better are futile and beside the point: what a sinner needs is restoration with God, available only through faith in Jesus,” whereas the latter view turns religion into a kind of Pelagian “moralism” that emphasizes the need for volitionally produced virtue that is the *sine qua non* of self-government.

religious test ban. The following section treats Isaac Backus as a representative of a kind of Edwardsian Baptist theology. Remaining sections of the essay treat less-Edwardsian views of virtue, considering John Witherspoon’s Scottish Enlightenment version of Reformed Protestant ethics and John Leland’s Jeffersonian opposition to religious tests in rhetoric of the period. The conclusion briefly suggests some implications for the study of virtue by political scientists and historians.

### **True Virtue—The Edwardsian View**

There are two distinguishing features of the Edwardsian view of virtue. First, virtue is necessarily particular rather than potentially universal. Edwards and those like him generally agreed that Christianity was the only reliable basis of virtue. In the Augustinian tradition, true virtue results only from being chosen and redeemed by God; the natural condition of man is one of sin and “depravity,” and only by being converted to Christianity by the enlightenment of the Spirit of God is one freed from sin and vice. Second, although there is in all men a kind of moral sense or conscience, this does not allow people to act in a truly virtuous manner because, once again, the natural condition of man is self-love and inward evil, even if one’s outward actions are consistent with justice. However, although the existence of a nearly universal moral sense makes civil order possible, there is an outward difference between the virtue of a Christian and the virtue of a non-Christian derived from the universal moral sense.

Edwards argued in *The Nature of True Virtue* that “true virtue” is the product only of having a heart that is united to God. Although Edwards agreed with Francis Hutcheson that people have an innate moral faculty, he denied that the conscience or one’s moral emotions were infallible guides to morality, although the existence of conscience in all people does provide a sufficient restraint upon the actions of humanity as to generally prevent acts of great evil, even if people do not commit great good. Although conscience is therefore necessary for order in society, it is not to be supposed either that this natural conscience is true virtue or that it achieves as much outward good as does true virtue, even if natural conscience may often have a similar external appearance to true virtue. Edwards argued that the conscience that exists in all people falls short of the morality that exists in Christians because the natural conscience ultimately amounts to a form of self-love, which although necessary for civil order, does not differ significantly from vice. To make his point, Edwards argued that the conscience consists chiefly in “the inclination of the mind to be uneasy in the consciousness of doing that to

others, which he should be angry with them for doing to him,”<sup>19</sup> and therefore, when people treat others well, it is rooted ultimately in self-love rather than in a selfless love that people desire to have if their minds have been enlightened by God such that they hate sin.<sup>20</sup>

Significant for this essay is that Edwards also argued that virtue is understood improperly if it is understood as devotion to the common good because this invariably means that one is not as well-disposed toward those outside of the commons—that is, not within one’s country. In fact, Edwards remarks in chapter VII of *The Nature of True Virtue*: “Hence, among the Romans, love to their country was the highest virtue; though this affection of theirs, so much extolled, was employed as it were for the destruction of the rest of mankind.” Concerning the latter point, Edwards paints an allegory in chapter IV in which people perform acts of “kindness” to a group of robbers bent on harming the good; these actions and affections, Edwards argues, cannot properly be said to be virtuous. This suggests that Edwardsian virtue is in important ways distinct from the dominant view of virtue during the late eighteenth century that, as Wood observed, emphasized the necessity of being well-disposed to the common good. In addition, sometimes these same affections called virtue by authors such as Hutcheson may very often be directed only toward a small party or faction that is at odds with the common good and may therefore be harmful to the society.

Although Edwards’s ethical philosophy is most well-known from *The Nature of True Virtue*, a fine summary of it appears in an early sermon titled “Sin and Wickedness Bring Calamity and Misery on a People,” in which Edwards asserted, “Conscience can’t restrain if it ben’t enlightened; fear won’t restrain if they know not what to be afraid of. Lusts exert themselves in their full strength.” Moreover, this enlightenment must consist of belief in true principles and doctrines, for belief in “heretical doctrine” is “wickedness and gross wickedness . . . for then, all restraints are wholly gone, conscience itself has its eyes blinded and mouth shut.”<sup>21</sup>

Because of Augustine’s criticism of the ancient Roman regime with its emphasis on virtue understood as dedication to the common

19. Jonathan Edwards, “A Dissertation Concerning the Nature of True Virtue,” ch. V: “Of natural conscience, and the moral sense,” in *The Works of Jonathan Edwards, Vol. 8: Ethical Writings*, ed. Paul Ramsey (New Haven, CT: Yale University Press, 1989).

20. For good summaries of Edwards’s view of virtue, see George M. Marsden, *Jonathan Edwards: A Life* (New Haven: Yale University Press, 2003), 464–71; and James P. Byrd, *Jonathan Edwards for Armchair Theologians* (Louisville, KY: Westminster John Knox Press, 2008), 135–45.

