

FOUR

RELIGION AND THE CONGRESS OF THE CONFEDERATION, 1774–89

The United States' first national government was the Continental Confederation Congress, which functioned from 1774 to 1789, when it was replaced by the new federal government created by the Constitution. Congress, as it was called throughout its existence, resembled a conjurer. With little official power, a small and often absentee membership, and no permanent home, it defeated the world's greatest military power, concluded the most successful peace treaty in American history, survived severe economic turbulence, and devised a brilliant plan for settling the American West. Equally remarkable was the energy Congress invested in encouraging the practice of religion throughout the new nation, energy that far exceeded the amount expended by any subsequent American national government.

Perhaps only Cromwell's parliaments can compare to Congress in the number of deeply religious men in positions of national legislative leadership. Charles Thomson (1729–1804), the soul of Congress and the source of its institutional continuity as

its permanent secretary from 1774 to 1789, retired from public life to translate the Scriptures from Greek to English; the four-volume Bible that Thomson published in 1808 is admired by modern scholars for its accuracy and learning. John Dickinson (1732–1808), who, as the "Pennsylvania Farmer," was the colonies' premier political pamphleteer, and who, as a member of Congress in 1776, wrote the first draft of the Articles of Confederation, also retired from public life to devote himself to religious scholarship, writing commentaries on the Gospel of Matthew. So did Elias Boudinot (1740–1821), president of Congress, 1782–83, who tuned out "warm" debates on the floor to write his daughter long letters, praying that, through the blood of God's "too greatly despised Son," she should be "born again to the newness of Life." Resigning as director of the U.S. Mint in 1805, Boudinot wrote religious tracts such as *The Second Advent* (1815) and the next year became the first president of the American Bible Society. Henry Laurens (1724–1792), president of Congress, 1777–78, was "strict and

exemplary" in the performance of his religious duties. He "read the scriptures diligently to his family" and "made all his children read them also. His family Bible contained in his own handwriting several of his remarks on passing providences." John Jay (1745-1829), Laurens' successor as president of Congress, 1778-79, and later first chief justice of the Supreme Court, was extolled for "the firmness, even fervor, of his religious conviction." When he retired from public life, he also became president

of the American Bible Society (1821). Even the two congressmen who defected to the British were distinguished by their religious, if not their patriotic, ardor: John Joachim Zubly of Georgia (1724-1781) was a Presbyterian minister and Joseph Galloway of Pennsylvania, a major figure at the First Continental Congress, later published commentaries on Revelations, which he prescribed as a "pill for the infidel and atheist."¹

That a deeply religious society should produce

Benjamin Franklin and Thomas Jefferson, legends for the Great Seal of the United States, 1776.
Thomas Jefferson Papers, Manuscript Division (LCMS-27748-181 & LCMS-27748-182).

On July 4, 1776, Congress appointed a committee of Benjamin Franklin, Thomas Jefferson, and John Adams "to bring in a device for a seal for the United States of America." By August 13, the members had prepared their recommendations. Adams suggested a subject from classical antiquity, Hercules. Franklin's proposal, an adaptation of the story in Exodus of the parting of the Red Sea, is in his handwriting on the lower slip of paper, preserved in the Jefferson Papers. Jefferson first recommended the "Children of Israel in the Wilderness, led by a Cloud by Day, and a Pillar of Fire by night, and on the other Side Hengist and Horsa, the Saxon Chiefs from whom We claim the Honour of being descended." He then embraced Franklin's proposal and rewrote it, as the description in his hand on the top slip demonstrates. Jefferson's revision of Franklin's proposal was presented by the committee to Congress on August 20. It was tabled and not revived.

[1776 Aug 20]

Pharaoh sitting in an open chariot, a crown on his head
 & a sword in his hand passing thro' the divid'd waters of
 the Red sea in pursuit of the Israelites: rays from a pillar of
 fire in the cloud, expressive of the divine presence, ~~reach~~ com-
 -mand, reaching to Moses who stands on the shore & extending
 his hand over the sea, causes it to overwhelm Pharaoh.
 Motto. Rebellion to tyrants is obed^t to god.