21. Jonathan Edwards, *Works of Jonathan Edwards, Vol. 14: Sermons and Discourses: 1723–1729*, ed. Kenneth P. Minkema (New Haven: Yale University Press, 1997), 489.

good, it will be helpful here and for later portions of this article to observe the basic similarity of Edwards’s view of true virtue as being dependent on God’s grace with what Augustine more famously taught in *The City of God*. Augustine, the church father whom the Reformers most often appealed to, wrote *The City of God* in response to the belief that the Visigoths’ sacking of Rome in 410 was due to turning away from the Roman pagan deities and making Christianity the official religion of Rome in the late fourth century. This provided the setting for Augustine’s argument that Christianity provides a more reliable basis of virtue than does pagan religion or any other religion or philosophy. For Augustine, virtue is available to anyone who is redeemed by God, but they must indeed be redeemed by God. Two parts of Augustine’s argument are relevant here. First, he argued that Christianity is morally superior to the Roman pagan religion. Augustine explained that pagan religious festivities prescribe licentiousness<sup>22</sup> and that the example of pagan deities encourages immorality.<sup>23</sup> Second, Augustine argued that humans are by nature sinful and prone to vice due to the inheritance of Adam’s first sin,<sup>24</sup> and therefore the will is “the slave of vices and sins” unless granted freedom by God to do good.<sup>25</sup> The primary task of politics is therefore to restrain outward vice and evil because only God can actually cause people to be positively virtuous.<sup>26</sup> Far from supporting a “classical republican” view of virtue, in which people sacrifice self for the public good, Augustine argued famously that a republic, which literally means an affair of the people, never existed in Rome, which contained no people strictly speaking but a conglomerate of individuals dominated by self-love.<sup>27</sup>

All of this suggested to Augustine that true virtue is found only in Christians, and even though non-Christians may exhibit some outward kind of virtue, this is not as valuable to worldly politics as is the virtue of the Christian. Augustine’s statement on this point is worth citing at length:

[N]o one lacking true piety, which is the true worship of the true God, can have true virtue. Let it also be agreed that virtue is not true when it serves human glory. Nevertheless, those who are not citizens of the eternal city, which is called “the city of God” in the Sacred Scriptures, are more useful

22. Augustine, *The City of God*, trans. Michael W. Tkacz and Douglas Kries, in *Augustine: Political Writings*, ed. Ernest L. Fortin and Douglas Kries (Indianapolis, IN: Hackett Publishing Company, 1994), II.4, VII.34.

23. *Ibid.*, II.14, II.19, III.6, VII.12, VII.26.

24. *Ibid.*, XII.28, XIII.14.

25. *Ibid.*, XIV.11.

26. Graham Walker, “Virtue and the Constitution: Augustinian Theology and the Frame of American Common Sense,” in *Vital Remnants: America’s Founding and the Western Tradition*, ed. Gary L. Gregg II (Wilmington, DE: ISI Books, 1999), 136–37.

27. Augustine, *City of God*, II.21 and XIX.21.

to the earthly city when they at least have that virtue which serves human glory than if they had none at all. Nothing, however, could be more felicitous for human affairs than that those living well and endowed with true piety, if they have the knowledge of ruling peoples, might also by God's mercy, have the power.<sup>28</sup>

Such a statement could have been spoken by some historical actors of the early American Founding period.

## True Virtue during the American Founding

Consistent with an Edwardsian view of virtue, some ministers of the founding held that morality, especially the morality necessary for republican government, could be supported only by belief in God—the Christian God—and the inward change that happens to a Christian after conversion. This is perhaps best illustrated by Edwards's son, Jonathan Edwards Jr. In his 1794 election sermon, "The Necessity of the Belief of Christianity," Edwards responded to those influenced by Francis Hutcheson and other authors influenced by Scottish moral sense philosophy. He railed against those who argued that the only thing necessary for virtue was that one "follow nature," an idea that Edwards called "a maxim of infidelity." On the contrary, argued Edwards, to follow the law of nature, right reason, and our conscience in all cases is to give in to all of the appetites and lusts that are common to man's fallen and sinful condition.<sup>29</sup> Edwards also criticized atheism and deism for holding to an inferior view of life after death; for Edwards, Christianity encourages virtue in part through the belief that one will face a future state of everlasting reward or everlasting punishment.<sup>30</sup>

In addition to his Augustinian rejection of Scottish common sense philosophy, he paid special attention to the deficiencies of classical religion and philosophy. Far from harmonizing secular classical ideas with Reformed Protestantism, Edwards was careful to show how they were different. Edwards did this by consciously making his 1794 sermon sound in part like a summary of Augustine's *City of God*. Like Augustine, Edwards explained that paganism encouraged vice by the example of their gods who engaged in great licentiousness. Furthermore, Edwards explained that unlike in the Christian religion, the pagans did not restrict the practices of drunkenness, adultery, homosexuality, theft, and the exposure of infants,

28. *Ibid.*, V.19.

29. Jonathan Edwards Jr., "The Necessity of the Belief of Christianity," in *Political Sermons of the American Founding Era, 1730–1805*, ed. Sandoz, 2: 1192.

30. *Ibid.*, 1192–194.



all of which serves to prove the moral superiority of Christianity to paganism.<sup>31</sup>

Like Edwards, Yale President Ezra Stiles, a Calvinist, defined “true virtue” as “a conformity of heart and life to the divine law.”<sup>32</sup> For Stiles, Christianity is so necessary to political prosperity that he believed that there were four doctrines that all Americans should have to profess: the Trinity, the divinity of the Bible, the doctrine of the Fall, and that Jesus is the second person of the Trinity who “made a real atonement for sin.”<sup>33</sup> Stiles also asserted the superiority of Christian ethics over that of any other religion or philosophy—ancient or modern: “How much soever we may admire the morals of Plato or Epictetus, they are not to be compared with those taught by Moses and the divine Jesus.”<sup>34</sup> Calvinist Timothy Dwight also rejected classical ethics, claiming that no classical philosophy offered any adequate plan for counteracting the human tendency to selfishness and enslavement to one’s passions; instead, Dwight argued for the importance of Christian education and public worship.<sup>35</sup>

Many ministers of the founding period shared Dwight’s thoughts on the need for Christian education. Samuel Langdon argued passionately that America should realize that the reason for the misery of the people of Israel over the course of the Old Testament was that they neglected the true religion and turned to false gods time and again<sup>36</sup>; Americans should therefore take care that the people should be instructed in the Bible, without which freedom will be lost and divine punishment incurred.<sup>37</sup> Like Langdon, Congregationalist Gad Hitchcock stood firm in calling for magistrates to “own and submit to Jesus Christ as their Lord and Savior”<sup>38</sup> because Christianity makes men “fear God,” which is the best assurance that they will “regard man.”<sup>39</sup>

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31. *Ibid.*, 1195–205.

32. Ezra Stiles, “The United States Elevated to Glory and Honor,” in *The Pulpit of the American Revolution: Or, The Political Sermons of the Period of 1776*, ed. John Wingate Thornton (Charleston, SC: BiblioBazaar, 2009 [1860]), 494.

33. *Ibid.*, 493–94.

34. *Ibid.*, 502.

35. Nathan Hatch, *The Sacred Cause of Liberty: Republican Thought and the Millennium in Revolutionary New England* (New Haven, CT: Yale University Press, 1977), 106–16.

36. Samuel Langdon, “The Republic of the Israelites an Example to the American States,” in *Political Sermons of the American Founding Era, 1730–1805*, ed. Sandoz, 1: 954–55.

37. *Ibid.*, 962.

38. Gad Hitchcock, “An Election Sermon,” in *American Political Writing during the Founding Era: 1760–1805*, ed. Hyneman and Lutz, 1: 297.

39. *Ibid.*, 296.

Calvinist David Tappan, who said that it cannot be denied that very often the outward behavior of a non-Christian is usually good enough to allow for good order, something that Tappan attributes to the effects of “natural conscience” and “an impression of a future state of retribution” that exists in all,<sup>40</sup> still maintained that Christianity was the most reliable basis of virtue.<sup>41</sup> Elizur Goodrich also believed that the “most useful laws” are no good without the people being good, and the only security that men can have in being good “is from the prevalence of true religion,”<sup>42</sup> which explains his assertion that “the great end of the institution of civil society and government” is to protect the ability of people to lead “a quiet and peaceable life, in all godliness and honesty.”<sup>43</sup> Presbyterian minister and Princeton professor Samuel Miller agreed, stating as his thesis in one sermon that “the general prevalence of real Christianity, in any government, as a direct and immediate tendency to promote, and to confirm therein, political liberty.”<sup>44</sup>

As with Augustine, Calvin, and Edwards, many ministers of the founding period understood virtue to be necessarily particular rather than potentially universal due to mankind’s natural enslavement to self-love. We have already seen that this idea carries with it implications for public policy; in what follows, we look at particular examples from the founding period.

## True Virtue and Opposition to the Secular Constitution

Eleven of thirteen states in 1787 had religious tests in their constitutions.<sup>45</sup> The Reverend Samuel Cooper praised the Massachusetts Constitution of 1780 for its strength as a fundamental document, endorsing its consideration of “morality and the public worship of God as important to the happiness of society,”<sup>46</sup> a clear reference to part I, article II of the Massachusetts Constitution of 1780, which states that “the preservation of civil government” depends on

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40. Tappan, “A Sermon for the Day of the General Election,” 1111.

41. *Ibid.*, 1113.

42. Elizur Goodrich, “The Principles of Civil Union and Happiness Considered and Recommended,” in *Political Sermons of the American Founding Era, 1730–1805*, ed. Sandoz, 1: 918.

43. *Ibid.*, 916. Goodrich refers here to I Timothy 2:2.