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[1776 Aug 20], 4

~~to Pharaoh~~
 Moses, standing on the shore, and extending his hand over
 the sea, thereby causing the same to overwhelm Pharaoh who
 is sitting in an open chariot, a crown on his head & a sword in his
 hand. Rays from a pillar of fire in the cloud, ^{reaching to Moses,} ~~reaching to Moses,~~ ^{to expell}
 that reaches by the command of the deity
 Motto, Rebellion to Tyrants is Obedience to God. V 2-127

politicians and the public held an unarticulated conviction that it was the duty of the national government to support religion, that it had an inherent power to do so, as long as it acted in a nonsectarian way without appropriating public money. What other body, after all, was capable of convincing a dispersed people that “a spirit of universal reformation among all ranks and degrees of our citizens,” would, as Congress declared on March 19,

1782, “make us a holy, that so we may be a happy people?”³⁰ This conviction—that holiness was a prerequisite for secular happiness, that religion was, in the words of the Northwest Ordinance, “necessary to good government and the happiness of mankind”—was not the least of the Confederation’s legacies to the new republican era that began with Washington’s inauguration in 1789.

deeply religious leaders is no surprise, but the power of religion in revolutionary America was also displayed in the legislative activities of those described as theological liberals. Consider the actions of Franklin and Jefferson when they were appointed in July 1776 to a committee to devise a seal for the United States. Both men suggested a familiar Old Testament episode that was a transparent allegory for America's ordeal, the account in the book of Exodus of God's intervening to save the people of Israel by drowning Pharaoh (George III) and his pursuing armies in the Red Sea. In the opinion of these two torchbearers of the Enlightenment, nothing less than the story of a biblical miracle would be an appropriate emblem for their confessing countrymen.

At its initial meeting, in September 1774, Congress made it a first order of business to find a Gospel minister to open its sessions with prayer. Selected was the Reverend Jacob Duché (1738–1798), a Philadelphia Anglican priest, whose piety and zeal pleased and, ultimately, deceived the members when he defected to the British in 1777. Duché ministered to Congress in an unofficial capacity until he was elected that body's first chaplain on July 9, 1776.

Duché knew the piety of his congressional audience and saluted it in a sermon delivered to the delegates in July 1775. "Go on, ye chosen band of Christians," he urged the members.² Go on they did, frequently acting like a committee of lay ministers, preaching to the people of the United States as a national congregation, urging them to confess their sins, to repent, and to bear fruits that befit repentance.

Congress's first charge to its constituents was its resolution of June 12, 1775, setting a national day of "public humiliation, fasting and prayer" five



Proposed Great Seal of the United States:
"Rebellion to Tyrants is Obedience to God."
 Drawing by Benson J. Lossing,
 for *Harper's New Monthly Magazine*, July 1856,
 reproduced in Richard S. Patterson and Richardson
 Dougall, *The Eagle and the Shield*
 (Washington, D.C., 1976). General Collections.

An artist's rendering of the Franklin-Jefferson proposal for the Great Seal of the United States.

IN CONGRESS,

SATURDAY, MARCH 16, 1776.

IN times of impending calamity and distress; when the Liberties of America are imminently endangered by the secret machinations and open assaults of an insidious and vindictive Administration, it becomes the indispensable duty of these his most serene and happy Colonies, with true penitence of heart, and the most reverent devotion, publicly to acknowledge the ever ruling providence of God; to confess and deplore our offences against him; and to supplicate his interposition for averting the threatened danger, and prosecuting our laudable efforts in the cause of FREEDOM, VIRTUE and POSTERITY.

THE CONGRESS therefore, considering the warlike preparations of the British Ministry to subvert our invaluable rights and privileges, and to reduce us by fire and sword, by the savages of the wilderness and our own domestics, to the most abject and ignominious bondage: Desirous, at the same time, to have people of all ranks and degrees, duly impressed with a solemn sense of God's superintending providence, and of their duty devoutly to rely in all their lawful enterprises on his aid and direction—do earnestly recommend, that FRIDAY, the *seventeenth day of May next*, be observed by the said Colonies as a day of HUMILIATION, FASTING, and PRAYER; that we may with united hearts confess and bewail our manifold sins and transgressions, and by a sincere repentance and amendment of life, appease his righteous displeasure and through the merits and mediation of Jesus Christ, obtain his pardon and forgiveness; humbly imploring his assistance to frustrate the cruel purposes of our unnatural enemies; and by inclining their hearts to justice and benevolence, prevent the further effusion of kindred blood. But if continuing deaf to the voice of reason and humanity, and inflexibly bent on debilitation and war, they constrain us to repeat their hostile hostilities by open resistance, that it may please the Lord of Hosts, the God of Armies, to animate our Officers and Soldiers with invincible valour, to guard and protect them in the day of battle, and to crown the Continental arms by his and his with victory and success; Earnestly beseeching him to bless our civil Rulers and the Representatives of the people in their several Assemblies and Conventions; to preserve and strengthen their Union, to inspire them with an ardent disinterested love of their Country; to give wisdom and stability to their Councils; and direct them to the most efficacious measures for establishing the Rights of America on the most honorable and permanent basis—that he would be graciously pleased to bless all his People in these Colonies with Health and Plenty; and grant that a spirit of incorruptible Patriotism and of pure undefiled Religion may universally prevail; and that Continuance be speedily restored to the blessings of Peace and Liberty, and enabled to transmit them inviolate to the latest Posterity. And it is recommended to Christians of all denominations to assemble for Public Worship, and abstain from servile Labour on the said Day.

By Order of Congress,

JOHN HANCOCK, PRESIDENT,

Attest, CHARLES THOMPSON, Secretary.

Colony of the Massachusetts-Bay,

In COUNCIL, April 3, 1776.

READ and accepted, and Ordered, That a suitable Number be printed, in order that each of the religious Assemblies in this Colony, may be furnished with a Copy of the same.

Printed down for Concurrence.

PEREZ MORTON, Dep. Sec'y.

In the House of REPRESENTATIVES, April 4, 1776.

Read and concurred.

SAMUEL FREEMAN, Speaker, pro Tem.

JAMES OTIS,
BENJAMIN GREENLEAF,
GILES CUSHING,
JOHN WINTHROP,
JOHN WHEATON,
EDMUND TAYLOR,
MICHAEL FARLEY,
JOSEPH PALMER,
SAMUEL HOLMES,
MISSES GILL,
JOSEPH GERRISH,
BENJAMIN HIGGINS,
CHARLES CILMOURN,
JOHN TAYLOR,
BENJAMIN WHITE.

GOD SAVE THE PEOPLE.

In Congress, Saturday, March 16, 1776
[Congressional Fast Day Proclamation].
Broadside Collection,
Rare Book and Special Collections Division.

Congress sets Friday, May 17, as a “day of Humiliation, Fasting and Prayer” throughout the colonies. This document is characteristic of the numerous fast and thanksgiving day proclamations issued by Congress throughout the Revolutionary War. All contained Christian language, though not in every case a specific invocation of the “merits and mediation of Jesus Christ.” Note that Massachusetts ordered that a “suitable Number” of these proclamations be printed “in order that each of the religious Assemblies in this Colony, may be furnished with a Copy of the same” and added the motto “God Save This People” as a substitute for “God Save the King.”

weeks later on July 20.³ This resolution was communicated to state authorities, then to the churches, establishing a channel that Congress used repeatedly to relay political information to the nation’s citizens. On May 8, 1778, for example, Congress issued an assessment of the country’s political and military situation which it ordered to be read by “ministers of the gospel of all denominations . . . immediately after divine services.” By participating in this process the clergy became political auxiliaries of Congress. The May 8 address, which was duly read in the churches, was a characteristic congressional state paper because of its repeated references to religion: “our dependence was not upon man,” Congress asserted, “it was upon Him who hath commanded us to love our enemies, and to render good for evil”; our success has been “so peculiarly marked, almost by direct interposition of Providence, that not to feel and acknowledge his protection would be the height of impious ingratitude.”⁴

The “Continental fast” of July 20 did not disappoint those like John Adams, who predicted that “Millions will be on their Knees at once before their great Creator, imploring His Forgiveness and Blessing, His Smiles on American Councils and Arms.”⁵ On the appointed day, Congress attended services and heard sermons in the morning at Duché’s Anglican Church and in the afternoon at Francis Allison’s Presbyterian meeting, being careful, as it was throughout the war, not to patronize exclusively any one denomination, lest it be accused of religious favoritism. Later, Congress worshipped en masse at Philadelphia’s “Roman Chapel,” July 4, 1779, and at the “Dutch Lutheran Church,” October 24, 1781. In an additional effort to appear evenhanded in religious matters, Congress, after the Duché debacle, appointed joint chaplains of different denominations.