44. Samuel Miller, “A Sermon on the Anniversary of the Independence of America,” in *Political Sermons of the American Founding Era, 1730–1805*, ed. Sandoz, 2: 1155–56.

45. Isaac Kramnick and R. Laurence Moore, “The Godless Constitution,” in *Protestantism and the American Founding*, ed. Thomas S. Engeman and Michael P. Zuckert (Notre Dame, IN: University of Notre Dame Press, 2004), 131.

46. Cooper, “A Sermon on the Day of the Commencement of the Constitution,” 644.

“piety, religion, and morality,” which cannot be secured “but by the institution of the public worship of God,” and that the Massachusetts Legislature therefore has the power to require the public worship of God and the support of “public Protestant teachers of piety, religion, and morality.”<sup>47</sup> Unlike the Massachusetts Constitution and the Articles of Confederation, which paid homage to the “great Governor of the world,” the U.S. Constitution contains no references to God. One of the most conspicuous references to religion in the document is the “no religious test” clause (article VI, clause 3), which states, “no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.” Some Christians of the period responded to this situation by endorsing the religious test ban of the U.S. Constitution because their state probably had no such ban and actually did either have a religious test or an establishment of some sect of Christianity. In other words, the U.S. federal system allowed people who thought of virtue in an Edwardsian way to support a religious test ban.<sup>48</sup> In brief, clerical support of the Constitution’s religious test ban did not necessarily mean opposition to religious tests per se. Federalism meant that ministers could support the religious test ban and yet be friendly to encouragement of religion by state governments.

Nevertheless, some Americans who understood virtue in a way consistent with Edwards’s view were unwilling to support a Constitution that paid no respect to the God of Christianity either in the form of a direct acknowledgment of that God or in a religious test for office. In fact, some condemned the Constitution as an anti-Christian document that was a danger to the national welfare. To get a sense of this view, we will move out of the founding period to the early nineteenth century. Yale President Timothy Dwight suggested<sup>49</sup> and Presbyterian minister Alexander M’Leod argued explicitly<sup>50</sup> that the lack of

47. Henry Steele Commager, *Documents of American History*, 9th ed. (New York: Appleton-Century-Crofts, 1973), 107-108.

48. This has been argued by a number of scholars, but perhaps the most rigorous defense comes from Daniel L. Dreisbach. See, for example, his “In Search of a Christian Commonwealth: An Examination of Selected Nineteenth-century Commentaries on References to God and the Christian Religion in the United States Constitution,” *Baylor Law Review* 28 (1996): 927; see also Daniel L. Dreisbach and Mark David Hall, Introduction, *The Sacred Rights of Conscience: Selected Readings on Religious Liberty and Church-State Relations in the American Founding* (Indianapolis, IN: Liberty Fund Press, 2009), 367.

49. Harry S. Stout, “Rhetoric and Reality in the Early Republic: The Case of the Federalist Clergy,” in *Religion and American Politics: From the Colonial Period to the Present*, ed. Mark A. Noll and Luke E. Harlow (New York: Oxford University Press, 2007), 67-68.

50. Alexander M’Leod, “A Scriptural View of the Character, Causes, and Ends of the Present War,” in *The Sacred Rights of Conscience: Selected Readings on*

acknowledgement of God in the Constitution may have caused the War of 1812. In 1832, Presbyterian James Willson thought it impossible that the framers could have just forgotten to mention God, leading him to conclude that the framers were “very careful . . . to avoid every word that might be construed into a declaration of respect to the statutes of Jehovah.”<sup>51</sup> Willson worried that the no religious test clause would allow “Atheists, Deists, Jews, Pagans, and profane men, of the most abandoned manners” to hold office in the United States.<sup>52</sup> Likewise, John Mitchell Mason argued in 1800 that certain verses in the Bible prove both that the Constitution’s religious test ban was in error and that Thomas Jefferson, an “infidel,” should not be president.<sup>53</sup> Responding both to many Baptists and to non-Christians who supported Jefferson’s presidential candidacy, Mason asked: “Is atheism indeed no injury to society? . . . Is it indeed no injury to you, or to those around you, that your neighbor buries his conscience and all his sense of moral obligation in the gulph of atheism? Is it no injury to you, that the oath ceases to be sacred?”<sup>54</sup> Benjamin Rush spoke of such concerns when he said that “many pious people wish the name of the Supreme Being had been introduced somewhere in the new Constitution.”<sup>55</sup>

## Isaac Backus: Edwardsian Baptist Opposition to the Religious Test Ban

Baptist opposition to religious tests for office has a long history in America. Many Baptists were influenced by Roger Williams, who was dismissed from the Massachusetts Bay Colony in 1635 because of his opposition to what he argued was a theocratic polity. Williams went on to found Providence, Rhode Island, where he sought to set up a new colony in which everyone could believe and worship as he pleased, where there would be neither religious tests for office nor religious tests for citizenship.<sup>56</sup>

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*Religious Liberty and Church-State Relations in the American Founding*, ed. Daniel L. Dreisbach and Mark David Hall (Indianapolis, IN: Liberty Fund Press, 2009), 359.