Certain phrases in Congress's proclamation of June 12, setting the July 20 fast—God's "desolating judgments," "confess and deplore our many sins," "beseech him to forgive our iniquities," "implore his merciful interposition for our deliverance"—have tipped scholars off to the fact that Congress had adopted and was expounding a venerable religious doctrine called "covenant theology."⁶ As old as the Reformation itself, this doctrine was embraced by all of the major Protestant groups who settled America, although it has become known as one of the signature statements of the New England Puritans.

Covenant theology was simplicity itself. It held that God had condescended to bind himself to human beings by what amounted to a legal agreement—a covenant—to reward their faithfulness and punish their sins. Preachers explained that, as parties to a covenant, "a people should be prosperous or afflicted, according as their general Obedience or Disobedience thereto appears."⁷ God might visit a sinful people with natural afflictions—floods, droughts, epidemics—or political ones—oppression, rebellions, wars. Although secular men might ascribe the controversy with the mother country to a conspiracy of rapacious British politicians, religious Americans knew better. As a preacher explained, "in seasons of great difficulty and distress we are apt to look too much to second causes, and to forget that whatever evil or calamity is brought upon us, the hand of the Lord is in it."⁸

This was precisely the message Duché delivered to Congress in his sermon of July 20, 1775. The conflict with the mother country, he admonished the members, was God's doing, a "national punishment" for "national guilt."⁹ There was no reason to despair, however, for God was as merciful as He was just, and He was always ready to let those with

whom He had covenanted regain His favor. This could be done by a step-by-step method that included acknowledgment of God's sovereignty and agency in human events (in pain as well as pleasure), confession of sin, repentance, and expectation of deliverance through God's mercy.

For ten years, from its first fast day proclamation of June 12, 1775 until its final thanksgiving proclamation of August 3, 1784, Congress adopted and preached to the American people the political theology of the national covenant, the belief that the war with Britain was God's punishment for America's sins and that national confession and repentance would reconcile Him to the country and cause Him to bare His mighty arm and smite the British. Congress was, obviously, recommending repentance as a military strategy, but no one objected, for covenant theology had legitimized this approach for generations. Although it would have preferred more concrete assistance from the political leadership, the American military did not disparage covenant theology. Congress's faith in its potency never flagged, however, and every year during the war it broadcast it to the people at least twice, once in a March fast day proclamation and once in an October thanksgiving proclamation.

Selections from various fast day proclamations show how Congress, guided by covenant theology, drew the roadmap for regaining God's favor. The first requirement was that the American people recognize God's "overruling Providence" (1776);¹⁰ then they must acknowledge that the war and its attendant evils were God's chastisements for the nation's sins, it having pleased God "for the punishment of our manifold offenses, to permit the sword of war still to harrass our country" (1780);¹¹ next they must "confess and bewail our manifold sins and trespasses" and exhibit "sincere repentance and

amendment of life [to] appease his righteous displeasure" (1776, 1781);¹² finally, they should look for deliverance, hoping "that it may please the Lord of Hosts, the God of Armies, to animate our officers and soldiers with invincible fortitude . . . and to crown the continental arms, by sea and land, with victory and success" (1776).¹³

Since collective, national sins were held to have provoked God to punish the country with war, Congress repeatedly entreated God to help produce a national reformation of religion. His power was sought in proclamations in 1776 to assure that "pure undefiled religion, may universally prevail";¹⁴ in 1777, "to prosper the means of religion for the promotion and enlargement of that kingdom which consisteth 'in righteousness, peace and joy in the Holy Ghost'";¹⁵ and in 1778 that Americans might be "a reformed and happy people."¹⁶ The language of the congressional proclamations was unapologetically Christian; Congress specifically sought the intervention on the nation's behalf of Jesus Christ, praying God in 1776 "through the merits and mediation of Jesus Christ [to] obtain his pardon and forgiveness,"¹⁷ and in 1777 inviting its fellow Americans to "join the penitent confession of their manifold sins . . . and their humble and earnest supplication that it may please God, through the merits of Jesus Christ, mercifully to forgive and blot them out of remembrance."¹⁸

The most eloquent congressional proclamation, one whose stylistic excellence does not suffer in comparison to the best state papers of the period, was composed for the American people on March 20, 1779, and sent out over the signature of John Jay. It is reprinted here to give the reader the flavor of the constant stream of Congress's political-theological manifestos:

that he [God] will grant the blessings of peace to all contending nations, freedom to those who are in bondage, and comfort to the afflicted: that he will diffuse useful knowledge, extend the influence of true religion, and give us that peace of mind which the world cannot give: that he will be our shield in the day of battle, our comforter in the hour of death, and our kind parent and merciful judge through time and through eternity.¹⁹

Although Congress's principal weapon in its campaign for a religious citizenry was exhortation, it took action when it could. John Dickinson, for example, inserted in an early draft of the Articles of Confederation the requirement that every American go to church; if "such person frequents regularly some place of religious worship on the Sabbath," Dickinson promised that his religious liberty would be protected.²⁰ Congress laid down the law for personnel under its control, particularly members of the armed forces. In the Articles of War, governing the conduct of the Continental Army, adopted on June 30, 1775, and revised and expanded on September 20, 1776, Congress devoted three of the four articles in the first section to the religious nurture of the troops.²¹ In Article 2 it was "earnestly recommended to all officers and soldiers to attend divine services." Punishment was prescribed for those who behaved "indcently or irreverently" in churches, including courts-martial, fines, and imprisonments; chaplains who deserted their troops were to be court-martialed.

Congress particularly feared the navy as a source of moral corruption and demanded that skippers of American ships make their men behave. The first article in Rules for the Regulation of the Navy,

| | | | |
|-----------------|---------------|----|---|
| South-Carolina, | Mr. Rutledge | no | } |
| | Mr. Ramsay | no | |
| | Mr. Izard | no | |
| | Mr. Gervais | no | |
| | Mr. Middleton | no | |
| Georgia, | Mr. Jones | ay | } |
| | Mr. Few | ay | |

So it passed in the negative.
The question being taken on the respective quotas of the several States was agreed to, and the report of the grand committee confirmed.

THURSDAY, September 12, 1782.

Whereas James Innes, esquire, who was on the 9th day of July last elected to the office of judge advocate, has not signified his acceptance, and it being intimated to Congress that he declines to accept the office:

Resolved, That Wednesday next be assigned for electing a judge advocate.

The committee, consisting of Mr. Duane, Mr. M'Kean and Mr. Witherspoon, to whom was referred a memorial of Robert Aitkin, printer, dated January 21st, 1781, respecting an edition of the holy scriptures, report,

"That Mr. Aitkin has at a great expence now finished an American edition of the holy scriptures in English; that the committee have from time to time attended to his progress in the work: that they also recommended it to the two chaplains of Congress to examine and give their opinion of the execution, who have accordingly reported thereon.

The recommendation and report being as follows:

Philadelphia, September 1st, 1782.

Reverend gentlemen,

Our knowledge of your piety and public spirit leads us without apology to recommend to your particular attention the edition of the holy scriptures publishing by Mr. Aitkin. He undertook this expensive work at a time, when from the circumstances of the war, an English edition of the bible could not be imported, nor any opinion formed how long the obstruction might continue. On this account particularly he deserves applause and encouragement. We therefore wish you, reverend gentlemen, to examine the execution of the work, and if approved to

give

give it the sanction of your judgment and the weight of your recommendation. We are with very great respect, your most obedient humble servants.

(Signed) JAMES DUANE, chairman, in behalf of a committee of Congress on Mr. Aitkin's memorial.

Reverend doctor White and reverend Mr. Duffield, chaplains of the United States in Congress assembled."

Report,

"Gentlemen,

Agreeably to your desire, we have paid attention to Mr. Robert Aitkin's impression of the holy scriptures, of the old and new testament. Having selected and examined a variety of passages throughout the work, we are of opinion that it is executed with great accuracy as to the sense, and with as few grammatical and typographical errors as could be expected in an undertaking of such magnitude. Being ourselves witnesses of the demand for this invaluable book, we rejoice in the present prospect of a supply, hoping that it will prove as advantageous as it is honorable to the gentleman, who has exerted himself to furnish it at the evident risk of private fortune. We are, gentlemen, your very respectful and humble servants,

(Signed)

William White,
George Duffield.

Honorable James Duane, esquire, chairman, and the other honorable gentlemen of the committee of Congress on Mr. Aitkin's memorial.

Philadelphia, September 10, 1782."