51. James R. Willson, “Prince Messiah’s Claims to Dominion over All Governments,” in *The Sacred Rights of Conscience: Selected Readings*, ed. Dreisbach and Hall, 360–63.

52. *Ibid.*, 360.

53. John Mitchell Mason, “The Voice of Warning to Christians,” in *Political Sermons of the American Founding Era, 1730-1805*, ed. Sandoz, 2: 1471.

54. *Ibid.*, 1461.

55. Bradley, “Religious Test,” 297.

56. Derek H. Davis, “The Classical Separation Perspective,” in *Church, State and Public Justice: 5 Views*, ed. P.C. Kemeny (Downers Grove, IL: IVP Academic, 2007), 96.

Significant for this discussion is that most Baptists during the period of the American Founding tended to profess Reformed doctrine.<sup>57</sup> For example, Baptist minister Isaac Backus saw religious liberty as a way of protecting true, voluntary worship of God, and he therefore supported the Constitution and its no religious test clause.<sup>58</sup> Like many Baptists of the period, he was a Calvinist, holding to Reformed doctrines such as predestination, the depravity of man, limited atonement, and so on.<sup>59</sup> Mark Noll writes that Backus’s “theology closely resembled the Calvinism of Jonathan Edwards, differing only on questions of baptism, ecclesiology, and the urgency of promoting the separation of church and state.”

Yet even though Backus was, as a Baptist, influenced by Roger Williams, there were some differences of opinion. Whereas Roger Williams had argued that one’s religious beliefs “neither hurteth nor profiteth” another person, Backus was in favor of government support of Christianity. Backus’s chief concern was to ensure that religious practice in the new country be voluntary and therefore sincere and authentic. However, his support for “liberty of conscience” and the religious test ban did not mean that he thought there to be no difference between the virtues of a Christian or a Jew, and certainly not between a Christian and an atheist.

Although Backus thought that the state cannot require its magistrates to be Christians or to legislate theocratically, he still thought it good that magistrates be Christians and that they support Sabbath laws, official days of fasting and prayer, and the teaching of Calvinist doctrine in public schools.<sup>60</sup> In sum, Backus’s Calvinism meant that he retained a rather Edwardsian distinction between the virtue of the regenerate Christian and the lack of virtue in the non-Christian, and he thought support of the religious test ban consistent with government support of Christianity.

## Witherspoon and Scottish Common Sense Philosophy

John Witherspoon was certainly the most influential minister of the American Founding period and possibly the most influential professor in American history. Although he was a Presbyterian minister, Witherspoon was ambiguous on the question of virtue and Christianity. He sometimes suggested that Christianity was the best way to encourage virtue, but he also disagreed with Jonathan Edwards on Scottish common sense philosophy. Witherspoon was one of the

57. Noll, *America’s God*, 149–52.

58. Adams and Emmerich, *A Nation Dedicated to Religious Liberty*, 29.

59. Noll, *America’s God*, 150–52.

60. Adams and Emmerich, *A Nation Dedicated to Religious Liberty*, 29–30.

avenues by which Scottish moral sense philosophy came to America. Common sense philosophy's most influential thinker, Francis Hutcheson, who as a theological student at Glasgow University was influenced by theologian John Simson, questioned the traditional Augustinian belief in a sinful human nature.<sup>61</sup> Hutcheson went on to develop the moral sense reasoning founded by Anthony Cooper, the third earl of Shaftesbury. He argued that God created all people with a moral sense, and the moral feelings that everyone has can be a reliable guide by which to make moral judgments.<sup>62</sup>

Mark Noll persuasively argues that many ministers of the founding period departed from Augustinian theology precisely because it was very important in a republican government that virtue be the product of "self-generated, personally chosen, public self-discipline" rather than a product of divine grace. The result of Witherspoon's use of common sense philosophy, Noll says, was "an intellectual halfway house" between an Augustinian emphasis on the grace of God and a Scottish Enlightenment emphasis on a universal moral sense.<sup>63</sup> Many ministers, though, opposed Witherspoon's advocacy of common sense philosophy. These included Gilbert Tennent, Samuel Davies, Isaac Backus, and generally any minister who remained dedicated to the Westminster Confession and Reformed Protestant orthodoxy.<sup>64</sup>

While Witherspoon was still in Scotland, he opposed Hutcheson's heterodoxy on issues such as Hutcheson's opposition to original sin,<sup>65</sup> but he nevertheless relied heavily on Hutcheson's work when preparing his *Lectures on Moral Philosophy* that he used when teaching at the College of New Jersey,<sup>66</sup> indicating a change of position on common sense philosophy that occurred at some point between his time in Scotland and in America—a shift that led Gregg Frazer to regard Witherspoon as "philosophically schizophrenic."<sup>67</sup> In his defense of Paine's *Common Sense*, Witherspoon purposefully chose the pseudonym Aristides, whom Plutarch records as being a defender of the judgment of the common people.<sup>68</sup>

Witherspoon's *Lectures* reveal more differences than similarities with Edwards's view of virtue. In lecture I, Witherspoon argues that the "principles of duty and obligation must be drawn from the nature of man. That is to say, if we can discover how his Maker

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61. Noll, *America's God*, 107–109.