Whereupon,

Resolved, That the United States in Congress assembled, highly approve the pious and laudable undertaking of Mr. Aitkin, as subservient to the interest of religion as well as an instance of the progress of arts in this country, and being satisfied from the above report, of his care and accuracy in the execution of the work, they recommend this edition of the bible to the inhabitants of the United States, and hereby authorize him to publish this recommendation in the manner he shall think proper.

FRIDAY,

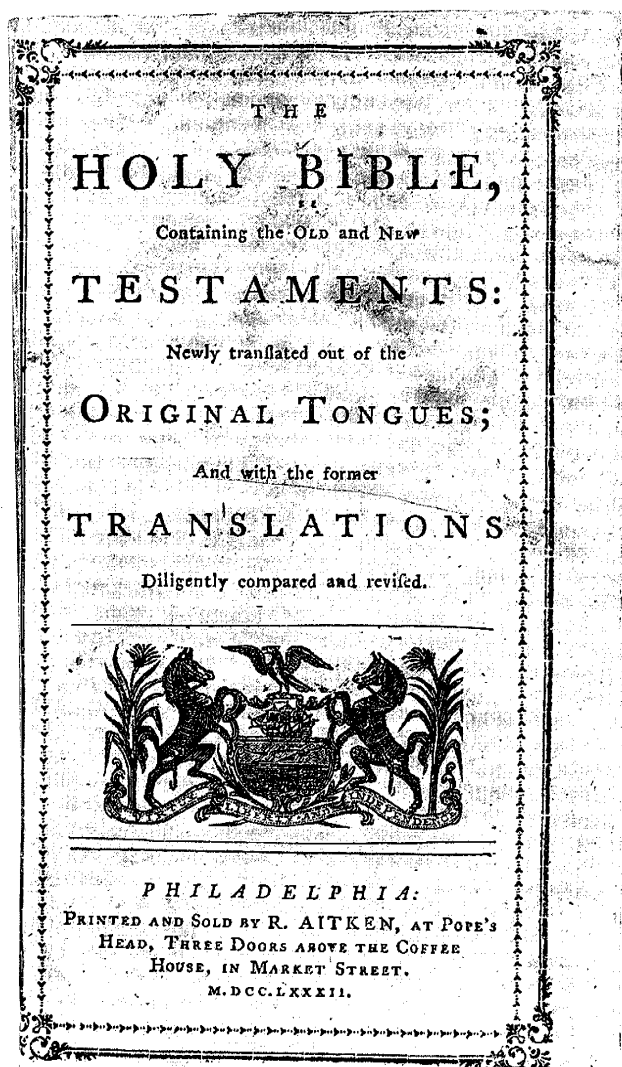
Congressional resolution, September 12, 1782, endorsing Robert Aitken's Bible, in *Journals of Congress*, vol. VII, September 1782. Rare Book and Special Collections Division.

Congress's Journals for September 12, 1782, contains the testimony of its chaplains, William White and George Duffield, that Robert Aitken had executed his edition of the Bible with "great accuracy" and Congress's recommendation of Aitken's "edition of the Bible to the inhabitants of the United States." Authorized by Congress to "publish this recommendation in the manner he shall think proper," Aitken printed the chaplain's testimonial and the congressional recommendation, as seen here, as an imprimatur on the two pages following his title page, seen in the next illustration.

adopted on November 28, 1775, ordered all commanders "to shew themselves a good example of honor and virtue to their officers and men and to be very vigilant . . . to discountenance and suppress all dissolute, immoral and disorderly practices." The second article required those same commanders "to take care, that divine services be performed twice a day on board, and a sermon preached on Sundays." Article 3 prescribed punishments for swearers and blasphemers: officers were to be fined and common

sailors were to be forced "to wear a wooden collar or some other shameful badge of distinction."²²

It is difficult to overemphasize Congress's concern for the spiritual condition of the armed forces, for the covenant mentality convinced it that irreligion in the ranks was, of all places, the most dangerous, for God might directly punish a backsliding military with defeat, extinguishing in the process American independence. Congress expressed its anxiety in its fast day proclamation of December 11,



The Holy Bible, Containing the Old and New Testaments Newly translated out of the Original Tongues; And with the former Translations Diligently compared and revised (Philadelphia: Printed and Sold by R. Aitken, 1782). Rare Book and Special Collections Division.

Robert Aitken's Bible, which was recommended to the people of the United States by the Confederation Congress on September 12, 1782.