62. Jeffry Morrison, *John Witherspoon and the Founding of the American Republic* (Notre Dame, IN: University of Notre Dame Press, 2005), 52–53.

63. Noll, *America's God*, 103 and 205.

64. *Ibid.*, 98–100.

65. Morrison, *John Witherspoon and the Founding of the American Republic*, 5.

66. *Ibid.*, 49.

67. Frazer, *Religious Beliefs*, 41.

68. Morrison, *John Witherspoon and the Founding of the American Republic*, 60.

formed him, or for what he intended him, that certainly is what it ought to be.”<sup>69</sup> In lecture III, he writes—following Hutcheson—that all men have a moral sense, which, if properly functioning, “is precisely the same thing with what, in scripture and common language, we call conscience. It is the law which our Maker has written upon our hearts, and both intimates and enforces duty, previous to all reasoning.”<sup>70</sup> Although in agreement with Edwards that there is such a thing as a moral sense or conscience, Witherspoon departs from him in arguing that moral emotions provide a reliable guide to ethical judgment. In effect, Witherspoon appears to have followed Hutcheson in his downplaying of original sin rather than follow in his downplaying of the capacity of the non-Christian to act inwardly virtuous and outwardly as virtuous as the Christian.

Yet in spite of his support of the ideas that Jonathan Edwards opposed, Witherspoon was in some ways still very much Augustinian. Witherspoon was a staunch defender of religious liberty and “the right of conscience” and thereby seems to have had some influence on James Madison’s defense of religious liberty in his “Memorial and Remonstrance against Religious Assessments.” Yet Witherspoon thought it consistent with his defense of the rights of conscience to promote religion and, specifically, to promote Christianity. Witherspoon explained that in a republic the people have a duty to elect Christian magistrates, and Christian magistrates in turn have a duty to promote religion, because “[g]ood laws may hold the rotten bark some longer together, but in a little time all laws must give way to the tide of popular opinion, and be laid prostrate under universal practice.”<sup>71</sup> Indeed, any true friend of liberty promotes “true religion” (i.e., Christianity) and restrains vice because “[n]othing is more certain than that a general profligacy and corruption of manners makes a people ripe for destruction.”<sup>72</sup> It may be, however, that the true Witherspoon was the Witherspoon of Scottish common sense philosophy because he included Roman Catholicism in his understanding of “true religion,” something certainly at odds with the anti-Roman rhetoric common to eighteenth-century America, including among theological liberals. That Witherspoon is more like Hutcheson than Edwards is seen in his view that most people are capable not only of vice but also of virtue, something certainly at odds with the Augustinian view that “there are none who do good.”

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69. *Ibid.*, 57.

70. *Ibid.*, 59.

71. John Witherspoon, “Sermon Delivered at a Public Thanksgiving after Peace,” in *The Sacred Rights of Conscience: Selected Readings*, ed. Dreisbach and Hall, 288–89.

72. John Witherspoon, “The Dominion of Providence over the Passions of Men,” in *Political Sermons of the American Founding Era, 1730-1805*, ed. Sandoz, 1: 553–54.

In brief, Witherspoon was an unusual case due to what appears to be his contradiction on the question of virtue and public life. His support of common sense philosophy in his *Lectures on Moral Philosophy* was at odds with his own Reformed tradition, yet he sometimes sounded somewhat like a Calvinist in arguing that the Christian religion's benefits were sufficiently vital to the common good that they should be promoted by governments. In the last analysis, however, Witherspoon seems to have been more a disciple of Hutcheson than of Augustine on the issue of virtue.

## John Leland: Jeffersonian Support for the Religious Test Ban

Some Baptists,<sup>73</sup> like Backus, supported the Constitution's religious test ban, but unlike Backus, were decidedly un-Edwardsian in doing so. Such people denied that there was any significant difference in

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73. Although this section of the article concerns John Leland, a comparable minister less well known was Samuel Stillman, an evangelical Baptist who shows the influence of arguments for toleration deriving from sources less orthodox than his own. Stillman served as a Baptist minister in Boston and argued for the ratification of the Constitution in the Massachusetts ratifying convention in 1788. Stillman's 1779 sermon before the Supreme Court of Massachusetts, titled "The Duty of Magistrates," served more as a summary of the political thought of Locke and Montesquieu than as an exposition of some portion of the Bible. Of particular interest, the argument here is Stillman's lengthy summary of, and indeed, quotations from, Locke's famous *A Letter Concerning Toleration*. At one point in the sermon, eight consecutive paragraphs are copied verbatim from Locke's *Letter*; these paragraphs all served to support Locke's argument that civil authority "can nor ought in any manner to be extended to the salvation of souls." These ideas Stillman placed beside more immediately biblical ideas that "the kingdom of Christ is not of this world," that the church does not have as its concern the judging of those who are outside of it. See Samuel Stillman, "The Duty of Magistrates," in *The Patriot Preachers of the American Revolution: With Biographical Sketches, 1776-1783*, ed. Frank Moore (Ithaca, NY: Cornell University Library, 2009 [1860]), 275-80. In contrast to orthodox Baptists like Leland and Stillman, other ministers of the period showed the influence not only of Locke's political argument for religious toleration but also his theological argument that was rooted in skepticism; these include the universalist Elhanan Winchester and Unitarian Enos Hitchcock. See Elhanan Winchester, "A Century Sermon on the Glorious Revolution," in *Political Sermons of the American Founding Era, 1730-1805*, ed. Sandoz, 1: 989; and Enos Hitchcock, "An Oration in Commemoration of the Independence of the United States of America," in *Political Sermons of the American Founding Era, 1730-1805*, ed. Sandoz, 2: 1183. The view of people like Winchester and Hitchcock also seem to be similar to more well-known figures of the period; these include not only Jefferson but also Franklin and Paine, both of whom, like Jefferson, had an admiration for the person of Jesus but were heterodox in their view of Christian doctrine. Franklin also, like Jefferson and Locke, supported toleration due to a suspicion of dogmatic certainty and because he thought that most sects provided salutary morals that encouraged good citizenship; for a



the social benefits to be derived from different religions, and their arguments were often very similar to Jefferson’s (or Locke’s), even as they remained evangelicals who were unconvinced of the deep religious skepticism in Jeffersonian and Lockean thought. Such ministers even tended to agree with Jefferson that it makes no difference to society whether someone is an adherent of some religion or no religion at all. Such was the case with John Leland, one of the most well-known Baptists during the American Founding, who, like Roger Williams, was strongly opposed to religious establishments because Jesus and the early church sought no assistance from civil government.<sup>74</sup> In Virginia, Leland’s efforts to disestablish the Episcopal Church included efforts to gather signatures for Madison’s *Memorial and Remonstrance* while working to gather support for Jefferson’s Bill for Establishing Religious Freedom.<sup>75</sup>

Many of Leland’s arguments are indistinguishable from those of Roger Williams. He explains that religion is a matter between individuals and God, that religion did just fine without the support of government in the first three centuries of the Christian church, that Jesus and the Apostles never called for the use of civil authority to compel people to believe the Christian religion, and that “Mahomet called in the use of law and sword to convert people to his religion.” Yet Leland’s opposition to religious establishments seems to have been Lockean as well. According to Leland, “It is not supposable that any established creed contains the whole truth and nothing but truth; but supposing it did, which established church has got it? All bigots contend for it—each society cries out, ‘The temple of the Lord are we.’”<sup>76</sup>

This statement is reminiscent of Locke’s own claim that “every Church is orthodox to itself,” and the reader may be tempted to say that Leland was, like Locke and Jefferson, something of a skeptic whose primary motive for advocating toleration was that he was a heterodox or skeptical minister. Nevertheless, Leland, unlike Locke, was committed to an orthodox, biblical Christianity; as Noll explains, “Leland was a determined foe of all hierarchies—social, commercial, medical, and legal, as well as clerical—and of every effort to coerce the conscience. . . . Yet on many points of Christian doctrine, Leland

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very helpful discussion of Jefferson and Franklin’s religious views, see Frazer, *The Religious Beliefs of America’s Founders*, 125–63.

74. John Leland, “The Rights of Conscience Inalienable,” in *Political Sermons of the American Founding Era, 1730-1805*, ed. Sandoz, 1: 1096.

75. Davis, “The Classical Separation Perspective,” 97–98.

76. Leland, “The Rights of Conscience Inalienable,” 1089.

remained a traditionalist” regarding issues as the substitutionary atonement and salvation by grace alone.<sup>77</sup>

Moreover, Leland and those like him seemed to endorse an even greater measure of toleration than that seen in Locke. Whereas Locke did not extend toleration to atheists and to others whose beliefs undermined the authenticity of their oaths,<sup>78</sup> Leland wanted to tolerate even atheists. In other words, Leland’s philosophy of toleration was more Jeffersonian than it was Lockean. From the idea that law works only upon the external man rather than upon the conscience, combined with his contention that those who wish to use coercion to impose their religious views upon others are “bigots,” Leland concludes that it makes no difference whether one believes in “one God, three Gods, no God, or twenty Gods,” a clear allusion to Jefferson’s famous quote in his *Notes on Virginia*: “The legitimate powers of government extend to such acts only as are injurious to others. It does me no injury for my neighbors to say there are twenty Gods or not God. It neither picks my pocket nor breaks my leg.”<sup>79</sup> It was in response to this question posed by Jefferson that John Mitchell Mason asked in 1800, “Is atheism indeed no injury to society? . . . Is it indeed no injury to you, or to those around you, that your neighbor buries his conscience and all his sense of moral obligation in the gulph of atheism? Is it no injury to you, that the oath ceases to be sacred?”<sup>80</sup>