1776, recommending “in the most earnest manner” to “officers civil and military under them, the exercise of repentance and reformation; and further, require of them the strict observation of the articles of war, and particularly, that part of the said articles, which forbids profane swearing, and all immorality.”²³

An unfailing antidote to immorality was Bible reading. Hostilities, however, had interrupted the supply of Bibles from Great Britain, raising fears of a shortage of Scripture just when it was needed most. In the summer of 1777, three Presbyterian ministers warned Congress of this danger and urged it to arrange for a domestic printing of the Bible. Upon investigation, a committee of Congress discovered that it would be cheaper to import Bibles from continental Europe and made such a recommendation to the full Congress on September 11, 1777. Congress approved the recommendation on the same day, instructing its Committee of Commerce to import twenty thousand Bibles from “Scotland, Holland or elsewhere” but adjourned—the British were poised to take Philadelphia—without passing implementing legislation.²⁴

The issue of the Bible supply was raised again in Congress in 1780 when it was moved that the states be requested “to procure one or more new and correct editions of the Old and New Testaments to be published.” The committee to whom this motion was referred was in due course charged with evaluating a petition (January 21, 1781) from a Philadelphia printer, Robert Aitken (1734–1802), that the national legislature officially sanction a publication of the Old and New Testament that he was preparing at his own expense. By September 1, 1782, Aitken's Bible was finished and Congress asked its chaplains—William White (1748–1836) and George Duffield (1732–1790)—for their opin-

ion of it. Having received the chaplains' report on September 10 that Aitken had done his work with "great accuracy," Congress on September 12 passed the following resolution: "The United States in Congress assembled, highly approve the pious and laudable undertaking of Mr. Aitken, as subservient to the interest of religion . . . and being satisfied from the above report, of his care and accuracy in the execution of the work, they recommend this edition of the Bible to the inhabitants of the United States." Aitken's edition of the Scriptures, published under congressional patronage, appeared shortly thereafter. It was the first English language Bible published on the North American continent.²⁵

A Congress that constantly exhorted its constituents to promote the spread of Christianity, to spare no efforts, as its fast day proclamation of March 19, 1782, urged, to see that the "religion of our Divine Redeemer . . . cover the earth as the waters cover the seas,"²⁶ could not be indifferent to the cause of Christ in the vast new territories—stretching from the Allegheny Mountains to the Mississippi River—acquired from Britain in the peace settlement of 1783. Accordingly, when Congress, in the spring of 1785, debated regulations for selling property in the new lands, it was moved that the central section in each township should be reserved for the support of schools and "the Section immediately adjoining the same to the northward, for the support of religion. The profits arising therefrom in both instances, to be applied for ever according to the will of the majority."²⁷ This proposal, which established religion in the traditional sense of granting state funding to a church that would be controlled by one denomination, attracted support, but was voted down on April 23, 1785.

Continuing to share the widespread concern about the corrupting influence of the frontier, Con-

gress in the summer of 1787 revisited the issue of religion in the new territories and passed, July 13, 1787, the famous Northwest Ordinance. Article 3 of the Ordinance contained the following language: "Religion, Morality and knowledge being necessary to good government and the happiness of mankind, Schools and the means of education shall forever be encouraged."²⁸ Scholars have been puzzled that, having declared religion and morality indispensable to good government, Congress did not, like some states that had written similar declarations into their constitutions, give financial assistance to the churches in the West. Although rhetorical encouragement for religion was all that was possible on this occasion, Congress did, in a little noticed action two weeks later, offer financial support to a church. In response to a plea from Bishop John Ettwein (1721--1802), Congress voted, July 27, 1787, that ten thousand acres on the Muskingum River in the present state of Ohio "be set apart and the property thereof be vested in the Moravian Brethren . . . or a society of the said Brethren for civilizing the Indians and promoting Christianity."²⁹

Under what authority did Congress conduct its wide-ranging activities in religion, its sermonizing the country, its sponsoring a Bible, its appointing chaplains for civilian and military duty, its criminalizing non-Christian activity in the armed forces, its granting public land to promote Christianity? The Articles of Confederation gave Congress so little power that, at times, it almost ceased to function. Nowhere in those circumscribed powers was there any mention of the power to legislate on religion. Yet, aside from complaints about granting land for religious purposes in the abortive Ordinance of April 23, 1785, no voices were raised by a notoriously jealous citizenry about Congress's broad program to promote religion. It appears that both the