## Conclusion

The foregoing suggests at least two conclusions that political scientists and historians should consider in future work on the role of virtue during the American Founding period. First, this essay suggests that even in the American Founding period, there were those who held an Edwardsian view of virtue and that this often times was in significant tension with those who expressed Wood’s classical

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77. Noll, *America’s God*, 152–53. Locke, however, explains that one of the reasons why Christians ought to exercise religious toleration is because there is no way to know who has the right view of religion because, according to Locke, “every Church is Orthodox to it self.” William Galston refers to this principle in Locke’s *Letter Concerning Toleration* as “epistemological neutrality,” a phrase indicative of the level of skepticism in Lockean thought. See William Galston, “Public Morality and Religion in the Liberal State,” *PS* 19, no. 4 (1986): 809. For the quote from Locke, see John Locke, *A Letter Concerning Toleration* (Indianapolis, IN: Hackett Publishing Company, 1983), 32.

78. John Locke, *A Letter Concerning Toleration* (Indianapolis: Hackett Publishing, 1983), 50–51.

79. Quoted in Mason, “The Voice of Warning to Christians,” 1461.

80. *Ibid.* The context here is Mason’s opposition to Thomas Jefferson’s candidacy for president.

republican understanding of virtue understood as dedication to the common good. As Barry Shain shows in his work, giving priority to the common good over the wishes of individuals is by no means inconsistent with Reformed Protestantism.<sup>81</sup> However, if founding-era Americans gave priority to the common good over anything else—namely, priority to God—this would be a good indication that ministers derived their ideas from non-Reformed, and indeed, non-Christian sources such as Montesquieu.

Congregationalist minister Phillips Payson provides an example of a minister who, rather than rejecting classical ideas of virtue as deficient, found in the classical world precepts and examples that Americans ought to adopt. Payson argued that one of the primary requirements of a free government was “public virtue,” by which Payson meant “the love of country.” Explaining that the Roman republic should be an example for America to follow, Payson explained that “[i]n the ancient Roman republic it was the life and soul of the state which raised it to all its glory, being always awake to the public defence and good.”<sup>82</sup> Military chaplain John Hurt held that the love of country should be “the governing principle” of the soul,<sup>83</sup> as did Jeremiah Atwater, who preached that the “love of his country is, in the good man, the ruling principle, and the public good is the pole-star.”<sup>84</sup>

Reverend Samuel McClintock, a Congregationalist who was an ardent supporter of Thomas Jefferson, explained, like almost every other American minister of the period, that virtue is necessary to political prosperity. Yet he went on to show that he used the word in a way more like Payson and Hurt than like Edwards. McClintock used the example of ancient Rome to prove his point. While citizens of Rome were virtuous, they prospered, but when they succumbed to the vice of luxury, the republic failed and the empire grew, and they went into decline.<sup>85</sup> It is helpful here to note that McClintock’s view of Rome is more like Montesquieu’s than like Augustine’s. Whereas Montesquieu attributed the decline of Rome to the vice of luxury,<sup>86</sup> Augustine held that the Romans were never virtuous in a true sense.

81. Shain, *The Myth of American Individualism*, 23–47.

82. Phillips Payson, “Massachusetts Election Sermon of 1778,” in *The Pulpit of the American Revolution*, ed. Thornton, 337.

83. John Hurt, “The Love of Our Country,” in *The Patriot Preachers of the American Revolution: With Biographical Sketches, 1776–1783*, ed. Moore, 154.

84. Atwater, “A Sermon,” 1183.

85. Samuel McClintock, “A Sermon Preached on the Commencement of the New Constitution and Form of Government,” *Early American Imprints, Series 1: Evans, 1639–1800*, 29.

86. Montesquieu, *Considerations on the Greatness of the Romans and Their Decline*, trans. David Lowenthal (Ithaca, NY: Cornell University Press, 1965), ch. 10.

A second conclusion concerns the helpful argument of historians who explain that war in early America tended to bring about an alliance of different theological and philosophical traditions in their understandings—or at least language—of virtue. Whether it was the alliance between Protestant Christianity and republicanism that emerged during the Seven Years War<sup>87</sup> or the strengthening of this alliance during the American Revolution,<sup>88</sup> historians have rightly explained that early American wars tended to bring about a shared language of virtue that helped to ally strictly Protestant citizens with those who were more heterodox. Nevertheless, the foregoing implies that these wars did not have the power to maintain that alliance after the wars ended.

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87. Noll, *America's God*, 85–90; and Noll, “The Contingencies of Christian Republicanism,” 247.

88. James P. Byrd, *Sacred Scripture, Sacred War: The Bible and the American Revolution* (New York: Oxford University Press, 2013), and Kidd, *God of Liberty*, 6–10.